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**WOLF ETTER AND CO.**  
A PROFESSIONAL ASSOCIATION  
CERTIFIED PUBLIC ACCOUNTANTS

Member AICPA Private Practice Section

**October 12, 1995**

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**Top Hat Plan Exemption  
Pension and Welfare Benefit Administration  
Room N-5638  
U.S. Department of Labor  
200 Constitution Avenue NW  
Washington, DC 20210**

**Re: Top Hat Plan DFVC Program  
Tony Downs Foods Company, Butterfield Foods  
Company and Olympic Food Products, Inc.  
400 Armstrong Blvd. North  
St. James, MN 56081  
EIN: 41-0673792**

Neil (Pat) Baker CPA

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Sandra A. Sukalski CPA

Larry J. Weeks CPA

The above-named top hat plan administrator hereby files the attached notice under the Department of Labor's Delinquent Filer Voluntary Compliance Program.

Please process the notice as required and update your records to indicate retroactive compliance with the reporting and disclosure requirements of ERISA. This negates the need for filing past and future Form 5500's for its top hat plan and removes any potential unfiled or late filed penalties associated with the Form 5500's.

If you have any questions, please contact the plan administrator or me.

Sincerely,

**WOLF ETTER AND CO.**  
A Professional Association  
Certified Public Accountants

*Richard C. Kelsey*  
Richard C. Kelsey, CPA

RCK/dkk

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Top Hat Plan Exemption  
Pension and Welfare Benefits Administration  
Room N-5638  
U.S. Department of Labor  
200 Constitution Avenue NW  
Washington, D.C. 20210

Dear Sir or Madam:

Pursuant to Department of Labor Regulations, 29 C.F.R. 2520.104-23, under Section 110 of Title I of the Employee Retirement Income Security Act of 1974, Tony Downs Foods Company, Butterfield Foods Company, and Olympic Food Products, Inc. provides the following information in compliance with the alternative method of reporting and disclosure for unfunded plans maintained for a select group of management or highly compensated employees.

1. Name and address of Employer:

Tony Downs Foods Company, Butterfield Foods Company and  
Olympic Food Products, Inc.  
400 Armstrong Blvd. North  
St. James, MN 56081

2. Employer Identification Number:

41-0673792

3. Tony Downs Foods Company, Butterfield Foods Company, and Olympic Food Products, Inc. maintain plans primarily to provide deferred compensation benefits for a select group of management or highly compensated employees.

4. Number of such Plans and number of Participants in each Plan:

<u>Number of Plans</u>	<u>Number of Participants in Each Plan</u>
1	1

Tony Downs Foods Company  
Butterfield Foods Company  
Olympic Food Products, Inc.  
Plan Administrator

By Richard A. Downs