

DERMA·E



UNITED STATES MINIMUM ADVERTISED PRICE POLICY

Effective Date: December 21, 2020

Updated: April 2021

DERMA E has determined that advertising its Products at prices below certain levels undermines DERMA E's trade reputation, brand, and image and discourages DERMA E resellers from investing in the growth of DERMA E's product lines and providing the best possible service and support to consumers.

Therefore, DERMA E has adopted this unilateral United States Minimum Advertised Price ("MAP") Policy (the "Policy"), which applies to all Advertisements (as defined below) of DERMA E Products by all distributors, retailers, dealers, and other resellers of DERMA E products in the United States (hereinafter, "Resellers").

MINIMUM ADVERTISED PRICE

The MAP will be established solely by DERMA E and will be communicated to all Resellers of DERMA E Products. The Products, Suggested Retail Prices ("SRPs"), and MAP may be changed from time to time at DERMA E's sole discretion. If DERMA E changes the MAP on any Product, it will provide at least 30 days' notice to Resellers before such change takes effect.

The Policy is not intended to control, influence, determine, limit, or affect in any way the prices at which Resellers sell DERMA E products to consumers. The Policy is strictly limited to restrictions on advertised prices. Each Reseller remains free to determine its own resale price for DERMA E products.

It is a violation of this Policy for a Reseller to advertise any DERMA E Product(s) at a price lower than the published MAP.

This Policy applies to all advertisements of DERMA E Products in any and all media as well as any advertising within brick and mortar retail stores or other selling venues.

An "Advertisement" includes any and all promotional or pricing information displayed via any type of media, marketing, or promotional materials, including, without limitation:

- flyers, posters, coupons, mailers, inserts, newspapers, magazines, catalogs, mail order catalogues, television, radio, public signage, billboards; and
- all forms of Internet advertising, including, without limitation, all website pages and banners, social media, emails, blogs, portal sites (search engines - Google, Yahoo, etc.), and click-through search engines, whether or not products are sold from those sites.

Direct or indirect attempts to circumvent this Policy will be considered a violation of this Policy. Such attempts may include, but are not limited to:



- Coupons, discounts, rebate offers, or other inducements that advertise a price lower than the MAP;
- Advertisements that bundle or include free or discounted DERMA E products with other products or services if such bundling has the effect of discounting the advertised price of the DERMA E product below the MAP; and
- Any other Reseller-initiated communication or form of advertisement that has the effect of advertising a price below the MAP, such as a price-off coupon, storewide sale, promotional code or other similar items that can be applied to DERMA E Products or from which DERMA E Products are not excluded.

It is not a violation of this Policy to advertise that a customer may “call for price” or “email for price” or use similar language as long as no price is listed. Use of phrases that advertise “the lowest prices,” “will match or beat competitor’s prices,” or similar phrases also do not violate this Policy so long as the Reseller does not include any advertised price below the MAP.

INTERNET SALES

Reseller shall not market or offer for sale the Products on any website or fulfill Reseller’s sales of Products through any website without prior written consent from DERMA E, which is granted solely through the execution by DERMA E of the Authorized Online Reseller Agreement. Execution by DERMA E of the Authorized Online Reseller Agreement constitutes the only means of providing consent to sell Products online. No DERMA E employee or agent may authorize online sales through oral statements, other written agreement, or by any other means. Selling on third-party marketplace sites (e.g., ebay, Amazon, Walmart Marketplace, Sears Marketplace), drop-ship accounts (e.g. Rakuten.com, Newegg.com, Overstocking.com, Jet.com), classified sites (e.g. Craigslist.com, Facebook Marketplace), or via direct messages on Internet forums is strictly prohibited. Violation of this paragraph is considered a material breach of this policy and may result in DERMA E’s block on Reseller’s account.

POLICY VIOLATIONS

DERMA E will monitor and review Resellers’ Advertisements for violations of this Policy. Violations of the Policy shall be determined by DERMA E in its sole discretion. Resellers have no right to enforce the Policy and DERMA E will not communicate with any Reseller or third party regarding violations of this Policy by others.

DERMA E reserves the right to impose penalties if DERMA E believes that:

- i. A Reseller has violated the provisions of this Policy; or
- ii. A Reseller has engaged in any activity that DERMA E determines, in its sole discretion, is designed or intended to circumvent the intent of this Policy.

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Specifically, DERMA E will take the following actions, which apply to all Resellers, should a Reseller fail to comply with the Policy:

1. First Violation: DERMA E will block Reseller's account for 30 days after sending notice of the violation.
2. Second Violation: DERMA E will suspend Reseller's account for a period of 90 days after sending notice of the violation and will suspend wholesale discounts to Reseller, and/or Reseller's supplier for a period of 6 months.
3. Third Violation: DERMA E will cease doing business with the Reseller.

DERMA E may not provide prior notice before taking action under this Policy.

POLICY MODIFICATIONS

DERMA E reserves the right at any time to modify, suspend, or discontinue this MAP Policy, in whole or in part, or to designate promotional periods during which the terms of the Policy change or are not applicable. DERMA E will provide notice of any such actions to all Resellers.

No DERMA E employee or agent is authorized to modify, interpret, or grant exceptions to this Policy for any Reseller. No person has authorization to modify this Policy or to solicit or obtain agreement of any person to this Policy, and any such modification or agreement is invalid. Any questions about this Policy should be submitted in writing and directed to DERMA E's MAP team at: complianceteam1@dermae.com or 2130 Ward Ave., Simi Valley CA 93065.

UNILATERAL ACTION

This Policy does not constitute an agreement between any Reseller or other party and DERMA E. DERMA E is not seeking, and will not accept, any agreement or other assurance of compliance from any Reseller or other party to adhere to this MAP Policy. It is entirely within the discretion of the Reseller whether to comply or not comply. This Policy is non-negotiable and will not be modified for any reseller.

SKU	SIZE	DERMA E PRODUCT DESCRIPTION	UPC CODES	RETAIL PRICE	MAP PRICE
		HYDRATING			
0455	2 oz.	Ultra Hydrating Alkaline Overnight Facial	030985004557	\$18.99	\$15.19
0456	½ oz	Ultra Hydrating Alkaline Eye Gel	030985004564	\$18.95	\$15.16
0457	5.3 oz.	Ultra Hydrating Alkaline Cloud Cleanser	030985004571	\$13.95	\$11.16
0458	1 oz.	Ultra Hydrating Alkaline Gel Booster	030985004588	\$22.50	\$18.00

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0461	6 fl oz	Hydrating Gentle Cleanser	030985004618	\$15.50	\$12.40
0469.01	2 fl oz	Hydrating Mist	030985004694	\$13.50	\$10.80
0467	2 fl oz	Ultra Hydrating Serum	030985004670	\$29.50	\$23.60
0465	2 oz	Hydrating Day Cream	030985004656	\$29.50	\$23.60
0466	2 oz	Hydrating Night Cream	030985004663	\$29.50	\$23.60
1975	1/2 oz	Hydrating Eye Cream	030985019759	\$21.50	\$17.20
		ANTI-WRINKLE			
0481	6 fl oz	Anti-Wrinkle Cleanser	030985004816	\$13.75	\$11.00
0482	6 fl oz	Anti-Wrinkle Toner	030985004823	\$13.75	\$11.00
0483	4 oz	Anti-Wrinkle Scrub	030985004830	\$13.75	\$11.00
0486A	2 fl oz	Anti Aging Regenerative Serum	030985004861	\$21.95	\$17.56
0480	4 oz	Anti-Wrinkle Renewal Cream	030985004809	\$14.95	\$11.96
0888	2 fl oz	Anti-Wrinkle Treatment Oil	030985008883	\$13.95	\$11.16
0487.01	1/2 oz	Anti-Wrinkle Eye Cream	030985004878	\$15.95	\$12.76
2100.01	2 oz	Anti Aging Regenerative Night Cream	030985021004	\$29.50	\$23.60

2125.01	2 oz	Anti Aging Regenerative Day Cream	030985021257	\$29.50	\$23.60
		ESSENTIALS			
1415	3.5 oz.	Universal Cleansing Balm	030985014150	\$15.00	\$12.00
1490	2 fl oz	Overnight Peel	030985014907	\$18.75	\$15.00
0690	2 oz	Microdermabrasion Scrub	030985006902	\$32.50	\$26.00
1400	2 fl oz	SunKissAlba Radiant Glow Oil	030985014006	\$22.50	\$18.00
1480	6 fl oz.	Radiance Toner	030985014808	\$14.95	\$11.96
1485	.14 oz	Sun Protection Mineral Powder SPF Ash	030985014853	\$21.95	\$17.56
1450	1.5 oz	Tinted Moisturizing BB Cream SPF30 Light	030985014501	\$19.95	\$15.96
1416	1.7 oz	Gentle Enzyme Peel	030985014167	\$18.95	\$15.16
1455	1.5 oz	Tinted Moisturizing BB Cream SPF30 Tan	030985014556	\$19.95	\$15.96
		VITAMIN C			
0355	6 fl oz	Vitamin C Micellar Cleansing Water	030985003550	\$12.95	\$10.36
0356	2 oz	Vitamin C Intense Radiance Citrus Facial	030985003567	\$23.95	\$19.16
0357.02	4 oz	Vitamin C Gentle Daily Cleansing Paste	030985003574	\$13.95	\$11.16
0358.02	½ oz	Vitamin C No Dark Circles Perfecting Eye Cream	030985003581	\$18.95	\$15.16
0360	2 fl oz	Vitamin C Renewing Moisturizer	030985003604	\$22.50	\$18.00
0362.01	3 oz.	Vitamin C Bright Eyes Hydro Gel Patches (60 pads)	030985003628	\$24.00	\$19.20
0365	2 fl oz	Vitamin C Concentrated Serum	030985003659	\$24.50	\$19.60

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0370	2 oz	Vitamin C Intense Night Cream	030985003703	\$22.50	\$18.00
0603	6 fl oz	Vitamin C Daily Brightening Cleanser	030985006032	\$15.50	\$12.40
		PURIFYING			
1200	6 fl oz	Purifying Gel Cleanser	030985012002	\$15.50	\$12.40
1215	1 oz.	Blue Light Face Shield Spray	030985012156	\$16.95	\$13.56
1217	2 oz.	Blue Light Shield Concentrated Serum	030985012170	\$22.50	\$18.00
1230	4 oz	Purifying Daily Detox Scrub	030985012309	\$15.50	\$12.40
1220	1.7 oz	Purifying 2-in-1 Charcoal Mask	030985012200	\$19.50	\$15.60
		SKIN RESTORE			
0725A	2 fl oz	Advanced Peptides & Collagen Serum	030985007251	\$36.50	\$29.20
0700A	2 oz	Advanced Peptides & Collagen	030985007008	\$35.00	\$28.00
0775A	1/2 oz	Advanced Peptides & Collagen Eye	030985007756	\$29.95	\$23.96
		FIRMING+LIFT			
2041	6 fl oz	Firming DMAE Toner	030985020410	\$15.50	\$12.40
4100	2 oz	Firming DMAE Moisturizer	030985041002	\$22.50	\$18.00
4175	1/2 oz	Stem Cell Eye Lifting Treatment	030985041750	\$21.95	\$17.56
0642	6 fl oz	Skin Firming Antioxidant Cleanser	030985006421	\$15.50	\$12.40
4120	1 fl oz	Ultra Lift DMAE Concentrated Serum	030985041200	\$19.99	\$15.99
4122	6 oz	Crepey Skin Pre-Treatment Exfoliating	030985041221	\$15.95	\$12.76
4121	6 oz	Crepey Skin Repair Treatment	030985041217	\$19.95	\$15.96
4123	1.7 oz	Ferulic Acid Resurfacing Pads	030985041231	\$24.95	\$19.96
		SENSITIVE SKIN			
0696	6 fl oz	Sensitive Skin Cleanser	030985006964	\$15.50	\$12.40
0495.02	2 oz	Sensitive Skin Moisturizing Cream	030985004953	\$29.95	\$23.96

		+CBD Relief			
8916	6 fl oz	Skin De-Stress Calming CBD Cleanser	030985089165	\$14.95	\$11.96
8917	2 oz	Skin De-Stress Calming CBD Moisturizer	030985089172	\$21.50	\$17.2
8918	2 fl oz	Skin De-Stress Calming CBD Serum	030985089189	\$22.95	\$18.36
		ANTI ACNE			
3707	1 fl oz	Sulfur Spot Treatment	030985037074	\$13.95	\$11.16
3705	1.7 floz	Anti Blemish Clarifying Bi Phase Toner	030985037050	\$13.95	\$11.16
3700	6 fl oz	Acne Deep Pore Cleansing Wash	030985037005	\$15.50	\$12.40
3750	4 oz	Deep Pore Acne Scrub	030985037500	\$13.95	\$11.16
3850.01	2 oz	Acne Blemish Control Treatment Serum	030985038507	\$16.99	\$13.59
3900.01	2 oz	Acne Rebalancing Cream	030985039009	\$19.50	\$15.60
		BODY CARE			

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7070.01	8 oz	Vitamin E Fragrance-Free Therapeutic Shea Body Lotion	030985070705	\$9.99	\$7.99
7071.01	8 oz	Vitamin E Lavender & Neroli Therapeutic Shea Body Lotion	030985070712	\$9.99	\$7.99
7073.01	2 oz	Vitamin E Lavender & Neroli Therapeutic Moisture Shea Hand Cream	030985070736	\$7.95	\$6.36
7074.01	2 oz	Vitamin E Fragrance-Free Therapeutic Shea Hand Cream	030985070743	\$7.95	\$6.36
7075.01	2 oz	Rosehip & Almond Protecting Shea Hand & Cuticle Cream	030985070750	\$7.95	\$6.36
7076.01	8 oz	Rosehip & Almond Protecting Shea Body Lotion	030985070767	\$9.99	\$7.99
7077.01	8 oz	Lemongrass & Thyme Restoring Shea Body Lotion	030985070774	\$9.99	\$7.99
7078.01	8 oz	Jasmine & Vanilla Hydrating Shea Body Lotion	030985070781	\$9.99	\$7.99
		THERAPEUTIC TOPICALS			
0445.02	4 oz	Vitamin E 12,000 IU Cream	030985004458	\$14.95	\$11.96
0520	2 fl oz	Vitamin E Skin Oil 14,000 IU	030985005202	\$11.50	\$9.20
9125.01	4 oz	Tea Tree & Vitamin E Cream	030985091250	\$14.95	\$11.96
9500.02	8 fl oz	Soothing Relief Lotion	030985095005	\$14.95	\$11.96
0475.02	2 oz	Skin Brighten Cream	030985004755	\$24.95	\$19.96
8100	2 oz	Scar Gel	030985081008	\$19.95	\$15.96
8111	1.5 oz	Scar Cream Sun Protectant SPF 35	030985081114	\$18.99	\$15.19
8700.01	4 oz	Eczema Relief Cream	030985087000	\$19.95	\$15.96
8712	6 oz	Eczema Relief Lotion	030985087123	\$13.95	\$11.16
8803.01	4 oz	Skinbiotics® SOS Cream	030985088038	\$21.95	\$17.56
8910	4 oz	Arnica Warming Sore Muscle Rub	030985089103	\$13.99	\$11.19
		HAIR CARE			
8751	3.3 oz	Keratin Thickening Spray	030985087519	\$13.95	\$11.16
6345	1 fl oz	Bonding Hair Repair Oil	030985063455	\$11.95	\$9.56
8741	1 fl oz	Scalp Relief Treatment	030985087413	\$13.95	\$11.16
8730.02	10 fl oz	Scalp Relief Shampoo	030985087307	\$11.75	\$9.40
8740.01	10 fl oz	Scalp Relief Conditioner	030985087406	\$11.75	\$9.40
6300.01	10 fl oz	Nourishing Shampoo Hydrate & Smooth	030985063004	\$9.99	\$7.99
6310.01	10 fl oz	Nourishing Conditioner Hydrate & Smooth	030985063103	\$9.99	\$7.99

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6315.01	10 fl oz	Restoring Shampoo Volume & Shine	030985063158	\$9.99	\$7.99
6320.01	10 fl oz	Restoring Conditioner Volume & Shine	030985063202	\$9.99	\$7.99
8750.02	10 fl oz	Thickening Shampoo	030985087505	\$9.99	\$7.99
8760.01	10 fl oz	Thickening Conditioner	030985087604	\$9.99	\$7.99
		SUNCARE			
0420.01	2 oz	Sun Defense Mineral Sunscreen SPF 30	030985004205	\$19.75	\$15.80
0421.01	4 oz	Sun Defense Mineral Sunscreen SPF 30	030985004212	\$19.75	\$15.80
0423.01	4 oz	Sun Defense Mineral Sunscreen SPF 30	030985004236	\$19.95	\$15.96
0428	6 fl oz	Ultra Sheer Mineral Body Sunscreen	030985004281	\$16.99	\$13.59
0429	6 fl oz	All Sport Performance Sunscreen Spray	030985004298	\$16.99	\$13.59
0431	6 fl oz	Kids Active Sunscreen Spray SPF 50	030985004311	\$19.99	\$15.99
0433	2 oz	All Sport Performance Face Sunscreen	030985004335	\$13.95	\$11.16
		MOOD ESSENTIALS			
1101	1 fl oz.	CREATE Mood Enhancing Skin Beneficial Mist	030985011012	\$18.99	\$15.19
1102	1 fl oz.	UPLIFT Mood Enhancing Skin Beneficial Mist	030985011029	\$18.99	\$15.19
1103	1 fl oz.	CALM Mood Enhancing Skin Beneficial Mist	030985011036	\$18.99	\$15.19

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