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**PERRY'S ICE CREAM CO., INC.**

ONE ICE CREAM PLAZA  
AKRON, NY 14001-1031  
716 542-5492  
FAX 716 542-2544

December 9, 2003

Top Hat Plan Exemption  
Pension and Welfare Benefits Administration  
Room N-5644  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, D.C. 20210

**Re: Reporting and Disclosure Compliance Statement**

Dear Sir or Madam:

In compliance with Section 110 of the Employee Retirement Income Security Act of 1974 ("ERISA") and the Regulations thereunder found in Section 2520.104-23, Perry's Ice Cream Company, Inc. ("Perry's") is filing this Reporting and Disclosure Compliance Statement and in connection herewith, provides the following information:

EMPLOYER:	Perry's Ice Cream Company, Inc.
ADDRESS:	One Ice Cream Plaza Akron, New York 14001
EMPLOYER EIN:	16-0711501
PLAN NAME:	Perry's Ice Cream Deferred Compensation Plan
NUMBER OF PLANS:	One
NUMBER OF PARTICIPATING EMPLOYEES:	Seven

Perry's maintains the above-named unfunded Plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees.

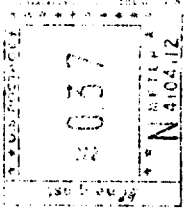
Perry's will provide the Plan documents to the Secretary of Labor upon request, as required by Section 104(a)(1) of ERISA.

PERRY'S ICE CREAM COMPANY, INC.  
as Plan Administrator

By: *O.P. Merrill*  
Vice President of Human Resources



PERRY'S ICE CREAM CO., INC.  
 ONE ICE CREAM PLAZA  
 P.O. BOX 328  
 AKRON, NY 14001-0328



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