

Agency Name:  
 Address:  
 Contact Name:  
 Phone:  
 Fax:  
 Email:

## Cosmetic Manufacturing – Product Liability Application

All questions must be answered in full. Application must be signed and dated by the applicant.

Applicant's Name \_\_\_\_\_ Agent \_\_\_\_\_  
 \_\_\_\_\_

Applicant Mailing Address \_\_\_\_\_ Applicant's Phone Number \_\_\_\_\_  
 \_\_\_\_\_ Web Address \_\_\_\_\_  
 \_\_\_\_\_ Inspection Contact \_\_\_\_\_

Proposed Policy Period \_\_\_\_ to \_\_\_\_ Phone Number for Inspection Contact \_\_\_\_\_  
 Applicant is  Individual  Partnership  Corporation  Joint Venture  Other \_\_\_\_\_

Location #1 \_\_\_\_\_  
 Location #2 \_\_\_\_\_  
 Location #3 \_\_\_\_\_

### UNDERWRITING INFORMATION

1. Business of Applicant is:  Manufacturer \_\_\_%  Distributor \_\_\_%  Direct Importer \_\_\_%  Broker \_\_\_%  
 Other \_\_\_% Describe: \_\_\_\_\_
2. Description of operations: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
3. Years in business: \_\_\_\_\_
4. Description of all acquisitions completed in the last five years: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
5. Description of all discontinued products and historical sales for each: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

6. Total Annual Gross Sales	YEARS	SALES		
		UNITED STATES	FOREIGN*	TOTAL
<b>UPCOMING YEAR (ESTIMATE)</b>	to			
<b>CURRENT YEAR</b>	to			
<b>FIRST PRIOR YEAR</b>	to			
<b>SECOND PRIOR YEAR</b>	to			
<b>THIRD PRIOR YEAR</b>	to			
<b>FOURTH PRIOR YEAR</b>	to			

\*If any foreign sales, list countries where your product is sold: \_\_\_\_\_

**UNDERWRITING INFORMATION (Continued)**

- 7. If you distribute products manufactured by others:
  - a. Do you directly import any products? .....  Yes  No  
If yes, describe products and provide corresponding sales and countries of origin.  
\_\_\_\_\_  
\_\_\_\_\_
  - b. Do you obtain Certificates of Product Liability Insurance from each of your manufacturers/suppliers? ...  Yes  No  
If yes, what are the minimum limits of insurance required? \_\_\_\_\_
  - c. Are you included as an Additional Insured-Vendor under each manufacturer's / supplier's Product Liability Insurance? .....  Yes  No
- 8. If you contract the manufacturing of your product to others, do you have a formal written agreement with your sub-manufacturers? .....  Yes  No  
If yes, **attach** those sections of the agreement(s) pertaining to Product Liability and Product Liability insurance.
- 9. Do you obtain Certificates of Insurance from all suppliers evidencing Product Liability insurance? .....  Yes  No  
If yes, minimum limits of insurance required? \_\_\_\_\_
- 10. Do you maintain formal written quality control and testing procedures? .....  Yes  No
- 11. How long are quality control and testing records kept? \_\_\_\_\_
- 12. Can you identify your product from those of competitors? .....  Yes  No  
If yes, describe: \_\_\_\_\_
- 13. Do you maintain records of the following:
  - a) When and where your product was manufactured? .....  Yes  No
  - b) To whom your product was sold and the date of sale? .....  Yes  No
  - c) Changes in design or formulation? .....  Yes  No
  - d) Changes in advertising material? .....  Yes  NoIf yes, how long do you maintain the records? \_\_\_\_\_  
\_\_\_\_\_
- 14. Who provides the following for your products:
  - a) Formula? \_\_\_\_\_
  - b) Ingredients? \_\_\_\_\_
  - c) Containers or Packaging? \_\_\_\_\_
  - d) Labels? \_\_\_\_\_
- 15. Are all ingredients listed on product labels? (Provide copy of labels).....  Yes  No
- 16. Are susceptible products tested for microbial contamination?.....  Yes  No  
If yes: By whom? \_\_\_\_\_  
How often? \_\_\_\_\_  
Describe testing: \_\_\_\_\_
- 17. Are samples of finished products retained?.....  Yes  No  
If yes, for how long? \_\_\_\_\_
- 18. Do you manufacture any products that are to be ingested?.....  Yes  No  
If yes, provide details: \_\_\_\_\_
- 19. Are any of your products designed for professional use only? .....  Yes  No  
If yes, provide details: \_\_\_\_\_

**Underwriting Information (CONTINUED)**

20. Are any products manufactured in your home? .....  Yes  No  
 If yes, provide manufacturing details: \_\_\_\_\_

Are products prepared in a sterile environment? .....  Yes  No  
 Explain: \_\_\_\_\_

21. Do you offer training or instruction on the use of your products? .....  Yes  No  
 If yes, do you certify the trainees? .....  Yes  No

22. Do you have a formal written products recall procedure? .....  Yes  No  
 If yes, **attach** a copy.

23. Have you voluntarily or involuntarily recalled, or are you considering recalling, any known or suspected defective products from the market? .....  Yes  No  
 If yes, describe. \_\_\_\_\_

24. Are you aware of any incident, condition, circumstance, defect or suspected defect in any product or work, which may result in a claim or claims against you that are not listed above? .....  Yes  No  
 If yes, **attach** an explanation.

25. Are you aware of any complaint or notice filed in the last three years with any governmental agency or industry regulatory body including but not limited to the Food & Drug Administration concerning your product? .....  Yes  No  
 If yes, **attach** an explanation.

26. Desired Limits. \_\_\_\_\_ Deductible/SIR. \_\_\_\_\_

27. Current Carrier Information

CARRIER	LIMITS	DEDUCTIBLE/SIR	RATE	PREMIUM

Coverage Form:  Occurrence  Claims Made, Retro Date: \_\_\_\_\_

Is current carrier offering renewal? .....  Yes  No

**PRIOR CARRIER HISTORY & LOSS INFORMATION**

**PRIOR CARRIERS (LAST THREE YEARS):**

YEAR	CARRIER	POLICY NUMBER	LIMITS	PREMIUM
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

**Underwriting Information (CONTINUED)**

**LOSS HISTORY (LAST FIVE YEARS)**

DATE OF LOSS	TYPE OF LOSS	DESCRIPTION OF LOSS	AMOUNT PAID	RESERVE
_____	_____	_____ _____	_____	_____
_____	_____	_____ _____	_____	_____
_____	_____	_____ _____	_____	_____
_____	_____	_____ _____	_____	_____
_____	_____	_____ _____	_____	_____

Has the applicant been cancelled or non-renewed in the last three years? .....  Yes  No  
 If yes, Explain. \_\_\_\_\_

**PLEASE READ BELOW AND COMPLETE SIGNATURE BLOCK ON LAST PAGE**

I have reviewed this application for accuracy before signing it. As a condition precedent to coverage, I hereby state that the information contained herein is true, accurate and complete and that no material facts have been omitted, misrepresented or misstated. I know of no other claims or lawsuits against the applicant and I know of no other events, incidents or occurrences which might reasonably lead to a claim or lawsuit against the applicant. I understand that this is an application for insurance only and that completion and submission of this application does not bind coverage with any insurer.

**IMPORTANT NOTICE:** As part of our underwriting procedure, a routine inquiry may be made to obtain applicable information concerning character, general reputation, personal characteristics, and mode of living. Upon written request, additional information as to the nature and scope of the report, if one is made, will be provided.

**FRAUD STATEMENT – FOR THE STATE(S) OF:**

**Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, North Dakota, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, West Virginia, Wisconsin, Wyoming:**

**NOTICE:** In some states, any person who knowingly (For Maryland add: *or willfully*) presents a false or fraudulent claim for payment of a loss or benefit or knowingly (For Maryland add: *or willfully*) presents false information in an application for insurance is guilty of a crime and may be subject to (For Alabama add: *restitution*,) fines and confinement in prison (For Alabama add: *or any combination thereof*).

**Maine, Tennessee, Virginia, Washington:**

It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties may include imprisonment, fines, or a denial of insurance benefits.

**Alaska**

A person who knowingly and with intent to injure, defraud, or deceive an insurance company files claim containing false, incomplete, or misleading information may be prosecuted under state law.

### **Arizona**

For your protection Arizona law requires the following statement to appear on this form. Any person who knowingly presents a false or fraudulent claim for payment of a loss is subject to criminal and civil penalties.

### **California**

For your protection, California law requires that you be made aware of the following: Any person who knowingly presents false or fraudulent claim for the payment of a loss is guilty of a crime and may be subject to fines and confinement in state prison.

### **Colorado**

It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

### **Florida**

Any person who knowingly and with intent to injure, defraud or deceive any insurer files a statement of claim or an application containing any false, incomplete, or misleading information is guilty of a felony of the third degree.

### **District of Columbia**

**WARNING:** It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.

### **Hawaii**

Intentionally or knowingly misrepresenting or concealing a material fact, opinion or intention to obtain coverage, benefits, recovery or compensation when presenting an application for the issuance or renewal of an insurance policy or when presenting a claim for the payment of a loss is a criminal offense punishable by fines or imprisonment, or both.

### **Idaho**

Any person who knowingly, and with intent to defraud or deceive any insurance company, files a statement of claim containing any false, incomplete, or misleading information is guilty of a felony.

### **Indiana**

Any person who knowingly and with intent to defraud an insurer files a statement of claim containing any false, incomplete, or misleading information commits a felony.

### **Kansas**

Any person who commits a fraudulent insurance act is guilty of a crime and may be subject to restitution, fines and confinement in prison. A fraudulent insurance act means an act committed by any person who, knowingly and with intent to defraud, presents, causes to be presented or prepares with knowledge or belief that it will be presented to or by an insurer, purported insurer or insurance agent or broker, any written statement as part of, or in support of, an application for insurance, or the rating of an insurance policy, or a claim for payment or other benefit under an insurance policy, which such person knows to contain materially false information concerning any material fact thereto; or conceals, for the purpose of misleading, information concerning any fact material thereto.

### **Minnesota**

Any person who files a claim with intent to defraud or help commit a fraud against an insurer is guilty of a crime.

### **New Hampshire**

Any person who, with a purpose to injure, defraud or deceive any insurance company, files a statement of claim containing any false, incomplete, or misleading information is subject to prosecution and punishment for insurance fraud, as provided in RSA 638:20.

### **New Jersey**

Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

**New Mexico**

Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to civil fines and criminal penalties.

**New York**

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime, and shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

**Ohio**

Any person who, with intent to defraud or knowing that he is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement is guilty of insurance fraud.

**Oklahoma**

WARNING – Any person who knowingly, and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of an insurance policy containing any false, incomplete or misleading information is guilty of a felony.

**Oregon**

Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents materially false information in an application for insurance may be guilty of a crime and may be subject to fines and confinement in prison. In order for us to deny a claim on the basis of misstatements, misrepresentations, omissions or concealments on your part, we must show that:

- A. The misinformation is material to the content of the policy;
- B. We relied upon the misinformation; and
- C. The information was either:
  - 1. Material to the risk assumed by us; or
  - 2. Provided fraudulently.

For remedies other than the denial of a claim, misstatements, misrepresentations, omissions or concealments on your part must either be fraudulent or material to our interests. With regard to fire insurance, in order to trigger the right to remedy, material misrepresentations must be willful or intentional. Misstatements, misrepresentations, omissions or concealments on your part are not fraudulent unless they are made with the intent to knowingly defraud.

**Pennsylvania**

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

\_\_\_\_\_  
Producer's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date