The following guidelines apply to all requests for E-85:

1. All requests must be submitted to CITGO in writing by the Marketer and include a detailed description of the proposed E-85 dispenser configuration and signage.

2. An E-85 dispenser must be clearly differentiated by color (colors must be non-CITGO), decals and labels. CITGO trademarks can not be displayed on the dispenser if utilizing a stand alone dispenser. If the Marketer utilizes a 2 hose MPD, it must clearly distinguish the E-85 equipment from the CITGO-branded gasoline dispensing equipment.

3. To guard against misfueling, if E-85 is to be dispensed from a multiple product dispenser (MPD) it can only be dispensed from a 2-hose MPD so E-85 cannot come in contact with CITGO-branded gasoline. The dispenser shall be distinguished as follows:
   a. The MPD valance shall not be identified as CITGO.
   b. The lower door (pump skirt) decal shall be split into 2 sections so that the section directly under the E-85 hose will not be identified as CITGO. It must be clearly differentiated by color (colors must be non-CITGO), decals and labels.

4. Warnings shall be posted on the E85 dispenser to advise the motoring public that the E-85 motor fuel (1) is not gasoline, and (2) can only be used in vehicles that can accept up to E-85 fuel pursuant to the manufacturers’ specifications. Examples of these labels and pump decals can be found at the E-85 website – www.E85fuel.com. Additionally, a warning label to advise the motoring public that this is not a CITGO product must be affixed and can be ordered through CITGO MarketNet.

5. If the marketer elects to post an E-85 price sign on the CITGO price sign system the following applies:
   a. The sign shall be ordered through CITGO’s Region Brand Managers.
   b. The sign shall be manufactured according to CITGO specifications as to color, size, and font.
   c. The sign shall have the following wording: ”THIS IS NOT A CITGO PRODUCT”( in all caps).
   d. The sign cost shall be billed to the Marketer and Marketer is responsible for installation costs and ongoing maintenance of E-85 installed signage.
   e. Only CITGO approved and produced signage of any type is allowed on the CITGO price and logo sign system
   f. The standard signage shall include a white background with black font in sign sizes 2’ x 7’, 2’ x 6’ and 2’ x 5’. However if zoning precludes the use of standard signs, the E-85 sign can be incorporated into an existing sign at Marketers cost.
   g. No costs associated with E-85 signage will qualify for any branding program reimbursement.
RELEASE AND INDEMNIFICATION AGREEMENT
FOR THE SALE OF E-85 MOTOR FUELS
AT CITGO-BRANDED RETAIL LOCATIONS

The Marketer listed below has requested CITGO Petroleum Corporation (CITGO)’s permission to sell E-85 motor fuels at one or more CITGO-branded retail locations. Marketer has made such a request with the understanding that E-85 motor fuels are not manufactured, distributed, or sold by CITGO, and with the further understanding that the tanks, dispensers, hoses, and any other equipment associated with the sale of E-85 motor fuels are to be owned, operated, and maintained by the Marketer or its retailer (and not CITGO).

In consideration of permitting Marketer to sell E-85 motor fuels at one or more CITGO-branded retail locations, the Marketer agrees to release, defend, indemnify and hold CITGO harmless from and against any and all suits, claims, demands, investigations, causes of action, damages, costs, fines, penalties and expenses, including reasonable attorneys fees (collectively, “Claims”) arising from or relating to the sale, transportation, storage, delivery, and/or use of E-85 motor fuels by the Marketer or its retailers. Such Claims include without limitation any claims arising from or relating to the mislabeling or misfueling of E-85 motor fuels at a CITGO-branded retail location.

Consistent with the attached Guidelines, Marketer shall have any and all E-85 dispensers at the CITGO-branded retail locations clearly differentiated by trademark, trade dress and color to distinguish them from the CITGO-branded motor fuel dispensers. Warnings shall be posted on the E-85 dispenser to advise the motoring public that the E-85 motor fuel (1) is not gasoline, (2) is not a CITGO product, and (3) can only be used in vehicles that can accept up to E-85 fuel (for example, Flex Fuel Vehicles). Examples of these labels and pump decals can be found at the E-85 website – www.e85fuel.com.

In WITNESS THEREOF, this Release and Indemnification Agreement is executed on this ___ day of __________________, 20__.  

MARKETER
_________________________________________
By: ___________________________________
Title: ___________________________________

CITGO Release and Indemnification AGR re Sale of E-85
Updated 03-2010