

**Chester White Swine Record Association By-Laws
As Approved by the Chester White Swine Record
Association at the Chester White Annual Meeting at
Des Moines, Iowa on July 9, 2020**

CERTIFICATE OF INCORPORATION OF THE CHESTER WHITE
SWINE RECORD ASSOCIATION, P.O. Box 9758, Peoria, IL
61612-9758

Incorporated in Delaware, July 30, 1930

By-Laws of the Chester White Swine Record Association as adopted by
the incorporators, Board of Directors and members at Lima, Ohio,
September 16, 1930.

As amended and adopted by members and board of directors on
November 19, 1965 and on December 1, 1978, and on July 12, 1984

CONSTITUTION

We, the undersigned, in order to form a corporation for the purposes hereinafter stated and under and pursuant to the provisions of an Act of the Legislature of the State of Delaware, entitled, "An Act providing a General Corporation Law," (approved March 10, 1899) and the act amendatory thereof and supplemental thereto, do hereby certify as follows:

- I. The Corporate name is "THE CHESTER WHITE SWINE RECORD ASSOCIATION" (also referenced in this document as CWSRA or Association).
- II. The registered office in the State of Delaware shall be located in the City of Newark, and County of New Castle. The agent in charge thereof shall be Raymond Lloyd, Georgetown, Delaware.
- A. III. The objects and purposes of which this corporation is formed are to do any and all of the things herein set forth as fully and

to the same extent as natural person might or could do, and in any part of the world, namely:

- (a) Said corporation is formed for the purposes of maintaining and perpetuating the advancement attained in the latest improved Chester White breed of swine; to compile the pedigrees of the worthy offspring of all ancestors that trace back through the different families of the foundation stock of Chester County, Pennsylvania; to publish a yearbook containing complete statistics of the breed for private use and public inspection.
- (b) To charge such membership fees, registration fees, annual dues and other fees as the executive committee of the Certified Pedigreed Swine (CPS) Association elects to enact.
- (c) The corporation or Association may conduct its business and activities in any of the States, Territories, Colonies or dependencies of the United States, the District of Columbia, and any and all foreign countries, and have one or more offices or places of business therein, and therein to hold, purchase, let, mortgage and convey real and personal property, except as and when forbidden by local laws.
- (d) The incorporators shall have the right to adopt by-laws for the regulation of the activities, business and affairs of the Association, which by-laws may be altered, amended and rescinded from time to time by either the members or the board of directors, and to provide for a membership with such qualification, designations and restrictions as may be set forth in said by-laws, and the Incorporators shall have the power to elect directors to serve until the first annual meeting of the Association is held and until their successors are elected and qualify.

IV. The Association shall be a membership corporation and shall have no capital stock. The memberships shall be composed of the incorporators,

the board of directors, officers and such others as may be elected, qualified or accepted in such manner as the by-laws of the Association may provide, and the members of the Association shall have such rights and privileges as their respective classes, and be subject to such fees or other charges, suspensions, expulsion or other conditions as provided in the by-laws.

The Corporation shall take the place of the Chester White Swine Record Association of Ohio, which is being dissolved. The assets of said corporation, including the records of said association, and the members of said Chester White Swine Record Association of Ohio at or prior to the first regular meeting called by the incorporation hereof may become members of the Association or at any time prior to December 2, 1930, by surrendering to this corporation their certificate of membership in the Chester White Swine Record Association of Ohio, or by making written application without presenting certificate of membership if the same is lost, without charge, if presented prior to said December 3, 1930; after said date, by paying to the Association the sum of One Dollar (\$1.00) for such transfer, and shall continue as members as long as they comply with the rules and regulations, by-laws and articles of incorporation.

V. The board of directors of the Association may be designated as the board of directors, the board officers or by such other designation as the Association may from time to time determine, and shall have the management of the affairs and activities of the Association

VI. All elections and all meetings for the election of directors and officers shall be held and conducted in such manner as the by-laws provide.

VII. The incorporators of this Association are as follows: Arthur Tomson, Wabash, Indiana
Frank F. Moore, Rochester, Indiana
Frank B. Bryant, Rochester, Indiana

VIII. The existence of the Association is to be perpetual.

IX. The private property of the members shall not be subject to the payment of the corporate debts to any extent whatever.

X. In furtherance, and not in limitation of the powers conferred by statute, the Association is expressly authorized to hold its meetings in any State of the United States, to have one or more offices, and to keep the books of the Association within or without the State of Delaware, at such places as may be from time to time designated by the board of directors.

The board of directors shall have express power to fix and determine the use, disposition and application of the funds, moneys and assets of the Association, and pursuant to the affirmative vote of the active members of the Association to authorize and cause to be executed, mortgages and liens upon the real and personal property of the Association and to sell, assign or otherwise dispose of the real estate or other property of the real estate or other property of the Association, provided always that a majority of the whole board concur therein.

XI. Each member present shall be entitled to one vote on all questions and actions at all meetings of the members. Members shall not be permitted to vote by proxy at any meeting or on any question or action.

IN WITNESS WHEREOF, We have hereunto set our hands and seals
this 30th day of July, 1930. (Signed) Arthur Tomson (Seal)
(Signed) Frank F. Moore (Seal)
(Signed) Frank E. Bryant (Seal)

BY-LAWS

MEMBERSHIP

Membership in the Association shall consist of two classes, namely, life senior membership and junior membership.

SENIOR MEMBERSHIP — Article I, Section 1: Senior members are those who are 22 years of age or older and have purebred Chester White

animals registered in their name, have paid the membership fee and are in good standing with the Association.

JUNIOR MEMBERSHIP — Article I, Section 2: Any person 21 years of age or younger who owns and has a purebred Chester White animal registered in his or her name exclusively upon the records of the Association shall be qualified for Junior Membership. Such Junior Membership shall entitle the individual to the privileges of registration of animals at members' rates without being required to belong to a state or regional Association, but shall not entitle the individual to voting, nominating, or delegate rights in the Association.

MEMBERSHIP FEES — Article I, Section 3

SENIOR MEMBERSHIP — Members in the Chester White Swine Record Association shall be evidenced by membership certificates of such forms and design as the board of directors shall prescribe. Such membership certificates shall be transferrable, non-assessable and non-taxable. The Senior Membership fee shall be determined by the Certified Pedigreed Swine (CPS) executive committee and such rates for maintenance fees will be assessed to active senior members at a rate determined by the CPS executive committee. These fees include litter recordings, pedigree transfers, duplicate pedigrees, correction of pedigrees, name changes, five generation pedigrees, individuals added to previously recorded pedigree and membership and annual maintenance fees.

JUNIOR MEMBERSHIP — Any person 21 years of age or younger, owning and having registered in his/her name, one or more Chester Whites may apply for junior membership in the Chester White Swine Record Association for a one-time fee of ten dollars (\$10), due upon submission of proper forms applied by the Association. No yearly maintenance fee is required for junior membership.

APPLICATION FOR MEMBERSHIP — Article I, Section 4

All new senior members are required to complete and to place their signature on and send to the Chester White Swine Record Association an official Chester White association membership application (that will be kept on file at the Chester White office) before they are entered into the records as an official member. Any honorable person or firm, organization or company breeding Chester White swine may become a member of the Association by paying the membership fee and filing proper information on form for application furnished by the Association. Any honorable person or firm, organization or company not breeding Chester White swine but interested in cooperating with the Association to promote the welfare of the breed, may become a member of the Association on the approval of a majority of the board of directors and by paying the membership fee and filing proper information on form for application furnished by the Association. Transfer of membership from a person, firm, organization, or company, in good standing, to another, may be completed by sending in the membership to be transferred and complete information on parties involved, as outlined on membership application.

WITHDRAWALS — Article I, Section 5

A member of the Association in good standing may withdraw from membership by giving to the executive secretary a notice in writing or by requesting that his name be removed from the list of persons entitled to the rights and privileges of members of the Association, and upon receipt on such notice or request the membership of such member shall terminate; provided, however, that after charges have been preferred against a member, the right of such member to withdraw from membership shall be suspended until the termination of the proceedings in connection with such charges in accordance with the by-laws, unless the executive committee or board of directors otherwise agrees.

EXPULSION AND CENSURE OF MEMBERS — Article II, Section 1

Any member of this Association who violates the Constitution, by-laws, or rules and regulations of the Association, or who shall deceive or wrong the Association or a member thereof, or other person, or who shall so conduct himself as to make his association undesirable; or any member whose practices in the breeding of Chester White swine are such as to impair the reliability of the records of the Association shall be censured, suspended or expelled by the board of directors, after notice and a hearing as hereinafter provided. Persons whose membership has been declared forfeited and cancelled, and who are at the time owners of registered swine may, in a proper case, in the discretion of the board of directors or the executive committee, be permitted to transfer the swine then standing in their names on the records of the Association, or to register and transfer the progeny of such swine, within six months after the date of cancellation of their membership and the forfeiture of their rights in the Association.

Any member holding or managing a public sale of purebred Chester White swine or consigning animals to, or purchasing animals at such sale, who willfully engages in any fraudulent or unethical practice in connection with such sale may be censured, suspended, or expelled by the board of directors or by the executive committee thereof after notice and a hearing as hereinafter provided. The board of directors shall have the power to define from time to time what constitutes such fraudulent and unethical practices.

CHARGES AGAINST MEMBERS — Article II, Section 2

Upon information reflecting adversely upon the conduct of a member being presented to the executive secretary or other officer of the Association, the executive secretary shall cause the same to be investigated and make a report of his findings to the board of directors. If a majority of the board of directors deems that the best interest of the Association require it, any and all rights and privileges of the member may be limited or suspended for a period of time which shall not exceed three months unless written charges are preferred against the member hereinafter.

Whenever, as a result of this investigation, the board of directors deems that the best interests of the Association require it, there shall be filed with the board (the) charges in writing against the member based upon the information and investigation. Upon such filing, the right of the member to transfer animals on the record of the Association shall be suspended pending decision of the board of directors after the hearing of such charges in every case when the charges question the propriety of the registration or the reliability of the production records of an animal owned by the member.

The Executive Secretary shall forthwith cause a copy of such charges, together with a written notice of the time and place of the hearing thereof before the board of directors to be served upon said member by registered mail addressed to him at his last known address as shown by the records of the Association not less than thirty (30) days prior to said hearing.

Such notice shall contain a statement of the purpose and scope of the hearing and the action which said committee has the power to take regarding his membership in the Association and shall further advise the member that he may appear in person or by counsel and produce witnesses, affidavits, documentary and other evidence.

In all matters referred to this section and in the conduct of any hearing, a majority of the board of directors shall be sufficient to constitute a quorum thereof.

HEARINGS — Article II, Section 3

If it is decided by a majority of the board of directors that a hearing is needed, a grievance committee will be established for a preliminary hearing. This committee will consist of three persons: one being a member of the Chester White Swine Record Association who is selected by the accused member, one being a person selected by the Chester White board of directors, and one being a member of the Chester White Swine Record Association who is jointly selected by these two members of the committee. The grievance committee will then listen to the charge

and investigate the matter and present recommendations to the CWSRA board of directors. The Chester White board of directors can then make a judgement based upon this committee's recommendations. If it is further requested that a hearing be held before the board of directors, then the following procedures will be followed:

At the hearing upon said charges, both the person preferring them and the member against who they have been preferred, shall have the rights to be heard in person and by counsel and to produce whatever witnesses, affidavits, documentary or other evidence he may desire to produce. Oral testimony shall be recorded. At the close of said hearing, or as soon thereafter as may be reasonably possible, the board of directors shall make its findings as to be truth or falsity of such charges and shall render its decision thereon, either censuring, suspending or expelling said member, or dismissing the charges; and upon dismissal of the charges restoring him to the privilege of membership in the Association, in case he had been suspended from membership pending the hearing upon such charges.

- (a) When a member has been denied privileges of the Association or has been censured, suspended or expelled from membership, the fact thereof and the offense there committed shall be publicly announced through the Association's publications.
- (b) Neither the board of directors nor the executive committee, nor any of their members, nor any officer or employee of the Association shall become liable for the decisions rendered, put into effect or published as provided for in the by-laws, nor for any action taken pertaining to the same.

CHARGES AGAINST NON-MEMBERS — Article II, Section 4

Any person, firm or association who is not a member of this Association, and who makes application for the registry or transfer of an animal, or avails himself of any of the privileges of the Association, shall be deemed to have thereby subjected himself to the by-laws and rules of the

Association to the same extent as its members and subject thereto, including (but without limiting the generality of the foregoing) those provisions concerning the preferring of charges, the hearing thereon, the decision of the board of directors thereon, and the public announcement of the offense committed and the penalty imposed, all as set forth in Sections 1 to 3 of Article II of the by-laws of the Association).

In case any person or persons not a member of the Association is or shall be charged with fraud, misrepresentation, or false or irregular application for the registration or transfer of animals, or of designedly making any false statement of reference to the breeding, ownership, color marking or registration of animals, or of a violation of other rules or regulations of the Association, or in reference to any application for the registration or transfer of animals, or unfair dealing in connection with Chester White swine, or of the violation of the statutes of any state relating to the pedigree of, or the registration of, or the transfer of purebred animals, the executive secretary of the Association shall mail a notice in writing to such person or persons at his or their last known post office address, specifying the substance of the offense charged against said person or persons and requiring such person or persons to show cause before the board of directors or a special committee that may be constituted for that purpose, why such person or persons should not be banned from the privilege of registering or transferring swine on the records of the Association, or of production testing or classification of swine under any of the Association programs. And if such person or persons do not appear before the board of directors or such committee in response to said notice, or if such person or persons do appear and do not show any sufficient or satisfactory cause or make satisfactory explanation to the offense charged against said person or persons, and it shall satisfactorily appear that said charges are suspended, said person or persons shall be denied all privileges of the Association, and in any case whenever in the judgement of the board of directors the best interest of the Association require it, any person, firm, corporation or association not a member of the Association, may be denied all the privileges of the Association pending the hearing upon said charges before the board of directors.

DUTY OF APPLICANTS — Article III, Section 1

It shall be the duty of the persons availing themselves of the privileges of the Association to promptly answer all letters or inquiries of the Association and action on all matters dealing with their relations with the Association shall be deferred for a reasonable period to permit said letters and inquiries to be fully answered. Should any person fail or refuse to respond, the Association shall give notice to its intention to act not less than seven (7) days thereafter.

DENIAL OF PRIVILEGES — Article III, Section 2

Whenever in his judgement the best interests of the Association require such action, the executive secretary may temporarily, and with approval of the board of directors, may permanently deny privileges to any person, firm, corporation or association not a member of the Association.

In the interest of the members, the executive secretary shall, from time to time, cause to be published in regularly published media a list of the names and addresses of those persons as to whom a permanent denial of all of the privileges of the Association was last approved by the board of directors within one year prior to and is in effect at the time of such publication.

LIMITATION OF DUTY — Article IV, Section 1

It shall not be the duty of the Association to enforce any contract or agreement between buyers and sellers other than the furnishing of proper certificates of registry and transfer of ownership, or of the breeding records relating to such swine or their progeny.

MEMBERSHIP PRIVILEGES — Article V, Section 1

Members are entitled to record at membership rates all hogs that are bred or bought for the members' own use or sold directly to their customers. Members are entitled to information free of charge concerning the recorded animals in their possession whose records have

been permanently lost by fire or flood. Any member is entitled to information concerning any business transacted by the board of directors relative to his individual affairs and request for such information can be pressed only in the presence of two or more directors or one director and the executive secretary. Members in good standing are entitled to one vote each at the regular or called membership meeting and the vote shall be cast by the bona fide owner of the membership. Members of the Association shall have the power to elect the members of the board of directors. Junior memberships that are issued upon proper application, afforded the owner to receive rates and services of the Association at regular membership fees until their 22nd birthday. Junior membership terminates without notice on that person's 22nd birthday. Holders of junior memberships cannot vote in regular membership meetings of the Association.

DUTIES OF MEMBERS — Article V, Section 2

It shall be the duty of the members of this Association to carefully arrange their pedigrees, filling all the blanks specified in the forms of the Association. They shall report all errors of any nature discovered in any pedigree to the executive secretary. The members shall endeavor in every way to expose and prevent fraud in any manner, in selling, showing or otherwise, and assist the board of directors and executive secretary in securing a full, complete and truthful record of all stock entered for recording in the books of this Association. Members of this Association shall furnish complete and satisfactory pedigrees or certificates of registry with proper transfers of sales, if needed, for animals they sell, not later than sixty (60) days after the dates of sales. The date of sale is the date that sale of animal is transacted, unless in the case of sale of open gilt that is to be bred. In which case, unless by mutual agreement of the two parties involved, the date of sale will be delivery date of the gilt after breeding. Members failing to comply with the requirements of the Association, after due notices from their customers and the executive secretary, automatically surrender their membership privileges in this Association and such suspension shall be valid until said requirements are satisfactorily adjusted.

OFFICERS AND THEIR DUTIES — Article VI, Section 1

OFFICERS — The officers of this Association shall consist of president, vice president, executive secretary, treasurer, and board of seven (7) directors, each of whose term shall be for three (3) years, with three expiring each annual meeting date. No director shall serve more than two (2) consecutive, three-year terms. At each annual meeting, three (3) directors, who are active senior member breeders, will be elected with the board to consist of: one (1) at-large director, and of the remaining six (6) directors, three shall be selected from states West and three (3) states East of the Mississippi River. There shall not be more than two (2) directors from any one state.

(a) The offices of executive secretary and treasurer may be filled by one person. The executive secretary, who may act also as treasurer, shall be appointed by the board of directors for a specified term. The treasurer, who may also act as executive secretary, shall be appointed by the board of directors for a specified term. He shall be a member of this Association or otherwise agreed upon by the board of directors. The principal place for the executive secretary's and/or treasurer's office may be determined by the board of directors.

(b) The president shall have the right to appoint a nominating committee which shall be authorized to nominate one or more persons for the directors to be elected.

(c) Vacancies in the offices of the treasurer or executive secretary, by death, resignation or otherwise, shall be filled by the board of directors at a regular or called meeting. Vacancies in the offices of the board of directors, by death, resignation or otherwise, shall be filled by the board of directors until the following annual meeting. At the next immediate annual meeting, following appointment of board member, the membership shall elect a board of director to complete this directorship.

- (d) The absence of a director for a term of one (1) year from duly called meetings of the Association, which has been notified to attend, without a reasonable excuse that may be satisfactory to the board of directors, shall create a vacancy in his office as director of said Association and upon the entry in the records of the Association of his failure to attend said meetings, the board of directors shall elect a member to fill the vacancy.

- (e) The Chester White Swine Record Association shall indemnify any and all persons who may serve or have served at any time as officers or directors, and their respective heirs, administrators, successors and assigns, against any and all expenses, including amounts paid upon judgments, counsel fees and amounts paid in settlement (before or after suit is commenced), actually and necessarily incurred by such person in connection with the defense or settlement of any claim, action, suit or proceeding in which they, or any of them, are made parties, or a party, or which may be asserted against them or any of them by reason of being or having been an officer of the Chester White Swine Record Association, except in relation to matters as to which any such officer or director or former officer or director shall be adjudged in any action, suit or proceeding to be liable for his or her negligence or misconduct in the performance of his duty. Such indemnification shall be in addition to any other rights to which those indemnified may be entitled to under any law, by-law agreement or otherwise.

DUTIES OF BOARD OF DIRECTORS — Article VI, Section 2

The board of directors shall have control and management of the affairs and business of the Association.

EXECUTIVE COMMITTEE — The executive committee shall consist of the president, secretary and one of the board of directors (selected by the president). The executive committee shall have the power to investigate and decide any emergency cases or matters which

refer directly to the affairs of this Association. The action taken by the executive committee may be appealed by any member of the board of directors whose decision was final. The executive secretary and/or treasurer may be an ex-officio (non-voting) member of the board of directors.

EXPENSES — Article VI, Section 3

The traveling expenses of the board of directors, officers and committees, when engaged in the business of the Association, shall be paid by the Association (when official Chester White association expense forms are completed and submitted).

QUORUM — Article VI, Section 4

At any legal meeting of the board of directors, a majority of its members shall consist of a quorum for business.

LEGAL MEETINGS — Article VI, Section 5

A legal meeting of the board of directors of this Association may be held at any convenient place in any state or territory when a majority of the members of the board are present and agree to hold a meeting, and all votes and acts done by such meetings shall have the same validity and effects as they would have if passed and done at a regularly called meeting. A legal meeting of the board of directors of the Association may be held by telephone conference call. (A majority of the board must be on the phone line at the same time).

ANNUAL & SPECIAL MEETINGS — Article VI, Section 6

A meeting of the board of directors shall be held within the seven (7) days immediately preceding the annual convention or special meetings of the Association members. A special meeting also may be called by the president or executive secretary or by the majority of the directors when in their judgment the affairs or business of the Association make it necessary for the board of directors to hold a meeting.

DUTIES OF THE PRESIDENT & VICE PRESIDENT — Article VI, Section 7

It shall be the duty of the president to preside at all annual, adjourned or special meetings of the members regular or called meetings of the board of directors and, in the absence of the president, the vice president shall perform this duty.

DUTIES OF THE EXECUTIVE SECRETARY — Article VI, Section 8

The executive secretary shall be the chief executive officer (CEO) of the Association. He shall be appointed and his term of office and compensation fixed by the board of directors, and he shall be subject to the direction and control of the board of directors and the executive committee. He shall exercise such power and authority and shall perform such duties as customarily pertain to the position of general manager or other chief executive officer of the corporation, and such other duties as the board of directors may from time to time assign him.

He shall be the corresponding and recording officer of the Association and shall receive, attend to and dispose of all applications for membership in the Association, all applications for registry of animals in the herd books, and all applications for ownership transfer of such animals. He shall sign and issue all applications for membership, registry and ownership transfer, and shall keep a record of all such certificates issued. Under the rules and regulations prescribed by the board of directors, he shall have charge of all programs of the Association. In the event of the death, resignation or incapacity of the executive secretary, his duties and responsibilities shall be discharged by the chairman of the executive committee until such time as the vacancy in his office has been filled by the board of directors.

DUTIES OF THE TREASURER — Article VI, Section 9

The treasurer, who may also be the executive secretary, shall be manager of the accounting department, chief accounting officer of the

Association, and subject to direction and control of the board of directors. He shall have the custody of the corporate funds and securities, shall keep full and accurate accounts of receipts and disbursements in books belonging to the Association, and shall deposit all moneys in the name and to the credit of the Association in such depository or depositories as may be designated by the board of directors. He shall receive and account for all fees from memberships and for the registry and transfer of animals, as well as for all other moneys received by any other officer or employee of the Association in connection with its business. He shall have the power to sign the checks of the Association as treasurer, thereof, and shall disburse its funds as may be authorized under the budget, taking proper vouchers for such disbursements and rendering, whenever required by the board of directors, an account of his trans- actions as treasurer and of the financial condition of the Association. He shall make a full and properly detailed report of his accounts annually at the convention or meeting of members and shall perform such other duties as may be assigned to him by the board of directors.

REGISTRATION INFORMATION

PUBLICATIONS — Article VII, Section 1

The Association shall publish or otherwise make available registration information, production and type data, and such other data and information as may be desirable in such manner as may be prescribed by the board of directors.

ANIMAL ELIGIBILITY — Article VII, Section 2

There shall be registered only such animals as are determined under the rules and regulations of this Association to be purebred Chester White.

PUREBRED DEFINED — Article VII, Section 3

Purebred Chester White shall be held to mean and refer to swine descended in unbroken line, both as to sire and dam, from hogs registered in the Chester White Swine Record Association.

CONTENTS — Article VII, Section 4

The registration information shall include an accurate record of all animals accepted for registry in it and shall be maintained in such form as prescribed by the board of directors. Each entry shall set forth the registry number of the animal, name, date of birth and the name and number of both the sire and dam.

REGISTRATION — Article VII, Section 5

The privileges of registering and transferring Chester White swine on the records of the Association may be extended to residents of foreign countries in which facilities for registry and transfer are not available, provided the applications, therefore, are properly prepared and filed with the necessary fees.

A member of the Association shall furnish a complete and satisfactory pedigree or a certificate of registry for the animal that he sells no later than sixty (60) days after the date of sale. Any members failing to comply with the foregoing requirements of the Association after due notice from his customer and the secretary, automatically surrenders his membership privileges in the Association and such suspension shall be valid until said requirements are satisfactorily adjusted.

The following DISQUALIFICATIONS for registry of Chester White animals include:

1. Cryptorchidism and/or hernia in breeding animals.
2. Swirls on the body above flanks of breeding animals.
3. All animals with off-colored hair (red, black, sandy, etc.) are ineligible for registration and all

littermates of said animals are ineligible for registry in the Chester White Swine Record Association.

4. All animals with off-colored spots (red, black, sandy, etc.) on the hide larger than a silver dollar and/or more than five (5) single off-colored spots, none larger than a silver dollar, are ineligible for registry in the Chester White Swine Record Association (effective until the animal is one year of age).

HOW RECORDED — Article VII, Section 6

American-born animals shall be registered in the herd books only upon applications made on blanks furnished by the Association, which shall be in such form and on such conditions and shall contain such agreements and guarantees as the board of directors shall prescribe.

NAMES REFUSED — Article VII, Section 7

The executive secretary is authorized to refuse to register animals under the names that are misleading, either as to the origin or the relationship or otherwise, and also under names that are obscene or profane.

OWNERSHIP RECORDED — Article VII, Section 8

Each animal shall be recorded in the name of the owner of the dam at the date of its birth unless otherwise prescribed by the board of directors.

RECORD EXPUNGED — Article VII, Section 9

If, after registry of an animal in the herd books, anything shall be learned which raised a doubt as to the property of such registration, the executive secretary shall cause the matter to be investigated and he shall have power to suspend such registration pending said investigation. If, upon due hearing by the board of directors, it shall be found that an animal has been improperly registered, they shall cause the registry to be expunged and take such other steps or measures as the nature of the case in their judgment may require.

RECORDS MAY BE VERIFIED — Article VII, Section 10

The executive secretary may at any time investigate or cause to be investigated, examined, identified or DNA-verified parentage of any animal or herd of purebred Chester White swine and may examine the breeding and herd records maintained for the purpose of verifying applications and records on file or for the purpose of investigating other matters in which the Association may be interested.

UNDERSIRABLE RECESSIVE FILE — Article VII, Section 11

The executive secretary shall receive and keep on file information concerning the inheritance of any registered Chester White animal concluded by him on evidence to be a carrier of an undesirable recessive factor which might affect its use or value for breeding purposes. The Association may, without it or any of its officers or members becoming liable in damages therefore, publish and release such information or evidence. The board of directors shall determine from time to time, what recessive factors are considered undesirable and shall define the nature, type and form of the information which is to be accepted and kept on file.

When a pedigreed Chester White animal is sold for breeding purposes, said animal is guaranteed by the breeder as follows:

- A. The animal will be guaranteed to sire or produce offspring that are white when mated to Chester White breeding animals. If the animal sires or produces offspring with color (red, black or sandy, etc.) spots on the skin larger than a silver dollar or any color on the hair when this registered Chester White is mated to another registered Chester White, then the buyer should notify the seller. This guarantee is valid up to a maximum of one year from the purchase of the sire and/or dam.
- B. The pedigrees on the purchased registered Chester White boar (sire) and the purchased registered Chester White female (dam) involved in the litter with color disqualifications will be pulled and all

registrations from these two animals will be suspended. The seller of the animal will be given the right to obtain back (at the seller's expense) the animal sire or producing the accused color, and this original seller shall have the right to mate this Chester White to a minimum of three (3) colored (non-white) animals. Mating must take place within 60 days of original complaint from the buyer. The resulting litters will be inspected by at least two members of the Chester White grievance committee and they will, in turn, make a recommendation on settlement. If said animal is shown to be the sire or dam of improperly colored offspring, said animal's pedigree will be pulled and declared null and void and pedigrees of all first generation offspring of said animal will be pulled and declared null and void.

- C. If the seller fails to act within 60 days of the original complaint, then the buyer is refunded 100% of the purchase price (minus salvage value and commission). The seller of said sire and/or dam will refund 100% of the purchase price to the buyer (with Chester White legal verification document being signed by the buyer). All littermates to the sire and dam of this colored (non-white) litter or colored (non-white) individual should be tested for color as follows: (1) Littermate boars should each be mated to at least two colored (non-white) females; and, (2) Littermate gilts should be mated to a colored (non-white) purebred boar. This testing should be done in the next immediate breeding season. At least two members of the Chester White Swine Record Association's grievance committee will inspect the offspring of these matings and will recommend the disposition of the littermate(s)' pedigree(s), should they be declared null and void, based upon improper color (non-white) markings. If the pedigrees are declared null and void, the seller must give back to the buyer 100% of the purchase price (minus salvage value and sales commission).
- D. To be eligible for registering litters, all Chester White sires must be documented DNA-tested negative to the stress gene through an Association-approved laboratory. This mandates that sires from

stress negative litters must also be tested negative to the stress gene. Stress carrier sires, dams or progeny are not accepted for entry in the Chester White herd books, nor will any animals be grandfathered in. All Chester White sires must have a DNA blood card on file with the Association.

GUARANTEE OF APPLICANT — Article VII, Section 12

Every applicant for the registry of an animal shall be taken as a guarantee of the owner that the animal is purebred and that all matters stated in the application are true.

CERTIFICATE OF REGISTRY — Article VII, Section 13

When an animal is registered, the executive secretary shall issue a certificate to the owner in such form, upon such condition, guarantees and agreements as the board of directors shall prescribe. The certificate shall give the name and registration number the animal will take in the herd book, the name of the breeder, and the name of the owner and the address of each, the name and registration number of its sire and dam, the date of birth, and such other information as the board of directors may prescribe from time to time. No animals shall be admitted to registration in this Association that are not the direct offspring of animals recorded in this record association for this breed.

The date that governs the fee is the date the order is postmarked and not the date the order is received in the executive secretary's office. No order is accepted and booked until all pedigrees and transfers are complete and accurate and accompanied by a remittance of fee. All animals recorded in this Association volume shall be earmarked or identified according to the latest system adopted by the board of directors. When a sale is made, whether by cash, note or otherwise, of any animal eligible for registry in the Association, the purchaser is entitled to a pedigree, which is part of said sale upon completion of settlement. If, after reasonable notice of the purchaser to the seller, he fails to get the pedigree, he should at once notify the executive secretary.

In no case is the pedigree a lien on the animal for any business difficulties that may arise between seller and buyer.

NEGLECT OR REFUSAL TO SIGN APPLICATION FOR REGISTRY — Article VII, Section 14

In case of the persistent neglect or unreasonable refusal of the owner of the sire of the breeder of an animal to sign an application for registry, or of the disappearance of the owner of the sire, or of the breeder, upon satisfactory evidence being submitted to the board of directors they may, in their discretion, order the executive secretary to register the animal without the signature of the owner of the sire, or of the breeder, or both.

SIGNATURES — Article VII, Section 15

Applications for registry or transfer must be written in ink. All signatures of applications offered for record must be those of the persons whom they purport to be, or a letter of authority must be filed with the Association showing the right of one person to sign for another. Where the signature is made in this way, it should be written thus: "John Smith by John Jones, authorized."

ALTERATION ON CERTIFICATES — Article VII, Section 16

Alterations on certificates of registration or transfer after receipt from the Association renders them invalid.

INFORMATION — Article VII, Section 17

It shall be the duty of the executive secretary, upon request, to furnish information from the files of the Association free of charge to members of the Association, except in cases where special research is involved, when there shall be a uniform charge set by the board of directors.

NOT FOR PROFIT — Article VIII, Section 1

Said corporation is organized exclusively for education and scientific purposes, including for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)

(3) of the Internal Revenue Code of 1954 for the corresponding provision of any future United States Internal Revenue Law.

No part of the earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal in- come tax under section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or, (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

Upon dissolution of the corporation, the board of directors shall, after paying or making provision for the payment of all of the liabilities of the corporation, dispose of all of the assets of the corporation, exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the board of directors shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court

shall determine, which are organized and operated exclusively for such purposes.

AMENDMENTS — Article IX, Section 1

There are two procedures for changing the by-laws of the Association:

- a) All amendments shall be given publicity as early as possible. The members may propose amendments to the by-laws by submitting the proposed amendment(s) or to the executive secretary in writing not less than sixty (60) days prior to the date of the annual membership meeting. This procedure shall be considered previous notice and shall bear the signature of ten (10) members of the Association. The proposed amendment shall then be considered at the next annual membership meeting and may be enacted by a two-thirds vote of the membership present and voting.

- b) The board of directors may amend the by-laws by submitting any proposed amendment(s) to the executive secretary in writing and the proposal must bear the signature of not less than two-thirds of the entire board of directors. The suggested change then must lie on the table at least sixty (60) days or more and within that period must fall on an annual membership meeting. Notice of the proposed change must be included in the notice of the annual meeting (of the Association) and it shall be the privilege of the members to discuss the proposed changes. Following the annual membership meeting, the directors may enact the amendment or amendments previously proposed by the two-thirds vote of the entire board of directors.

Before undertaking to amend the Certificate of Incorporation, the board of directors must notify the membership in advance of their intention by stating in the notice of the annual membership meeting that the matter will be a topic of discussion.