# Form 5500

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

## Annual Return/Report of Employee Benefit Plan

This form is required to be filed for employee benefit plans under sections 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA) and sections 6047(e), and 6058(a) of the Internal Revenue Code (the Code).

▶ **Complete all entries in accordance with the instructions to the Form 5500.**

OMB Nos. 1210-0110
1210-0089

**2009**

**This Form is Open to Public Inspection**

## Part I Annual Report Identification Information

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

**A** This return/report is for:
- [ ] a multiemployer plan;
- [ ] a multiple-employer plan; or
- [X] a single-employer plan;
- [ ] a DFE (specify) ____

**B** This return/report is:
- [ ] the first return/report;
- [ ] the final return/report;
- [ ] an amended return/report;
- [ ] a short plan year return/report (less than 12 months).

**C** If the plan is a collectively-bargained plan, check here. . . . . ▶ [ ]

**D** Check box if filing under:
- [ ] Form 5558;
- [ ] automatic extension;
- [ ] the DFVC program;
- [ ] special extension (enter description)

## Part II Basic Plan Information—enter all requested information

**1a** Name of plan
MUSCO FAMILY OLIVE CO. 401(K) AND PROFIT SHARING PLAN

**1b** Three-digit plan number (PN) ▶ 001

**1c** Effective date of plan 07/01/1987

**2a** Plan sponsor's name and address (employer, if for a single-employer plan)
(Address should include room or suite no.)
MUSCO FAMILY OLIVE PRODUCTS, INC.

17950 VIA NICOLO
TRACY, CA 95377-9767

**2b** Employer Identification Number (EIN)
94-1489230

**2c** Sponsor's telephone number
209-836-4600

**2d** Business code (see instructions)
311400

**Caution: A penalty for the late or incomplete filing of this return/report will be assessed unless reasonable cause is established.**

Under penalties of perjury and other penalties set forth in the instructions, I declare that I have examined this return/report, including accompanying schedules, statements and attachments, as well as the electronic version of this return/report, and to the best of my knowledge and belief, it is true, correct, and complete.

| | | | |
|---|---|---|---|
| **SIGN HERE** | Filed with authorized/valid electronic signature. | 07/30/2010 | NICHOLAS J MUSCO |
| | **Signature of plan administrator** | Date | Enter name of individual signing as plan administrator |
| **SIGN HERE** | | | |
| | **Signature of employer/plan sponsor** | Date | Enter name of individual signing as employer or plan sponsor |
| **SIGN HERE** | | | |
| | **Signature of DFE** | Date | Enter name of individual signing as DFE |

**3a** Plan administrator's name and address (if same as plan sponsor, enter "Same")
MUSCO FAMILY OLIVE PRODUCTS, INC.

17950 VIA NICOLO
TRACY, CA 95377-9767

**3b** Administrator's EIN
94-1489230

**3c** Administrator's telephone number
209-836-4600

**4** If the name and/or EIN of the plan sponsor has changed since the last return/report filed for this plan, enter the name, EIN and the plan number from the last return/report:

**a** Sponsor's name

**4b** EIN

**4c** PN

| | | | |
|---|---|---|---|
| **5** | Total number of participants at the beginning of the plan year | **5** | 263 |
| **6** | Number of participants as of the end of the plan year (welfare plans complete only lines **6a, 6b, 6c,** and **6d**). | | |
| **a** | Active participants | **6a** | 206 |
| **b** | Retired or separated participants receiving benefits | **6b** | 0 |
| **c** | Other retired or separated participants entitled to future benefits | **6c** | 49 |
| **d** | Subtotal. Add lines **6a**, **6b**, and **6c** | **6d** | 255 |
| **e** | Deceased participants whose beneficiaries are receiving or are entitled to receive benefits | **6e** | 0 |
| **f** | Total. Add lines **6d** and **6e** | **6f** | 255 |
| **g** | Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item) | **6g** | 242 |
| **h** | Number of participants that terminated employment during the plan year with accrued benefits that were less than 100% vested | **6h** | 2 |
| **7** | Enter the total number of employers obligated to contribute to the plan (only multiemployer plans complete this item) | **7** | |

**8a** If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristic Codes in the instructions:
2E 2F 2G 2J 2K 2T 3D 3H

**b** If the plan provides welfare benefits, enter the applicable welfare feature codes from the List of Plan Characteristic Codes in the instructions:

**9a** Plan funding arrangement (check all that apply)

| | | |
|---|---|---|
| **(1)** | | Insurance |
| **(2)** | | Code section 412(e)(3) insurance contracts |
| **(3)** | X | Trust |
| **(4)** | | General assets of the sponsor |

**9b** Plan benefit arrangement (check all that apply)

| | | |
|---|---|---|
| **(1)** | | Insurance |
| **(2)** | | Code section 412(e)(3) insurance contracts |
| **(3)** | X | Trust |
| **(4)** | | General assets of the sponsor |

**10** Check all applicable boxes in 10a and 10b to indicate which schedules are attached, and, where indicated, enter the number attached. (See instructions)

**a Pension Schedules**

| | | |
|---|---|---|
| **(1)** | X | **R** (Retirement Plan Information) |
| **(2)** | | **MB** (Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information) - signed by the plan actuary |
| **(3)** | | **SB** (Single-Employer Defined Benefit Plan Actuarial Information) - signed by the plan actuary |

**b General Schedules**

| | | |
|---|---|---|
| **(1)** | X | **H** (Financial Information) |
| **(2)** | | **I** (Financial Information – Small Plan) |
| **(3)** | | ___ **A** (Insurance Information) |
| **(4)** | X | **C** (Service Provider Information) |
| **(5)** | X | **D** (DFE/Participating Plan Information) |
| **(6)** | | **G** (Financial Transaction Schedules) |

| SCHEDULE C (Form 5500) | Service Provider Information | OMB No. 1210-0110 |
|---|---|---|
| Department of the Treasury<br>Internal Revenue Service<br>Department of Labor<br>Employee Benefits Security Administration<br>Pension Benefit Guaranty Corporation | This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA).<br>▶ **File as an attachment to Form 5500.** | **2009**<br>**This Form is Open to Public Inspection.** |

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

**A** Name of plan
MUSCO FAMILY OLIVE CO. 401(K) AND PROFIT SHARING PLAN

**B** Three-digit plan number (PN) ▶ 001

**C** Plan sponsor's name as shown on line 2a of Form 5500
MUSCO FAMILY OLIVE PRODUCTS, INC.

**D** Employer Identification Number (EIN)
94-1489230

## Part I Service Provider Information (see instructions)

You must complete this Part, in accordance with the instructions, to report the information required for **each person** who received, directly or indirectly, $5,000 or more in total compensation (i.e., money or anything else of monetary value) in connection with services rendered to the plan or the person's position with the plan during the plan year. If a person received **only** eligible indirect compensation for which the plan received the required disclosures, you are required to answer line 1 but are not required to include that person when completing the remainder of this Part.

### 1 Information on Persons Receiving Only Eligible Indirect Compensation

**a** Check "Yes" or "No" to indicate whether you are excluding a person from the remainder of this Part because they received only eligible indirect compensation for which the plan received the required disclosures (see instructions for definitions and conditions).. . . . . [X] Yes [ ] No

**b** If you answered line 1a "Yes," enter the name and EIN or address of each person providing the required disclosures for the service providers who received only eligible indirect compensation. Complete as many entries as needed (see instructions).

**(b)** Enter name and EIN or address of person who provided you disclosures on eligible indirect compensation

HARTFORD RETIREMENT SERVICES, LLC

26-1589907

**(b)** Enter name and EIN or address of person who provided you disclosure on eligible indirect compensation

SEI TRUST COMPANY

06-1271230

**(b)** Enter name and EIN or address of person who provided you disclosures on eligible indirect compensation

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**2. Information on Other Service Providers Receiving Direct or Indirect Compensation.** Except for those persons for whom you answered "yes" to line 1a above, complete as many entries as needed to list each person receiving, directly or indirectly, $5,000 or more in total compensation (i.e., money or anything else of value) in connection with services rendered to the plan or their position with the plan during the plan year. (See instructions).

**(a)** Enter name and EIN or address (see instructions)

HARTFORD RETIREMENT SERVICES, LLC

26-1589907

| **(b)** Service Code(s) | **(c)** Relationship to employer, employee organization, or person known to be a party-in-interest | **(d)** Enter direct compensation paid by the plan. If none, enter -0-. | **(e)** Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | **(f)** Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | **(g)** Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-. | **(h)** Did the service provider give you a formula instead of an amount or estimated amount? |
|---|---|---|---|---|---|---|
| 15 19 25 37 50 52 59 60 62 63 64 | 0 | 11505 | Yes [X] No [ ] | Yes [X] No [ ] | 0 | Yes [ ] No [X] |

**(a)** Enter name and EIN or address (see instructions)

| **(b)** Service Code(s) | **(c)** Relationship to employer, employee organization, or person known to be a party-in-interest | **(d)** Enter direct compensation paid by the plan. If none, enter -0-. | **(e)** Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | **(f)** Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | **(g)** Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-. | **(h)** Did the service provider give you a formula instead of an amount or estimated amount? |
|---|---|---|---|---|---|---|
| | | | Yes [ ] No [ ] | Yes [ ] No [ ] | | Yes [ ] No [ ] |

**(a)** Enter name and EIN or address (see instructions)

| **(b)** Service Code(s) | **(c)** Relationship to employer, employee organization, or person known to be a party-in-interest | **(d)** Enter direct compensation paid by the plan. If none, enter -0-. | **(e)** Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | **(f)** Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | **(g)** Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-. | **(h)** Did the service provider give you a formula instead of an amount or estimated amount? |
|---|---|---|---|---|---|---|
| | | | Yes [ ] No [ ] | Yes [ ] No [ ] | | Yes [ ] No [ ] |

**(a)** Enter name and EIN or address (see instructions)

| **(b)** Service Code(s) | **(c)** Relationship to employer, employee organization, or person known to be a party-in-interest | **(d)** Enter direct compensation paid by the plan. If none, enter -0-. | **(e)** Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | **(f)** Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | **(g)** Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-. | **(h)** Did the service provider give you a formula instead of an amount or estimated amount? |
|---|---|---|---|---|---|---|
| | | | Yes ☐ No ☐ | Yes ☐ No ☐ | | Yes ☐ No ☐ |

**(a)** Enter name and EIN or address (see instructions)

| **(b)** Service Code(s) | **(c)** Relationship to employer, employee organization, or person known to be a party-in-interest | **(d)** Enter direct compensation paid by the plan. If none, enter -0-. | **(e)** Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | **(f)** Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | **(g)** Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-. | **(h)** Did the service provider give you a formula instead of an amount or estimated amount? |
|---|---|---|---|---|---|---|
| | | | Yes ☐ No ☐ | Yes ☐ No ☐ | | Yes ☐ No ☐ |

**(a)** Enter name and EIN or address (see instructions)

| **(b)** Service Code(s) | **(c)** Relationship to employer, employee organization, or person known to be a party-in-interest | **(d)** Enter direct compensation paid by the plan. If none, enter -0-. | **(e)** Did service provider receive indirect compensation? (sources other than plan or plan sponsor) | **(f)** Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures? | **(g)** Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-. | **(h)** Did the service provider give you a formula instead of an amount or estimated amount? |
|---|---|---|---|---|---|---|
| | | | Yes ☐ No ☐ | Yes ☐ No ☐ | | Yes ☐ No ☐ |

## Part I Service Provider Information (continued)

**3** If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received $1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

| **(a)** Enter service provider name as it appears on line 2 | **(b)** Service Codes (see instructions) | **(c)** Enter amount of indirect compensation |
|---|---|---|
| | | |
| **(d)** Enter name and EIN (address) of source of indirect compensation | **(e)** Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation. | |
| | | |

| **(a)** Enter service provider name as it appears on line 2 | **(b)** Service Codes (see instructions) | **(c)** Enter amount of indirect compensation |
|---|---|---|
| | | |
| **(d)** Enter name and EIN (address) of source of indirect compensation | **(e)** Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation. | |
| | | |

| **(a)** Enter service provider name as it appears on line 2 | **(b)** Service Codes (see instructions) | **(c)** Enter amount of indirect compensation |
|---|---|---|
| | | |
| **(d)** Enter name and EIN (address) of source of indirect compensation | **(e)** Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation. | |
| | | |

## Part II Service Providers Who Fail or Refuse to Provide Information

**4** Provide, to the extent possible, the following information for each service provider who failed or refused to provide the information necessary to complete this Schedule.

| **(a)** Enter name and EIN or address of service provider (see instructions) | **(b)** Nature of Service Code(s) | **(c)** Describe the information that the service provider failed or refused to provide |
|---|---|---|
| | | |

| **(a)** Enter name and EIN or address of service provider (see instructions) | **(b)** Nature of Service Code(s) | **(c)** Describe the information that the service provider failed or refused to provide |
|---|---|---|
| | | |

| **(a)** Enter name and EIN or address of service provider (see instructions) | **(b)** Nature of Service Code(s) | **(c)** Describe the information that the service provider failed or refused to provide |
|---|---|---|
| | | |

| **(a)** Enter name and EIN or address of service provider (see instructions) | **(b)** Nature of Service Code(s) | **(c)** Describe the information that the service provider failed or refused to provide |
|---|---|---|
| | | |

| **(a)** Enter name and EIN or address of service provider (see instructions) | **(b)** Nature of Service Code(s) | **(c)** Describe the information that the service provider failed or refused to provide |
|---|---|---|
| | | |

| **(a)** Enter name and EIN or address of service provider (see instructions) | **(b)** Nature of Service Code(s) | **(c)** Describe the information that the service provider failed or refused to provide |
|---|---|---|
| | | |

## Part III Termination Information on Accountants and Enrolled Actuaries (see instructions)

(complete as many entries as needed)

| | |
|---|---|
| **a** Name: | **b** EIN: |
| **c** Position: | |
| **d** Address: | **e** Telephone: |

Explanation:

| | |
|---|---|
| **a** Name: | **b** EIN: |
| **c** Position: | |
| **d** Address: | **e** Telephone: |

Explanation:

| | |
|---|---|
| **a** Name: | **b** EIN: |
| **c** Position: | |
| **d** Address: | **e** Telephone: |

Explanation:

| | |
|---|---|
| **a** Name: | **b** EIN; |
| **c** Position: | |
| **d** Address: | **e** Telephone: |

Explanation:

| | |
|---|---|
| **a** Name: | **b** EIN; |
| **c** Position: | |
| **d** Address: | **e** Telephone: |

Explanation:

# SCHEDULE D (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

## DFE/Participating Plan Information

This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA).

▶ **File as an attachment to Form 5500.**

OMB No. 1210-0110

**2009**

**This Form is Open to Public Inspection.**

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

**A** Name of plan
MUSCO FAMILY OLIVE CO. 401(K) AND PROFIT SHARING PLAN

**B** Three-digit plan number (PN) ▶ 001

**C** Plan or DFE sponsor's name as shown on line 2a of Form 5500
MUSCO FAMILY OLIVE PRODUCTS, INC.

**D** Employer Identification Number (EIN)
94-1489230

**Part I** **Information on interests in MTIAs, CCTs, PSAs, and 103-12 IEs (to be completed by plans and DFEs)**
(Complete as many entries as needed to report all interests in DFEs)

**a** Name of MTIA, CCT, PSA, or 103-12 IE: FIXED FUND

**b** Name of sponsor of entity listed in (a): SEI TRUST COMPANY

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| 23-2852249-002 | C | 1983443 |

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| | | |

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| | | |

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| | | |

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| | | |

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|
| | | |

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

**a** Name of MTIA, CCT, PSA, or 103-12 IE:

**b** Name of sponsor of entity listed in (a):

| **c** EIN-PN | **d** Entity code | **e** Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) |
|---|---|---|

## Part II Information on Participating Plans (to be completed by DFEs)

(Complete as many entries as needed to report all participating plans)

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

**a** Plan name

| **b** Name of plan sponsor | **c** EIN-PN |
|---|---|

# SCHEDULE H (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

# Financial Information

This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA), and section 6058(a) of the Internal Revenue Code (the Code).

▶ **File as an attachment to Form 5500.**

OMB No. 1210-0110

**2009**

**This Form is Open to Public Inspection**

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

**A** Name of plan
MUSCO FAMILY OLIVE CO. 401(K) AND PROFIT SHARING PLAN

**B** Three-digit plan number (PN) ▶ 001

**C** Plan sponsor's name as shown on line 2a of Form 5500
MUSCO FAMILY OLIVE PRODUCTS, INC.

**D** Employer Identification Number (EIN)
94-1489230

## Part I Asset and Liability Statement

**1** Current value of plan assets and liabilities at the beginning and end of the plan year. Combine the value of plan assets held in more than one trust. Report the value of the plan's interest in a commingled fund containing the assets of more than one plan on a line-by-line basis unless the value is reportable on lines 1c(9) through 1c(14). Do not enter the value of that portion of an insurance contract which guarantees, during this plan year, to pay a specific dollar benefit at a future date. **Round off amounts to the nearest dollar.** MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 1b(1), 1b(2), 1c(8), 1g, 1h, and 1i. CCTs, PSAs, and 103-12 IEs also do not complete lines 1d and 1e. See instructions.

| Assets | | (a) Beginning of Year | (b) End of Year |
|---|---|---|---|
| **a** Total noninterest-bearing cash | 1a | | |
| **b** Receivables (less allowance for doubtful accounts): | | | |
| **(1)** Employer contributions | 1b(1) | 583958 | |
| **(2)** Participant contributions | 1b(2) | | |
| **(3)** Other | 1b(3) | | |
| **c** General investments: | | | |
| **(1)** Interest-bearing cash (include money market accounts & certificates of deposit) | 1c(1) | | |
| **(2)** U.S. Government securities | 1c(2) | | |
| **(3)** Corporate debt instruments (other than employer securities): | | | |
| **(A)** Preferred | 1c(3)(A) | | |
| **(B)** All other | 1c(3)(B) | | |
| **(4)** Corporate stocks (other than employer securities): | | | |
| **(A)** Preferred | 1c(4)(A) | | |
| **(B)** Common | 1c(4)(B) | | |
| **(5)** Partnership/joint venture interests | 1c(5) | | |
| **(6)** Real estate (other than employer real property) | 1c(6) | | |
| **(7)** Loans (other than to participants) | 1c(7) | | |
| **(8)** Participant loans | 1c(8) | 639072 | 648180 |
| **(9)** Value of interest in common/collective trusts | 1c(9) | 1809165 | 1983443 |
| **(10)** Value of interest in pooled separate accounts | 1c(10) | | |
| **(11)** Value of interest in master trust investment accounts | 1c(11) | | |
| **(12)** Value of interest in 103-12 investment entities | 1c(12) | | |
| **(13)** Value of interest in registered investment companies (e.g., mutual funds) | 1c(13) | 7709537 | 11084076 |
| **(14)** Value of funds held in insurance company general account (unallocated contracts) | 1c(14) | | |
| **(15)** Other | 1c(15) | | |

| | | | (a) Beginning of Year | (b) End of Year |
|---|---|---|---|---|
| **1d** | Employer-related investments: | | | |
| | **(1)** Employer securities | 1d(1) | | |
| | **(2)** Employer real property | 1d(2) | | |
| **e** | Buildings and other property used in plan operation | 1e | | |
| **f** | Total assets (add all amounts in lines 1a through 1e) | 1f | 10741732 | 13715699 |
| | **Liabilities** | | | |
| **g** | Benefit claims payable | 1g | | |
| **h** | Operating payables | 1h | | |
| **i** | Acquisition indebtedness | 1i | | |
| **j** | Other liabilities | 1j | | |
| **k** | Total liabilities (add all amounts in lines 1g through1j) | 1k | 0 | 0 |
| | **Net Assets** | | | |
| **l** | Net assets (subtract line 1k from line 1f) | 1l | 10741732 | 13715699 |

## Part II Income and Expense Statement

**2** Plan income, expenses, and changes in net assets for the year. Include all income and expenses of the plan, including any trust(s) or separately maintained fund(s) and any payments/receipts to/from insurance carriers. Round off amounts to the nearest dollar. MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 2a, 2b(1)(E), 2e, 2f, and 2g.

| | Income | | (a) Amount | (b) Total |
|---|---|---|---|---|
| **a** | **Contributions:** | | | |
| | **(1)** Received or receivable in cash from: **(A)** Employers | 2a(1)(A) | 235151 | |
| | **(B)** Participants | 2a(1)(B) | 628085 | |
| | **(C)** Others (including rollovers) | 2a(1)(C) | | |
| | **(2)** Noncash contributions | 2a(2) | | |
| | **(3)** Total contributions. Add lines **2a(1)(A), (B), (C),** and line **2a(2)** | 2a(3) | | 863236 |
| **b** | **Earnings on investments:** | | | |
| | **(1)** Interest: | | | |
| | **(A)** Interest-bearing cash (including money market accounts and certificates of deposit) | 2b(1)(A) | | |
| | **(B)** U.S. Government securities | 2b(1)(B) | | |
| | **(C)** Corporate debt instruments | 2b(1)(C) | | |
| | **(D)** Loans (other than to participants) | 2b(1)(D) | | |
| | **(E)** Participant loans | 2b(1)(E) | 49825 | |
| | **(F)** Other | 2b(1)(F) | | |
| | **(G)** Total interest. Add lines **2b(1)(A)** through **(F)** | 2b(1)(G) | | 49825 |
| | **(2)** Dividends: **(A)** Preferred stock | 2b(2)(A) | | |
| | **(B)** Common stock | 2b(2)(B) | | |
| | **(C)** Registered investment company shares (e.g. mutual funds) | 2b(2)(C) | 204715 | |
| | **(D)** Total dividends. Add lines **2b(2)(A)**, **(B)**, and **(C)** | 2b(2)(D) | | 204715 |
| | **(3)** Rents | 2b(3) | | |
| | **(4)** Net gain (loss) on sale of assets: **(A)** Aggregate proceeds | 2b(4)(A) | | |
| | **(B)** Aggregate carrying amount (see instructions) | 2b(4)(B) | | |
| | **(C)** Subtract line **2b(4)(B)** from line **2b(4)(A)** and enter result | 2b(4)(C) | | 0 |

| | | (a) Amount | (b) Total |
|---|---|---|---|
| 2b (5) Unrealized appreciation (depreciation) of assets: (A) Real estate | 2b(5)(A) | | |
| (B) Other | 2b(5)(B) | | |
| (C) Total unrealized appreciation of assets. Add lines 2b(5)(A) and (B) | 2b(5)(C) | | 0 |
| (6) Net investment gain (loss) from common/collective trusts | 2b(6) | | 23516 |
| (7) Net investment gain (loss) from pooled separate accounts | 2b(7) | | |
| (8) Net investment gain (loss) from master trust investment accounts | 2b(8) | | |
| (9) Net investment gain (loss) from 103-12 investment entities | 2b(9) | | |
| (10) Net investment gain (loss) from registered investment companies (e.g., mutual funds) | 2b(10) | | 2291031 |
| c Other income | 2c | | |
| d Total income. Add all **income** amounts in column (b) and enter total | 2d | | 3432323 |
| **Expenses** | | | |
| e Benefit payment and payments to provide benefits: | | | |
| (1) Directly to participants or beneficiaries, including direct rollovers | 2e(1) | 436316 | |
| (2) To insurance carriers for the provision of benefits | 2e(2) | | |
| (3) Other | 2e(3) | | |
| (4) Total benefit payments. Add lines 2e(1) through (3) | 2e(4) | | 436316 |
| f Corrective distributions (see instructions) | 2f | | 10535 |
| g Certain deemed distributions of participant loans (see instructions) | 2g | | |
| h Interest expense | 2h | | |
| i Administrative expenses: (1) Professional fees | 2i(1) | 11505 | |
| (2) Contract administrator fees | 2i(2) | | |
| (3) Investment advisory and management fees | 2i(3) | | |
| (4) Other | 2i(4) | | |
| (5) Total administrative expenses. Add lines 2i(1) through (4) | 2i(5) | | 11505 |
| j Total expenses. Add all **expense** amounts in column (b) and enter total | 2j | | 458356 |
| **Net Income and Reconciliation** | | | |
| k Net income (loss). Subtract line 2j from line 2d | 2k | | 2973967 |
| l Transfers of assets: | | | |
| (1) To this plan | 2l(1) | | |
| (2) From this plan | 2l(2) | | |

## Part III Accountant's Opinion

3 Complete lines 3a through 3c if the opinion of an independent qualified public accountant is attached to this Form 5500. Complete line 3d if an opinion is not attached.

a The attached opinion of an independent qualified public accountant for this plan is (see instructions):

(1) [ ] Unqualified (2) [ ] Qualified (3) [X] Disclaimer (4) [ ] Adverse

b Did the accountant perform a limited scope audit pursuant to 29 CFR 2520.103-8 and/or 103-12(d)? [X] Yes [ ] No

c Enter the name and EIN of the accountant (or accounting firm) below:

(1) Name: MATSON AND ISOM (2) EIN: 94-2222122

d The opinion of an independent qualified public accountant is **not attached** because:

(1) [ ] This form is filed for a CCT, PSA, or MTIA. (2) [ ] It will be attached to the next Form 5500 pursuant to 29 CFR 2520.104-50.

## Part IV Compliance Questions

**4** CCTs and PSAs do not complete Part IV. MTIAs, 103-12 IEs, and GIAs do not complete 4a, 4e, 4f, 4g, 4h, 4k, 4m, 4n, or 5. 103-12 IEs also do not complete 4j and 4l. MTIAs also do not complete 4l.

During the plan year:

| | | Yes | No | Amount |
|---|---|---|---|---|
| **a** | Was there a failure to transmit to the plan any participant contributions within the time period described in 29 CFR 2510.3-102? Continue to answer "Yes" for any prior year failures until fully corrected. (See instructions and DOL's Voluntary Fiduciary Correction Program.) | 4a | | X | |
| **b** | Were any loans by the plan or fixed income obligations due the plan in default as of the close of the plan year or classified during the year as uncollectible? Disregard participant loans secured by participant's account balance. (Attach Schedule G (Form 5500) Part I if "Yes" is checked.) | 4b | | X | |
| **c** | Were any leases to which the plan was a party in default or classified during the year as uncollectible? (Attach Schedule G (Form 5500) Part II if "Yes" is checked.) | 4c | | X | |
| **d** | Were there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 4a. Attach Schedule G (Form 5500) Part III if "Yes" is checked.) | 4d | | X | |
| **e** | Was this plan covered by a fidelity bond? | 4e | X | | 500000 |
| **f** | Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty? | 4f | | X | |
| **g** | Did the plan hold any assets whose current value was neither readily determinable on an established market nor set by an independent third party appraiser? | 4g | | X | |
| **h** | Did the plan receive any noncash contributions whose value was neither readily determinable on an established market nor set by an independent third party appraiser? | 4h | | X | |
| **i** | Did the plan have assets held for investment? (Attach schedule(s) of assets if "Yes" is checked, and see instructions for format requirements.) | 4i | X | | |
| **j** | Were any plan transactions or series of transactions in excess of 5% of the current value of plan assets? (Attach schedule of transactions if "Yes" is checked, and see instructions for format requirements.) | 4j | | X | |
| **k** | Were all the plan assets either distributed to participants or beneficiaries, transferred to another plan, or brought under the control of the PBGC? | 4k | | X | |
| **l** | Has the plan failed to provide any benefit when due under the plan? | 4l | | X | |
| **m** | If this is an individual account plan, was there a blackout period? (See instructions and 29 CFR 2520.101-3.) | 4m | | X | |
| **n** | If 4m was answered "Yes," check the "Yes" box if you either provided the required notice or one of the exceptions to providing the notice applied under 29 CFR 2520.101-3. | 4n | | X | |

**5a** Has a resolution to terminate the plan been adopted during the plan year or any prior plan year? If yes, enter the amount of any plan assets that reverted to the employer this year ☐ **Yes** ☒ **No** **Amount:**

**5b** If, during this plan year, any assets or liabilities were transferred from this plan to another plan(s), identify the plan(s) to which assets or liabilities were transferred. (See instructions.)

| **5b(1)** Name of plan(s) | **5b(2)** EIN(s) | **5b(3)** PN(s) |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

# SCHEDULE R (Form 5500)

Department of the Treasury
Internal Revenue Service

Department of Labor
Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

# Retirement Plan Information

This schedule is required to be filed under section 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA) and section 6058(a) of the Internal Revenue Code (the Code).

▶ **File as an attachment to Form 5500.**

OMB No. 1210-0110

**2009**

**This Form is Open to Public Inspection.**

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

**A** Name of plan
MUSCO FAMILY OLIVE CO. 401(K) AND PROFIT SHARING PLAN

**B** Three-digit plan number (PN) ▶ 001

**C** Plan sponsor's name as shown on line 2a of Form 5500
MUSCO FAMILY OLIVE PRODUCTS, INC.

**D** Employer Identification Number (EIN)
94-1489230

## Part I Distributions

**All references to distributions relate only to payments of benefits during the plan year.**

**1** Total value of distributions paid in property other than in cash or the forms of property specified in the instructions ..... **1** 0

**2** Enter the EIN(s) of payor(s) who paid benefits on behalf of the plan to participants or beneficiaries during the year (if more than two, enter EINs of the two payors who paid the greatest dollar amounts of benefits):

EIN(s): 06-0974148

**Profit-sharing plans, ESOPs, and stock bonus plans, skip line 3.**

**3** Number of participants (living or deceased) whose benefits were distributed in a single sum, during the plan year. ..... **3**

## Part II Funding Information (If the plan is not subject to the minimum funding requirements of section of 412 of the Internal Revenue Code or ERISA section 302, skip this Part)

**4** Is the plan administrator making an election under Code section 412(d)(2) or ERISA section 302(d)(2)? ..... ☐ **Yes** ☐ **No** ☐ **N/A**

**If the plan is a defined benefit plan, go to line 8.**

**5** If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions and enter the date of the ruling letter granting the waiver. **Date:** Month _____ Day _____ Year _____

**If you completed line 5, complete lines 3, 9, and 10 of Schedule MB and do not complete the remainder of this schedule.**

**6** **a** Enter the minimum required contribution for this plan year ..... **6a**

**b** Enter the amount contributed by the employer to the plan for this plan year ..... **6b**

**c** Subtract the amount in line 6b from the amount in line 6a. Enter the result (enter a minus sign to the left of a negative amount) ..... **6c**

**If you completed line 6c, skip lines 8 and 9.**

**7** Will the minimum funding amount reported on line 6c be met by the funding deadline? ..... ☐ **Yes** ☐ **No** ☐ **N/A**

**8** If a change in actuarial cost method was made for this plan year pursuant to a revenue procedure providing automatic approval for the change or a class ruling letter, does the plan sponsor or plan administrator agree with the change? ..... ☐ **Yes** ☐ **No** ☐ **N/A**

## Part III Amendments

**9** If this is a defined benefit pension plan, were any amendments adopted during this plan year that increased or decreased the value of benefits? If yes, check the appropriate box(es). If no, check the "No" box. ..... ☐ **Increase** ☐ **Decrease** ☐ **Both** ☐ **No**

## Part IV ESOPs (see instructions). If this is not a plan described under Section 409(a) or 4975(e)(7) of the Internal Revenue Code, skip this Part.

**10** Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan? ..... ☐ **Yes** ☐ **No**

**11** **a** Does the ESOP hold any preferred stock? ..... ☐ **Yes** ☐ **No**

**b** If the ESOP has an outstanding exempt loan with the employer as lender, is such loan part of a "back-to-back" loan? (See instructions for definition of "back-to-back" loan.) ..... ☐ **Yes** ☐ **No**

**12** Does the ESOP hold any stock that is not readily tradable on an established securities market? ..... ☐ **Yes** ☐ **No**

## Part V Additional Information for Multiemployer Defined Benefit Pension Plans

**13** Enter the following information for each employer that contributed more than 5% of total contributions to the plan during the plan year (measured in dollars). See instructions. *Complete as many entries as needed to report all applicable employers.*

**a** Name of contributing employer

**b** EIN **c** Dollar amount contributed by employer

**d** Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

**e** Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

**a** Name of contributing employer

**b** EIN **c** Dollar amount contributed by employer

**d** Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

**e** Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

**a** Name of contributing employer

**b** EIN **c** Dollar amount contributed by employer

**d** Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

**e** Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

**a** Name of contributing employer

**b** EIN **c** Dollar amount contributed by employer

**d** Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

**e** Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

**a** Name of contributing employer

**b** EIN **c** Dollar amount contributed by employer

**d** Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

**e** Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

**a** Name of contributing employer

**b** EIN **c** Dollar amount contributed by employer

**d** Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

**e** Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

---

**a** Name of contributing employer

**b** EIN **c** Dollar amount contributed by employer

**d** Date collective bargaining agreement expires *(If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.)* Month _____ Day _____ Year _____

**e** Contribution rate information *(If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)*
(1) Contribution rate (in dollars and cents) _____
(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify):

**14** Enter the number of participants on whose behalf no contributions were made by an employer as an employer of the participant for:

| | | |
|---|---|---|
| **a** The current year | **14a** | |
| **b** The plan year immediately preceding the current plan year | **14b** | |
| **c** The second preceding plan year | **14c** | |

**15** Enter the ratio of the number of participants under the plan on whose behalf no employer had an obligation to make an employer contribution during the current plan year to:

| | | |
|---|---|---|
| **a** The corresponding number for the plan year immediately preceding the current plan year | **15a** | |
| **b** The corresponding number for the second preceding plan year | **15b** | |

**16** Information with respect to any employers who withdrew from the plan during the preceding plan year:

| | | |
|---|---|---|
| **a** Enter the number of employers who withdrew during the preceding plan year | **16a** | |
| **b** If item 16a is greater than 0, enter the aggregate amount of withdrawal liability assessed or estimated to be assessed against such withdrawn employers | **16b** | |

**17** If assets and liabilities from another plan have been transferred to or merged with this plan during the plan year, check box and see instructions regarding supplemental information to be included as an attachment. ☐

## Part VI Additional Information for Single-Employer and Multiemployer Defined Benefit Pension Plans

**18** If any liabilities to participants or their beneficiaries under the plan as of the end of the plan year consist (in whole or in part) of liabilities to such participants and beneficiaries under two or more pension plans as of immediately before such plan year, check box and see instructions regarding supplemental information to be included as an attachment ☐

**19** If the total number of participants is 1,000 or more, complete items (a) through (c)

**a** Enter the percentage of plan assets held as:
Stock: _____% Investment-Grade Debt: _____% High-Yield Debt: _____% Real Estate: _____% Other: _____%

**b** Provide the average duration of the combined investment-grade and high-yield debt:
☐ 0-3 years ☐ 3-6 years ☐ 6-9 years ☐ 9-12 years ☐ 12-15 years ☐ 15-18 years ☐ 18-21 years ☐ 21 years or more

**c** What duration measure was used to calculate item 19(b)?
☐ Effective duration ☐ Macaulay duration ☐ Modified duration ☐ Other (specify):

**MUSCO FAMILY OLIVE CO.,**
**401(K) AND PROFIT SHARING PLAN**

**Tracy, California**

**FINANCIAL STATEMENTS AND**
**SUPPLEMENTAL INFORMATION WITH**
**INDEPENDENT AUDITORS' REPORT**

**December 31, 2009 and 2008**

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***Musco Family Olive Co., 401(k) and Profit Sharing Plan***


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Certified Public Accountants

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Founded in 1962 by
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# INDEPENDENT AUDITORS' REPORT

To the Plan Trustees
Musco Family Olive Co.
401(k) and Profit Sharing Plan
Tracy, California

We were engaged to audit the accompanying statement of net assets available for benefits for Musco Family Olive Co., 401(k) and Profit Sharing Plan (the Plan) as of December 31, 2009, and the related statement of changes in net assets available for benefits for the year ended December 31, 2009, and the supplemental schedule of assets held for investment purposes as of December 31, 2009. These financial statements and the schedule are the responsibility of the Plan's management.

As permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, the plan administrator instructed us not to perform, and we did not perform, any auditing procedures with respect to the information summarized in note 3, which was certified by Reliance Trust Company (Reliance), a fiduciary of the Plan, except for comparing the information with the related information included in the 2009 financial statements and supplemental schedule. We have been informed by the plan administrator that Reliance holds the Plan's investment assets and executes investment transactions. The plan administrator has obtained a certification from Reliance as of and for the year ended December 31, 2009, that the information provided to the plan administrator by Reliance is complete and accurate.

Because of the significance of the information in the Plan's 2009 financial statements that we did not audit, we are unable to, and do not, express an opinion on the accompanying financial statements and supplemental schedule as of or for the year ended December 31, 2009. The form and content of the information included in the financial statements and supplemental schedule, other than that derived from the information certified by Reliance, have been audited by us in accordance with auditing standards generally accepted in the United States of America and, in our opinion, are presented in compliance with the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974.

We have audited the statement of net assets available for benefits of the Plan as of December 31, 2008, and in our report dated July 24, 2009, we expressed our opinion that such financial statement presents fairly, in all material aspects, the net assets available for benefits of the Plan as of December 31, 2008, in conformity with accounting principles generally accepted in the United States of America.

Matson and Isom

July 21, 2010

**STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS**

***Musco Family Olive Co., 401(k) and Profit Sharing Plan***

| December 31 | **2009** | **2008** |
|---|---|---|
| **ASSETS** | | |
| INVESTMENTS AT FAIR VALUE | | |
| Common trust | $ 1,883,501 | $ 1,671,440 |
| Mutual funds | 11,084,076 | 7,709,537 |
| Participant loans | 648,180 | 639,072 |
| **Total Investments** | 13,615,757 | 10,020,049 |
| RECEIVABLES | | |
| Employer contributions | 638,808 | 583,958 |
| Participant contributions | 65 | - |
| **Total Receivables** | 638,873 | 583,958 |
| **Net Assets Available for Benefits at Fair Value** | 14,254,630 | 10,604,007 |
| **Adjustment from Fair Value to Contract Value for Fully Benefit-Responsive Investments Contracts** | 99,942 | 137,725 |
| **Net Assets Available for Benefits** | $ 14,354,572 | $ 10,741,732 |

*The accompanying notes are an integral part of these financial statements.*

| Years Ended December 31 | 2009 | 2008 |
|---|---|---|
| **ADDITIONS (DEDUCTIONS) TO NET ASSETS ATTRIBUTED TO** | | |
| INVESTMENT INCOME (LOSS) | | |
| Net appreciation (depreciation) in fair value of mutual funds | $ 2,291,031 | $ (3,774,114) |
| Dividend income | 228,231 | 372,593 |
| Interest on participant loans | 49,825 | 48,930 |
| **Total Investment Income (Loss)** | 2,569,087 | (3,352,591) |
| CONTRIBUTIONS | | |
| Employer | 873,959 | 783,625 |
| Participant | 628,150 | 590,980 |
| Rollovers | - | 3,033 |
| **Total Contributions** | 1,502,109 | 1,377,638 |
| **Total Additions (Deductions)** | 4,071,196 | (1,974,953) |
| **DEDUCTIONS FROM NET ASSETS ATTRIBUTED TO** | | |
| Benefits paid | 446,851 | 492,626 |
| Administration expenses | 11,505 | 9,703 |
| **Total Deductions** | 458,356 | 502,329 |
| **Net Increase (Decrease)** | 3,612,840 | (2,477,282) |
| **Net Assets Available for Benefits - Beginning of Year** | 10,741,732 | 13,219,014 |
| **Net Assets Available for Benefits - End of Year** | $ 14,354,572 | $ 10,741,732 |

*The accompanying notes are an integral part of these financial statements.*

## 1. DESCRIPTION OF PLAN

The following description of the Musco Family Olive Co., 401(k) and Profit Sharing Plan (the Plan) provides only general information. Participants should refer to the Plan agreement for a complete description of the Plan's provisions.

***General*** The Plan is a defined contribution plan covering substantially all employees of Musco Family Olive Co. (the Company). The employer operates olive receiving stations and processing plants in Tracy and Orland, California, and an additional receiving station in Lindsay, California. The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA).

***Eligibility*** Employees meeting the minimum age requirement of 21 are eligible to make salary deferral contributions to the Plan immediately upon employment with the Company. Prior to July 1, 2008, employees must complete one year of service to be eligible for employer matching contributions. Effective July 1, 2008, the employee is eligible for employer matching contributions on the first day of the month following the date the employee attained the age of 21. Employees meeting both the age requirement of 21 and the completion of one year of service are eligible for the employer profit sharing contribution.

***Contributions*** Contributions to the Plan may be made in the form of employee 401(k) salary deferral contributions. Participants may elect to contribute up to the maximum allowable by law. The employer matches a discretionary portion of each participant's deferral up to a maximum of 6% of eligible wages. The employer made matching contributions of $235,184 and $199,667, for the years ended December 31, 2009 and 2008, respectively.

In addition, the employer may make discretionary profit sharing contributions to the Plan. The employer made discretionary profit sharing contributions of $638,775 and $583,958 for the years ended December 31, 2009 and 2008.

***Participant Accounts*** Each participant's account is credited with the participant's salary deferral contributions, account earnings, and employer contributions. The benefit to which a participant is entitled is the vested portion of the participant's account.

***Participant Loans*** Participants may borrow from their accounts a minimum of $1,000, up to a maximum of $50,000. Interest earned on each loan is added to the borrowing participant's account balance. The term of the loan may not exceed five years. The loans are secured by the balance in the participant's account and bear interest at a rate commensurate with local prevailing rates as determined by the Plan administrator. Interest rates on participant loans outstanding at December 31, 2009, range from 5.25% to 10.75%. Principal and interest is paid ratably through semi-monthly payroll deductions.

***Investment Options*** Upon enrollment in the Plan, a participant may direct salary deferral and employer contributions in various investment options with Hartford Retirement Services, LLC (Hartford). Participants may change their investment options at any time.

***Vesting*** Participants are immediately vested in their salary deferral contributions, plus actual earnings thereon. Vesting in the Company's discretionary profit sharing and matching contributions as based on vesting schedules whereby a participant is 100% vested after seven and six years of credited service, respectively.

***Forfeitures*** The nonvested portion of a terminated participant's account remains in the Plan and is used to reduce employer contributions. As of December 31, 2009 and 2008, forfeitures of $113,560 and $106,652, respectively, were available to reduce future employer contributions. There were no forfeited amounts used to reduce employer contributions during the years ended December 31, 2009 and 2008.

***Payment of Benefits*** Upon termination of service, a participant may elect to receive a lump-sum amount equal to the value of the participant's interest in his or her account, or any other form of payment that may be permitted under the Plan.

***Plan Termination*** Although it has not expressed any intent to do so, the Company has the right, under the Plan, to discontinue its contributions at any time and to terminate the Plan subject to the provisions of ERISA.

***Plan Administration Costs*** The Company paid various administrative costs on behalf of the Plan for the years ended December 31, 2009 and 2008.

## 2. SIGNIFICANT ACCOUNTING POLICIES

***Basis of Accounting*** The financial statements of the Plan are prepared under the accrual method of accounting.

Investment contracts held by a defined contribution plan are required to be reported at fair value. However, contract value is the relevant measurement attribute for that portion of the assets of a defined contribution plan attributable to fully benefit-responsive investment contracts because contract value is the amount participants would receive if they were to initiate permitted transactions under the terms of the Plan. The statements of net assets available for benefits presents the fair value of the investment contracts as well as the adjustment of the fully benefit-responsive investment contracts from fair value to contract value. The statements of changes in net assets available for benefits is prepared on the contract value basis.

***Investments*** The Plan has an investment contract with Hartford. Hartford is the trustee as defined by the Plan and, therefore, qualifies as a party-in-interest with respect to the investments managed by them. Hartford maintains contributions in shares of mutual funds and a common trust.

Plan participants direct contributions to a variety of mutual funds and the common trust offered by Hartford and can change this direction or transfer amounts among the mutual funds and common trusts throughout the year. Participant accounts are credited with investment earnings and charged for administrative expenses by Hartford.

***Investment Valuation and Income Recognition*** Investments are reported at fair value. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. See discussion of fair value measurements below.

Purchases and sales of securities are recorded on a trade-date basis. Interest income is recorded on the accrual basis. Dividends are recorded on the ex-dividend date. Net appreciation includes the Plan's gains and losses on investments bought and sold as well as held during the year.

***Fair Value Measurements*** Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) 820, *Fair Value Measurements and Disclosures*, provides the framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). The three levels of the fair value hierarchy under FASB ASC 820 are described as follows:

*Level 1*: Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Plan has the ability to access.

*Level 2*: Inputs to the valuation methodology include quoted prices for similar assets or liabilities in active markets; quoted prices for identical or similar assets or liabilities in inactive markets; inputs other than quoted prices that are observable for the asset or liability; or, inputs that are derived principally from or corroborated by observable market data by correlation or other means. If the asset or liability has a specified (contractual) term, the Level 2 inputs must be observable for substantially the full term of the asset or liability.

*Level 3*: Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset or liability fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in the methodologies used during the years ended December 31, 2009 and 2008.

*Mutual Funds*: Each investor in the mutual fund will typically receive units of participation in the mutual fund. These units are valued daily, based on the underlying securities owned by the mutual fund, which are usually publicly traded equity securities.

*Common Trust*: The common trust maintained by Hartford is a pool of investments, of which the Plan buys and sells units of participation that generally imitate established mutual funds. The underlying investments consist of primarily guaranteed investment contracts and similar guaranteed contracts and instruments, cash, and other marketable securities. The Plan's valuation estimates are based on the contract and market value of the underlying investments.

*Participant Loans*: Valued at cost, which approximates fair value.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Plan believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

***Estimates*** The preparation of financial statements in conformity with generally accepted accounting principles requires trustees to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of additions to and deductions from net assets during the reporting period. Actual results could differ from those estimates.

***Payment of Benefits*** Benefits are recorded when paid. Excess deferrals are recorded when paid and reported as benefits paid to participants.

***Reclassifications*** Certain reclassifications have been made to the December 31, 2008, financial statements to correspond to the current year's format. Irrespective of these reclassifications, net assets available for benefits remain unchanged.

## 3. INVESTMENTS

The plan administrator has elected the method of compliance permitted by 29 CFR 2520.103-8 of the Department of Labor Rules and Regulations for Reporting and Disclosure under ERISA. Accordingly, as permitted under such an election, the total investments as shown in the accompanying statement of net assets available for benefits and the net appreciation in the fair value of investments, as shown in the accompanying statement of changes in net assets available for benefits, as of and for the year ended December 31, 2009, were not subject to auditing procedures. The total investments as show in the accompanying statement of net assets available for benefits and the net depreciation in the fair value of investments, as shown in the accompanying statement of changes in net assets available for benefits, as of and for the year ended December 31, 2008, were subject to auditing procedures.

Reliance Trust Company is a fiduciary as defined by the Plan and, therefore, qualifies as a party-in-interest with respect to the common trusts managed by them.

Investments that represent 5% or more of the Plan's net assets are as follows:

| December 31 | 2009 | 2008 |
|---|---|---|
| Common trust - Hartford Fixed Fund | $ 1,883,501 | $ 1,671,440 |
| Mutual funds: | | |
| MFS Research International Fund A | 881,058 | 591,286 |
| MFS Value Fund A | 640,434 | 657,667 |
| Calvert Fund Income A | 1,139,628 | 931,966 |
| American Funds Growth R3 | 785,066 | 589,955 |
| Lord Abbett Small Cap Value Fund | 735,213 | 420,045 |
| T Rowe Price Retirement 2020 ADV | 2,214,779 | 1,350,965 |
| T Rowe Price Retirement 2010 ADV | 1,605,937 | 1,160,342 |
| Participant loans | 648,180 | 639,072 |
| All others with balances of less than 5% of plan assets | 3,081,961 | 2,007,311 |
| **Total** | $ 13,615,757 | $ 10,020,049 |

The tables below sets forth by level, within the fair value hierarchy, the Plan's assets at fair value as of December 31, 2009 and 2008:

| December 31, 2009 | Level 1 | Level 2 | Level 3 | Total |
|---|---|---|---|---|
| Mutual funds: | | | | |
| Value funds | $ 2,040,146 | $ - | $ - | $ 2,040,146 |
| Blend funds | 6,336,950 | - | - | 6,336,950 |
| Growth funds | 2,252,724 | - | - | 2,252,724 |
| Fixed income | 454,256 | - | - | 454,256 |
| **Total Mutual Funds** | 11,084,076 | - | - | 11,084,076 |
| Common trust | - | 1,883,501 | - | 1,883,501 |
| Participant loans | - | - | 648,180 | 648,180 |
| **Total Assets at Fair Value** | $ 11,084,076 | $ 1,883,501 | $ 648,180 | $ 13,615,757 |

| December 31, 2008 | Level 1 | Level 2 | Level 3 | Total |
|---|---|---|---|---|
| Mutual funds: | | | | |
| Value funds | $ 1,692,693 | $ - | $ - | $ 1,692,693 |
| Blend funds | 4,365,671 | - | - | 4,365,671 |
| Growth funds | 1,298,119 | - | - | 1,298,119 |
| Fixed income | 353,054 | - | - | 353,054 |
| **Total Mutual Funds** | 7,709,537 | - | - | 7,709,537 |
| Common trust | - | 1,671,440 | - | 1,671,440 |
| Participant loans | - | - | 639,072 | 639,072 |
| **Total Assets at Fair Value** | $ 7,709,537 | $ 1,671,440 | $ 639,072 | $ 10,020,049 |

The table below sets forth a summary of changes in the fair value of the Plan's Level 3 assets for the years ended December 31, 2009 and 2008:

| | Participant Loans |
|---|---|
| **Balance - December 31, 2007** | $ 551,041 |
| Purchases, sales, issuances, and settlements (net) | 88,031 |
| **Balance - December 31, 2008** | 639,072 |
| Purchases, sales, issuances, and settlements (net) | 9,108 |
| **Balance - December 31, 2009** | $ 648,180 |

## 4. RECONCILIATION OF FINANCIAL STATEMENTS TO FORM 5500

The following is a reconciliation of net assets available for benefits pursuant to the financial statements for the years ended December 31, 2009 and 2008, to the Schedule H of Forms 5500:

| December 31 | 2009 | 2008 |
|---|---|---|
| Net assets available for benefits pursuant to the financial statements | $ 14,354,572 | $ 10,741,732 |
| Less: Participant receivables | (65) | - |
| Less: Employer receivables | (638,808) | - |
| **Net Assets Available for Benefits Pursuant to the Forms 5500** | $ 13,715,699 | $ 10,741,732 |

The following is a reconciliation of contributions pursuant to the financial statements for the years ended December 31, 2009 and 2008, to the Schedule H of Forms 5500:

| December 31 | 2009 | 2008 |
|---|---|---|
| Contributions pursuant to the financial statements | $ 1,502,109 | $ 1,377,638 |
| Add: Contributions included as receivables at beginning of year | - | - |
| Less: Contributions included as receivables at end of year | (638,873) | - |
| **Contributions Pursuant to the Forms 5500** | $ 863,236 | $ 1,377,638 |

## 5. TAX STATUS

The Plan previously obtained a determination letter on October 1, 1997, in which the Internal Revenue Service stated that the Plan, as then designed, was in compliance with the applicable requirements of the *Internal Revenue Code*. The Plan has been restated to adopt prototype plans established by Hartford effective October 1, 2002, and July 1, 2003. Adoption of this Hartford prototype plan updated the Plan to be in compliance with recent legislation, but otherwise did not affect Plan benefits or net assets individually or in the aggregate. Although the Plan has been amended since receiving its latest determination letter, the Plan administrator believes that the Plan is currently designed and being operated in compliance with the applicable requirements of the *Internal Revenue Code* and has no income subject to unrelated business income tax. Therefore, no provision for income taxes has been included in the Plan's financial statements.

## 6. RISKS AND UNCERTAINITIES

The Plan invests in various investment securities. Investment securities are exposed to various risks such as interest rate, market, and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could materially affect participants' account balances and the amounts reported in the statements of net assets available for benefits.

## 7. RECENT ACCOUNTING PRONOUNCEMENTS

In January 2010, FASB issued Accounting Standards Update (ASU) No. 2010-06 *Improving Disclosures about Fair Value Measurements*. ASU No. 2010-06 clarifies existing disclosure and requires additional disclosures regarding fair value measurements. Effective for interim and annual reporting periods beginning after December 15, 2009, entities will be required to disclose significant transfers into and out of Levels 1 and 2 measurements in the fair value hierarchy and the reasons for those transfers. Effective for fiscal years beginning after December 15, 2010, and for interim periods within those fiscal years, entities will need to disclose information about purchases, sales, issuances, and settlements of Level 3 securities on a gross basis, rather than as a net number as currently required. The Plan is currently evaluating the impact, if any, ASU No. 2010-06 will have on its financial disclosures.

## 8. SUBSEQUENT EVENTS

Management has evaluated the need for disclosures and/or adjustments resulting from subsequent events through July 21, 2010, the date the financial statements were available to be issued. Based on this evaluation, no disclosures or adjustments were required to the financial statements as of December 31, 2009.

**SUPPLEMENTAL INFORMATION**

**SCHEDULE OF ASSETS HELD FOR INVESTMENT PURPOSES**
December 31, 2009 and 2008

***Musco Family Olive Co., 401(k) and Profit Sharing Plan***
EIN: 94-1489230
Plan No.: 001

| Identity of Issue, Borrower, Lessor, or Similar Party | Description of Investment | Current Value |
|---|---|---|
| Hartford Retirement Services, LLC * | Common Trust - Hartford Fixed Fund | $ 1,983,443 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Calvert Fund Income A | 1,139,628 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Columbia Funds Mid Cap Value A | 117,625 |
| Hartford Retirement Services, LLC * | Registered Investment Company - American Funds Growth Fund R3 | 785,066 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Lord Abbett Small Cap Value Fund | 735,213 |
| Hartford Retirement Services, LLC * | Registered Investment Company - T Rowe Price Retirement 2020 ADV | 2,214,779 |
| Hartford Retirement Services, LLC * | Registered Investment Company - T Rowe Price Retirement 2030 ADV | 505,234 |
| Hartford Retirement Services, LLC * | Registered Investment Company - T Rowe Price Retirement 2010 ADV | 1,605,937 |
| Hartford Retirement Services, LLC * | Registered Investment Company - T Rowe Price Retirement 2040 ADV | 405,899 |
| Hartford Retirement Services, LLC * | Registered Investment Company - T Rowe Price Retirement Inc ADV | 72,772 |
| Hartford Retirement Services, LLC * | Registered Investment Company - MFS Total Return Fund A | 142,459 |
| Hartford Retirement Services, LLC * | Registered Investment Company - MFS Core Growth Fund A | 121,164 |
| Hartford Retirement Services, LLC * | Registered Investment Company - MFS Value Fund A | 640,434 |
| Hartford Retirement Services, LLC * | Registered Investment Company - MFS Research International Fund A | 881,058 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Franklin US Government Securities Fund A | 454,256 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Cohen & Steers Realty Shares | 371,495 |
| Hartford Retirement Services, LLC * | Registered Investment Company - MFS Global Equity Fund A | 103,249 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Thornburg Value Fund R4 | 455,695 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Thornburg Core Growth R4 | 332,112 |
| Participant loans | Interest rate 5.25% - 10.75% | 648,180 |
| **Total Assets Held For Investment Purposes** | | $ 13,715,698 |

* Party in interest

**MUSCO FAMILY OLIVE CO.,**
**401(K) AND PROFIT SHARING PLAN**

**Tracy, California**

**FINANCIAL STATEMENTS AND**
**SUPPLEMENTAL INFORMATION WITH**
**INDEPENDENT AUDITORS' REPORT**

**December 31, 2009 and 2008**

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December 31, 2009 and 2008

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| Statements of Changes in Net Assets Available for Benefits | 3 |
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| **SUPPLEMENTAL INFORMATION** | |
| Schedule of Assets Held for Investment Purposes | 12 |

Certified Public Accountants

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Founded in 1962 by
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and W. Howard Isom

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# INDEPENDENT AUDITORS' REPORT

To the Plan Trustees
Musco Family Olive Co.
401(k) and Profit Sharing Plan
Tracy, California

We were engaged to audit the accompanying statement of net assets available for benefits for Musco Family Olive Co., 401(k) and Profit Sharing Plan (the Plan) as of December 31, 2009, and the related statement of changes in net assets available for benefits for the year ended December 31, 2009, and the supplemental schedule of assets held for investment purposes as of December 31, 2009. These financial statements and the schedule are the responsibility of the Plan's management.

As permitted by 29 CFR 2520.103-8 of the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, the plan administrator instructed us not to perform, and we did not perform, any auditing procedures with respect to the information summarized in note 3, which was certified by Reliance Trust Company (Reliance), a fiduciary of the Plan, except for comparing the information with the related information included in the 2009 financial statements and supplemental schedule. We have been informed by the plan administrator that Reliance holds the Plan's investment assets and executes investment transactions. The plan administrator has obtained a certification from Reliance as of and for the year ended December 31, 2009, that the information provided to the plan administrator by Reliance is complete and accurate.

Because of the significance of the information in the Plan's 2009 financial statements that we did not audit, we are unable to, and do not, express an opinion on the accompanying financial statements and supplemental schedule as of or for the year ended December 31, 2009. The form and content of the information included in the financial statements and supplemental schedule, other than that derived from the information certified by Reliance, have been audited by us in accordance with auditing standards generally accepted in the United States of America and, in our opinion, are presented in compliance with the Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974.

We have audited the statement of net assets available for benefits of the Plan as of December 31, 2008, and in our report dated July 24, 2009, we expressed our opinion that such financial statement presents fairly, in all material aspects, the net assets available for benefits of the Plan as of December 31, 2008, in conformity with accounting principles generally accepted in the United States of America.

Matson and Isom

July 21, 2010

**STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS**

***Musco Family Olive Co., 401(k) and Profit Sharing Plan***

| December 31 | **2009** | **2008** |
|---|---|---|
| **ASSETS** | | |
| INVESTMENTS AT FAIR VALUE | | |
| Common trust | $ 1,883,501 | $ 1,671,440 |
| Mutual funds | 11,084,076 | 7,709,537 |
| Participant loans | 648,180 | 639,072 |
| **Total Investments** | 13,615,757 | 10,020,049 |
| RECEIVABLES | | |
| Employer contributions | 638,808 | 583,958 |
| Participant contributions | 65 | - |
| **Total Receivables** | 638,873 | 583,958 |
| **Net Assets Available for Benefits at Fair Value** | 14,254,630 | 10,604,007 |
| **Adjustment from Fair Value to Contract Value for Fully Benefit-Responsive Investments Contracts** | 99,942 | 137,725 |
| **Net Assets Available for Benefits** | $ 14,354,572 | $ 10,741,732 |

*The accompanying notes are an integral part of these financial statements.*

| Years Ended December 31 | 2009 | 2008 |
|---|---|---|
| **ADDITIONS (DEDUCTIONS) TO NET ASSETS ATTRIBUTED TO** | | |
| INVESTMENT INCOME (LOSS) | | |
| Net appreciation (depreciation) in fair value of mutual funds | $ 2,291,031 | $ (3,774,114) |
| Dividend income | 228,231 | 372,593 |
| Interest on participant loans | 49,825 | 48,930 |
| **Total Investment Income (Loss)** | 2,569,087 | (3,352,591) |
| CONTRIBUTIONS | | |
| Employer | 873,959 | 783,625 |
| Participant | 628,150 | 590,980 |
| Rollovers | - | 3,033 |
| **Total Contributions** | 1,502,109 | 1,377,638 |
| **Total Additions (Deductions)** | 4,071,196 | (1,974,953) |
| **DEDUCTIONS FROM NET ASSETS ATTRIBUTED TO** | | |
| Benefits paid | 446,851 | 492,626 |
| Administration expenses | 11,505 | 9,703 |
| **Total Deductions** | 458,356 | 502,329 |
| **Net Increase (Decrease)** | 3,612,840 | (2,477,282) |
| **Net Assets Available for Benefits - Beginning of Year** | 10,741,732 | 13,219,014 |
| **Net Assets Available for Benefits - End of Year** | $ 14,354,572 | $ 10,741,732 |

*The accompanying notes are an integral part of these financial statements.*

## 1. DESCRIPTION OF PLAN

The following description of the Musco Family Olive Co., 401(k) and Profit Sharing Plan (the Plan) provides only general information. Participants should refer to the Plan agreement for a complete description of the Plan's provisions.

***General*** The Plan is a defined contribution plan covering substantially all employees of Musco Family Olive Co. (the Company). The employer operates olive receiving stations and processing plants in Tracy and Orland, California, and an additional receiving station in Lindsay, California. The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA).

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Plan participants direct contributions to a variety of mutual funds and the common trust offered by Hartford and can change this direction or transfer amounts among the mutual funds and common trusts throughout the year. Participant accounts are credited with investment earnings and charged for administrative expenses by Hartford.

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*Level 1*: Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Plan has the ability to access.

*Level 2*: Inputs to the valuation methodology include quoted prices for similar assets or liabilities in active markets; quoted prices for identical or similar assets or liabilities in inactive markets; inputs other than quoted prices that are observable for the asset or liability; or, inputs that are derived principally from or corroborated by observable market data by correlation or other means. If the asset or liability has a specified (contractual) term, the Level 2 inputs must be observable for substantially the full term of the asset or liability.

*Level 3*: Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset or liability fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in the methodologies used during the years ended December 31, 2009 and 2008.

*Mutual Funds*: Each investor in the mutual fund will typically receive units of participation in the mutual fund. These units are valued daily, based on the underlying securities owned by the mutual fund, which are usually publicly traded equity securities.

*Common Trust*: The common trust maintained by Hartford is a pool of investments, of which the Plan buys and sells units of participation that generally imitate established mutual funds. The underlying investments consist of primarily guaranteed investment contracts and similar guaranteed contracts and instruments, cash, and other marketable securities. The Plan's valuation estimates are based on the contract and market value of the underlying investments.

*Participant Loans*: Valued at cost, which approximates fair value.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Plan believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

***Estimates*** The preparation of financial statements in conformity with generally accepted accounting principles requires trustees to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of additions to and deductions from net assets during the reporting period. Actual results could differ from those estimates.

***Payment of Benefits*** Benefits are recorded when paid. Excess deferrals are recorded when paid and reported as benefits paid to participants.

***Reclassifications*** Certain reclassifications have been made to the December 31, 2008, financial statements to correspond to the current year's format. Irrespective of these reclassifications, net assets available for benefits remain unchanged.

## 3. INVESTMENTS

The plan administrator has elected the method of compliance permitted by 29 CFR 2520.103-8 of the Department of Labor Rules and Regulations for Reporting and Disclosure under ERISA. Accordingly, as permitted under such an election, the total investments as shown in the accompanying statement of net assets available for benefits and the net appreciation in the fair value of investments, as shown in the accompanying statement of changes in net assets available for benefits, as of and for the year ended December 31, 2009, were not subject to auditing procedures. The total investments as show in the accompanying statement of net assets available for benefits and the net depreciation in the fair value of investments, as shown in the accompanying statement of changes in net assets available for benefits, as of and for the year ended December 31, 2008, were subject to auditing procedures.

Reliance Trust Company is a fiduciary as defined by the Plan and, therefore, qualifies as a party-in-interest with respect to the common trusts managed by them.

Investments that represent 5% or more of the Plan's net assets are as follows:

| December 31 | 2009 | 2008 |
|---|---|---|
| Common trust - Hartford Fixed Fund | $ 1,883,501 | $ 1,671,440 |
| Mutual funds: | | |
| MFS Research International Fund A | 881,058 | 591,286 |
| MFS Value Fund A | 640,434 | 657,667 |
| Calvert Fund Income A | 1,139,628 | 931,966 |
| American Funds Growth R3 | 785,066 | 589,955 |
| Lord Abbett Small Cap Value Fund | 735,213 | 420,045 |
| T Rowe Price Retirement 2020 ADV | 2,214,779 | 1,350,965 |
| T Rowe Price Retirement 2010 ADV | 1,605,937 | 1,160,342 |
| Participant loans | 648,180 | 639,072 |
| All others with balances of less than 5% of plan assets | 3,081,961 | 2,007,311 |
| **Total** | $ 13,615,757 | $ 10,020,049 |

The tables below sets forth by level, within the fair value hierarchy, the Plan's assets at fair value as of December 31, 2009 and 2008:

| December 31, 2009 | Level 1 | Level 2 | Level 3 | Total |
|---|---|---|---|---|
| Mutual funds: | | | | |
| Value funds | $ 2,040,146 | $ - | $ - | $ 2,040,146 |
| Blend funds | 6,336,950 | - | - | 6,336,950 |
| Growth funds | 2,252,724 | - | - | 2,252,724 |
| Fixed income | 454,256 | - | - | 454,256 |
| **Total Mutual Funds** | 11,084,076 | - | - | 11,084,076 |
| Common trust | - | 1,883,501 | - | 1,883,501 |
| Participant loans | - | - | 648,180 | 648,180 |
| **Total Assets at Fair Value** | $ 11,084,076 | $ 1,883,501 | $ 648,180 | $ 13,615,757 |

| December 31, 2008 | Level 1 | Level 2 | Level 3 | Total |
|---|---|---|---|---|
| Mutual funds: | | | | |
| Value funds | $ 1,692,693 | $ - | $ - | $ 1,692,693 |
| Blend funds | 4,365,671 | - | - | 4,365,671 |
| Growth funds | 1,298,119 | - | - | 1,298,119 |
| Fixed income | 353,054 | - | - | 353,054 |
| **Total Mutual Funds** | 7,709,537 | - | - | 7,709,537 |
| Common trust | - | 1,671,440 | - | 1,671,440 |
| Participant loans | - | - | 639,072 | 639,072 |
| **Total Assets at Fair Value** | $ 7,709,537 | $ 1,671,440 | $ 639,072 | $ 10,020,049 |

The table below sets forth a summary of changes in the fair value of the Plan's Level 3 assets for the years ended December 31, 2009 and 2008:

| | Participant Loans |
|---|---|
| **Balance - December 31, 2007** | $ 551,041 |
| Purchases, sales, issuances, and settlements (net) | 88,031 |
| **Balance - December 31, 2008** | 639,072 |
| Purchases, sales, issuances, and settlements (net) | 9,108 |
| **Balance - December 31, 2009** | $ 648,180 |

## 4. RECONCILIATION OF FINANCIAL STATEMENTS TO FORM 5500

The following is a reconciliation of net assets available for benefits pursuant to the financial statements for the years ended December 31, 2009 and 2008, to the Schedule H of Forms 5500:

| December 31 | 2009 | 2008 |
|---|---|---|
| Net assets available for benefits pursuant to the financial statements | $ 14,354,572 | $ 10,741,732 |
| Less: Participant receivables | (65) | - |
| Less: Employer receivables | (638,808) | - |
| **Net Assets Available for Benefits Pursuant to the Forms 5500** | $ 13,715,699 | $ 10,741,732 |

The following is a reconciliation of contributions pursuant to the financial statements for the years ended December 31, 2009 and 2008, to the Schedule H of Forms 5500:

| December 31 | 2009 | 2008 |
|---|---|---|
| Contributions pursuant to the financial statements | $ 1,502,109 | $ 1,377,638 |
| Add: Contributions included as receivables at beginning of year | - | - |
| Less: Contributions included as receivables at end of year | (638,873) | - |
| **Contributions Pursuant to the Forms 5500** | $ 863,236 | $ 1,377,638 |

## 5. TAX STATUS

The Plan previously obtained a determination letter on October 1, 1997, in which the Internal Revenue Service stated that the Plan, as then designed, was in compliance with the applicable requirements of the *Internal Revenue Code*. The Plan has been restated to adopt prototype plans established by Hartford effective October 1, 2002, and July 1, 2003. Adoption of this Hartford prototype plan updated the Plan to be in compliance with recent legislation, but otherwise did not affect Plan benefits or net assets individually or in the aggregate. Although the Plan has been amended since receiving its latest determination letter, the Plan administrator believes that the Plan is currently designed and being operated in compliance with the applicable requirements of the *Internal Revenue Code* and has no income subject to unrelated business income tax. Therefore, no provision for income taxes has been included in the Plan's financial statements.

## 6. RISKS AND UNCERTAINITIES

The Plan invests in various investment securities. Investment securities are exposed to various risks such as interest rate, market, and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could materially affect participants' account balances and the amounts reported in the statements of net assets available for benefits.

## 7. RECENT ACCOUNTING PRONOUNCEMENTS

In January 2010, FASB issued Accounting Standards Update (ASU) No. 2010-06 *Improving Disclosures about Fair Value Measurements*. ASU No. 2010-06 clarifies existing disclosure and requires additional disclosures regarding fair value measurements. Effective for interim and annual reporting periods beginning after December 15, 2009, entities will be required to disclose significant transfers into and out of Levels 1 and 2 measurements in the fair value hierarchy and the reasons for those transfers. Effective for fiscal years beginning after December 15, 2010, and for interim periods within those fiscal years, entities will need to disclose information about purchases, sales, issuances, and settlements of Level 3 securities on a gross basis, rather than as a net number as currently required. The Plan is currently evaluating the impact, if any, ASU No. 2010-06 will have on its financial disclosures.

## 8. SUBSEQUENT EVENTS

Management has evaluated the need for disclosures and/or adjustments resulting from subsequent events through July 21, 2010, the date the financial statements were available to be issued. Based on this evaluation, no disclosures or adjustments were required to the financial statements as of December 31, 2009.

**SUPPLEMENTAL INFORMATION**

**SCHEDULE OF ASSETS HELD FOR INVESTMENT PURPOSES**
December 31, 2009 and 2008

***Musco Family Olive Co., 401(k) and Profit Sharing Plan***
EIN: 94-1489230
Plan No.: 001

| Identity of Issue, Borrower, Lessor, or Similar Party | Description of Investment | Current Value |
|---|---|---|
| Hartford Retirement Services, LLC * | Common Trust - Hartford Fixed Fund | $ 1,983,443 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Calvert Fund Income A | 1,139,628 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Columbia Funds Mid Cap Value A | 117,625 |
| Hartford Retirement Services, LLC * | Registered Investment Company - American Funds Growth Fund R3 | 785,066 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Lord Abbett Small Cap Value Fund | 735,213 |
| Hartford Retirement Services, LLC * | Registered Investment Company - T Rowe Price Retirement 2020 ADV | 2,214,779 |
| Hartford Retirement Services, LLC * | Registered Investment Company - T Rowe Price Retirement 2030 ADV | 505,234 |
| Hartford Retirement Services, LLC * | Registered Investment Company - T Rowe Price Retirement 2010 ADV | 1,605,937 |
| Hartford Retirement Services, LLC * | Registered Investment Company - T Rowe Price Retirement 2040 ADV | 405,899 |
| Hartford Retirement Services, LLC * | Registered Investment Company - T Rowe Price Retirement Inc ADV | 72,772 |
| Hartford Retirement Services, LLC * | Registered Investment Company - MFS Total Return Fund A | 142,459 |
| Hartford Retirement Services, LLC * | Registered Investment Company - MFS Core Growth Fund A | 121,164 |
| Hartford Retirement Services, LLC * | Registered Investment Company - MFS Value Fund A | 640,434 |
| Hartford Retirement Services, LLC * | Registered Investment Company - MFS Research International Fund A | 881,058 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Franklin US Government Securities Fund A | 454,256 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Cohen & Steers Realty Shares | 371,495 |
| Hartford Retirement Services, LLC * | Registered Investment Company - MFS Global Equity Fund A | 103,249 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Thornburg Value Fund R4 | 455,695 |
| Hartford Retirement Services, LLC * | Registered Investment Company - Thornburg Core Growth R4 | 332,112 |
| Participant loans | Interest rate 5.25% - 10.75% | 648,180 |
| **Total Assets Held For Investment Purposes** | | $ 13,715,698 |

* Party in interest