



## West Virginia Department of Agriculture

Kent A. Leonhardt, Commissioner  
Joseph L. Hatton, Deputy Commissioner



### WV Grown Promotional Products Campaign In-Kind Product Donations and Photography Consent and Release Form Agreement

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The West Virginia Department of Agriculture (WVDA) West Virginia Grown Program, the official marketing program for agricultural products grown and processed in West Virginia, is seeking in-kind donations of WV Grown products. These donations will be used to create photographic and digital content for promotional marketing efforts, including but not limited to product displays at events, giveaways (individual and basket), and WV Grown digital and print advertisements. To participate, donors must be enrolled as a WV Grown producer, partner, or supporter.

#### WV GROWN CAMPAIGN OVERVIEW:

- WVDA will accept, style and photograph no more than five (5) products per WV Grown member. If more than five are sent, the WVDA will choose which five to use at the agency's discretion.
- Upon receipt, all donated products become the property of WVDA. Products will not be returned to the producer.
- In exchange for the product donation, WVDA will provide the submitting member one (1) DIGITAL photo of each of the styled WV Grown products (maximum of five products) in approximately 4-6 weeks from receipt. The image(s) will be sent to the email address provided on the WV Grown Product In-Kind Donations and Photography Consent and Release Form. The WV Grown member is responsible upon receipt to maintain the digital file. WVDA will not provide any printed photographs.
- All digital files will be edited by the WVDA and are FINAL. WVDA is not guaranteeing the quality of its work.
- This opportunity is only available to each WV Grown member once a year (every 12 months). WVDA will not accept any additional WV Grown product(s) submissions from the same member within twelve (12) months of the first submission.
  - If the donated WV Grown product(s) is damaged during shipping, prior to being received by WVDA, WVDA will contact the member and request a replacement WV Grown product. Replacement of a damaged product is NOT required. WVDA will not reimburse the cost of shipping for any WV Grown in-kind donations.
- It is the responsibility of the participating WV Grown member to send donations accompanied by the required, completed form. Any modifications to this form will result in WVDA's acceptance of the donation with the right to decline to take or provide photographic images in return. FORM MAY NOT BE ALTERED.
- WVDA will not sell photographic and/or digital images of any WV Grown donated products.
- Within 30 days of written notification, should the vendor ask for removal of promotion from the WV Grown campaign, product(s) will no longer be utilized from efforts by the WVDA.



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#### TO PARTICIPATE:

By completing the attached WV Grown Product In-Kind Donation and Photography Consent and Release Form and providing up to five (5) WV Grown products to WVDA, you acknowledge and agree to the following:

- Your donated WV Grown product(s) will become the property of WVDA for agency use.
- WVDA has full creative rights to style and photograph your product(s), either individually or as part of group arrangements at its discretion.
- WVDA is authorized to use all donated products and photographic images without restriction for marketing, promotional advertisements, activities, and events supporting the WV Grown program.

Please complete and enclose the following WV Grown Product In-Kind Donations and Photography Consent and Release Form with your WV Grown donation products. Please mail to:

**West Virginia Department of Agriculture  
Business Development-WV Grown  
217 Gus R. Douglass Lane  
Building 2, Suite 204  
Charleston, WV 25312**



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WV Grown Member Providing Donation		
Individual Name / Company Name:		
Mailing Address		
Address:		Phone:
City:	State:	Zip:
Email Address:		

Donation Purpose		
It is my intention that this grant, gift, or donation be used for the purpose of (Specify): <b>WV Grown program photographs, advertisements, promotion, displays, marketing activities, or similar agency purposes.</b>		
The donation of the WV Grown items listed below has an approximate value of \$_____ and is purely voluntary. I have no expectation of compensation.		
Donated WV Grown Items		
	Brand/ Product Name	Product Description
1.		
2.		
3.		
4.		
5.		



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#### Signature

It is the desire of the undersigned to make a donation to the West Virginia Department of Agriculture (WVDA). I understand that my donation will be reported by WVDA in accordance with West Virginia Code, §19-1-4a.

I hereby consent and grant permission to WVDA, its employees, and its agents the irrevocable and unrestricted right to obtain, reproduce, or otherwise use for the donation purposes above the photographic and/or digital images taken of the donated WV GROWN items listed above for the purposes of publication, promotion, illustration, advertising, or trade, in any manner or in any medium.

I waive any right that I may have to inspect and approve the finished product that may be used or to which it may be applied now and/or in the future, whether that use is known to me or unknown. I waive any right to compensation, including royalties, arising from or related to the use of the donated product(s) or image(s) of the donated product(s).

I release and agree to hold harmless WVDA, its employees, and its agents from all claims and any liability relating to use of the product(s) or images of the product(s).

Signature:

Date:

#### Submitting WVDA Employee

Name

Employee Phone Number

Date (mm/dd/yyyy)

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#### Approval Signatures

Date (mm/dd/yyyy)

Supervisor

☐ Approve ☐ Not Approved ☐ Revise

Director

☐ Approve ☐ Not Approved ☐ Revise