



P.O. Box 1421 • American Fork, UT • Phone 801-492-2100 • Toll Free 877-599-5327 • Fax 801-492-8011 • [www.xlear.com](http://www.xlear.com)

## Unilateral Minimum Advertised Price Policy (Effective February 1, 2016)

In order to maintain and improve the brand image and value of all brands and sub-brands of Xlear Inc. ("XLEAR"), we instituted in 2011 a policy announcing minimum advertised price standards for all products of XLEAR sold to U.S. customers. This policy was revised in 2012 and 2014. We are now revising our policy and this amended Unilateral Minimum Advertised Price Policy ("UMAP Policy") is effective as of February 1, 2016.

As before, it will apply to all brands and sub-brands of XLEAR. This includes, but is not necessarily limited to: Xlear, Xlear Sinus Care, Spry, Spry Dental Defense, XyloSweet, and Lite and Sweet.

Under our amended UMAP Policy, if any retailer is found to be advertising in media advertisements, catalogs, paid Internet advertising, or on their own and/or 3<sup>rd</sup> party websites any XLEAR product at a price more than 20% below the most current suggested retail price (the "UMAP Price"), XLEAR, and/or distributors of XLEAR, will restrict products as XLEAR deems appropriate or discontinue product sales entirely. Such actions can be taken by XLEAR with or without first providing the retailer an opportunity to rectify the violation.

It is the retailer's sole responsibility to manage their advertised prices in accordance with this UMAP Policy and ensure they are referencing the most current suggested retail price.

In the case of multipacks, it is in violation of this UMAP Policy for products of XLEAR to be advertised together at a single price that is lower than the sum of the individual UMAP Prices for those products.

For the scope of this UMAP, a product price is the advertised price of an item excluding any additional fees and/or shipping charges.

This UMAP Policy does not cover point-of-sale signs, stickers, hangtags, or bar codes and similar markings on products or product packaging.

This UMAP Policy does not cover digital coupon codes that alter the retail price XLEAR products may be purchased for once added to the shopping cart.

This UMAP Policy does not cover products discontinued by XLEAR.

Distributors of XLEAR products will supply a copy of the UMAP Policy to any new or existing retailer and make available proof of this distribution to XLEAR upon request.

Finally, and most importantly, this UMAP Policy does not apply in any way to your actual selling prices; your retail sales prices for any and all products of XLEAR remain wholly within your discretion. We do not seek, nor will we accept, any agreement or assent from you respecting our UMAP Policy, either now or at any time in the future.



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This policy is being established by XLEAR unilaterally and therefore is not subject to negotiation. XLEAR will implement and take action respecting its UMAP Policy unilaterally based upon information deemed sufficient by XLEAR. All such determinations are final.

We reserve the right at any time to modify this policy, to establish new or different policies, or to discontinue any or all of such policies. This UMAP Policy shall remain in effect until modified or terminated by us. We believe that our policy is clear and unambiguous. Should you have any inquiries regarding our policy; however, please direct them only to Cody Frisby at 801-492-2059.

\* For purposes of this UMAP Policy, “paid Internet advertising” is the advertising paid for by a retailer to promote its prices for products of XLEAR on the Internet on, but not limited to, shopping comparison websites, auction websites, banner/display advertising on third party websites, Internet marketplaces, other Internet landing pages/lead capture pages that are not within a retailers’ own website (including affiliate websites), or Internet search optimization results that a retailer pays a third party entity to ensure that its products of XLEAR are highlighted/prominently displayed in search engine results or in the “paid advertisement” sections of a search engine results page.

The UMAP Policy does not apply to Internet advertised prices or “percentage off” figures that are displayed only on “checkout,” “shopping cart,” or “too low to show” pages that are linked to the main pages upon which the products of XLEAR are primarily displayed.

For more details and/or copies of this policy, please contact Cody Frisby at 801-492-2059.



Xlear, Inc.  
723 S. Auto Mall Drive  
PO Box 1421  
American Fork, UT 84003

4/15/2020

ITEM SPECIFICATIONS										ITEM RETAIL PRICING			
Brand	Item Category	Retail Unit UPC	Inner Case Pack UPC	Master Case 14-IFT	Description	MFG Code	Size	UOM	Package type	Item MSRP	Item MAP	Individual Unit MSRP	Individual Unit MAP
Spry	Candy	700596700024 BERRY / 700596700031 FRUIT / 700596700017 CITRUS	700596700147	50700596700142	SparX Mixed Display – 18 tube display	FDM	1	each	tubes	\$ 35.82	\$ 28.66	\$ 1.99	\$ 1.59
Spry	Candy	700596700024	700596710023	50700596710028	SparX Refills – 6 tubes per refill pack – Berry	FDB6	1	each	tubes	\$ 11.94	\$ 9.55	\$ 1.99	\$ 1.59
Spry	Candy	700596700017	700596710016	50700596710011	SparX Refills – 6 tubes per refill pack – Citrus	FDC6	1	each	tubes	\$ 11.94	\$ 9.55	\$ 1.99	\$ 1.59
Spry	Candy	700596700031	700596710030	50700596710035	SparX Refills – 6 tubes per refill pack – Fruit	FDF6	1	each	tubes	\$ 11.94	\$ 9.55	\$ 1.99	\$ 1.59
Spry	Gum	700596000148		50700596000143	Spry 100 ct Chewing Gum - Cinnamon	GC100	100	ct	Jar	\$ 9.99	\$ 7.59		
Spry	Gum	700596000131		50700596000136	Spry 100 ct Chewing Gum - Fruit	GFF100	100	ct	Jar	\$ 9.99	\$ 7.59		
Spry	Gum	700596000155		50700596000150	Spry 100 ct Chewing Gum - Green Tea	GGT100	100	ct	Jar	\$ 9.99	\$ 7.59		
Spry	Gum	700596000117		50700596000112	Spry 100 ct Chewing Gum - Peppermint	GPP100	100	ct	Jar	\$ 9.99	\$ 7.59		
Spry	Gum	700596000124		50700596000129	Spry 100 ct Chewing Gum - Spearmint	GSP100	100	ct	Jar	\$ 9.99	\$ 7.59		
Spry	Gum	700596001145		50700596001140	Spry 100 ct Chewing Gum - Wintergreen	GWG100	100	ct	Jar	\$ 9.99	\$ 7.59		
Spry	Gum	700596001138		50700596001133	Spry 100 ct Chewing Gum - Bubble Gum	GBG100	100	ct	Jar	\$ 9.99	\$ 7.59		
Spry	Gum	700596001152		50700596001157	Spry 100 ct Chewing Gum - Licorice	GL100	100	ct	Jar	\$ 9.99	\$ 7.59		
Spry	Gum	700596000858	700596100855	50700596100850	Spry 27 ct Gum (6 tubes per pack) – Green Tea	GGT276	27	ct	tube	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Gum	700596000841	700596100848	50700596100843	Spry 27 ct Gum (6 tubes per pack) – Cinnamon	GC276	27	ct	tube	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Gum	700596000834	700596100831	50700596100836	Spry 27 ct Gum (6 tubes per pack) – Fruit	GFF276	27	ct	tube	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Gum	700596000810	700596100817	50700596100812	Spry 27 ct Gum (6 tubes per pack) – Peppermint	GPP276	27	ct	tube	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Gum	700596000827	700596100824	50700596100829	Spry 27 ct Gum (6 tubes per pack) – Spearmint	GSP276	27	ct	tube	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Gum	700596000896	700596100893	50700596100898	Spry 27 ct Gum (6 tubes per pack) - Wintergreen	GWG276	27	ct	tube	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Gum	700596000872	700596100879	50700596100874	Spry 27 ct Gum (6 tubes per pack) - Bubble Gum	GB276	30	ct	tube	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Gum	700596000889	700596100886	50700596100881	Spry 27 ct Gum (6 tubes per pack) - Licorice	GL276	30	ct	tube	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Gum	700596000643	700596100640	50700596100645	Spry Chewing Gum Blister Pack* – Cinnamon (20 pack)	BLC	10	ct	card	\$ 29.80	\$ 23.84	\$ 1.49	\$ 1.19
Spry	Gum	700596000636	700596100633	50700596100638	Spry Chewing Gum Blister Pack* – Fruit (20 pack)	BLFF	10	ct	card	\$ 29.80	\$ 23.84	\$ 1.49	\$ 1.19
Spry	Gum	700596000650	700596100657	50700596100652	Spry Chewing Gum Blister Pack* – Green Tea (20 Pack)	BLGT	10	ct	card	\$ 29.80	\$ 23.84	\$ 1.49	\$ 1.19
Spry	Gum	700596000629	700596100626	50700596100621	Spry Chewing Gum Blister Pack* – Peppermint (20 Pack)	BLPP	10	ct	card	\$ 29.80	\$ 23.84	\$ 1.49	\$ 1.19
Spry	Gum	700596000612	700596100619	50700596100614	Spry Chewing Gum Blister Pack* – Spearmint (20 Pack)	BLSP	10	ct	card	\$ 29.80	\$ 23.84	\$ 1.49	\$ 1.19
Spry	Gum	700596000698	700596100695	50700596100690	Spry Chewing Gum Blister Pack* - Wintergreen (20 Pack)	BLWG	10	ct	card	\$ 29.80	\$ 23.84	\$ 1.49	\$ 1.19

ITEM SPECIFICATIONS										ITEM RETAIL PRICING			
Brand	Item Category	Retail Unit UPC	Inner Case Pack UPC	Master Case 14-IFT	Description	MFG Code	Size	UOM	Package type	Item MSRP	Item MAP	Individual Unit MSRP	Individual Unit MAP
Spry	Gum	700596000681	700596100688	50700596100683	Spry Chewing Gum Blister Pack* - Bubble Gum (20 Pack)	BLBB	10	ct	card	\$ 29.80	\$ 23.84	\$ 1.49	\$ 1.19
Spry	Gum	700596000704	700596100718	50700596100713	Spry Chewing Gum Blister Pack* - Licorice (20 Pack)	BLL	10	ct	card	\$ 29.80	\$ 23.84	\$ 1.49	\$ 1.19
Spry	Gum	700596003576	700596203570	50700596203575	Spry Chewing Gum 55ct Cinnamon Gum (6 pack)	GC556	55	ct	jar	\$ 35.94	\$ 28.75	\$ 5.99	\$ 4.79
Spry	Gum	700596003583	700596203587	50700596203582	Spry Chewing Gum 55ct Peppermint Gum (6 pack)	GPP556	55	ct	jar	\$ 35.94	\$ 28.75	\$ 5.99	\$ 4.79
Spry	Gum	700596003590	700596203594	50700596203599	Spry Chewing Gum 55ct Spearmint Gum (6 pack)	GSP556	55	ct	jar	\$ 35.94	\$ 28.75	\$ 5.99	\$ 4.79
Spry	Gum	700596003606	700596203600	50700596203605	Spry Chewing Gum 55ct Wintergreen Gum (6 pack)	GWG556	55	ct	jar	\$ 35.94	\$ 28.75	\$ 5.99	\$ 4.79
Spry	Gum	700596003613	700596203617	50700596203612	Spry Chewing Gum 55ct Bubble Gum (6 pack)	GBG556	55	ct	jar	\$ 35.94	\$ 28.75	\$ 5.99	\$ 4.79
Spry	Gum	700596003620	700596203624	50700596203629	Spry Chewing Gum 55ct Licorice Gum (6 pack)	GL556	55	ct	jar	\$ 35.94	\$ 28.75	\$ 5.99	\$ 4.79
Spry	Gum	700596000360		50700596000365	Spry Gum 2-pc Sample Dispenser 200ct – Mixed ---	GFM200	200	each	container	\$ 40.00	\$ 32.00		
Spry	Mints	700596002104	700596102101	50700596102106	Spry Gems Berry Mints (6 Pack)	DMB406	40	ct	tray	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Mints	700596002111	700596102118	50700596102113	Spry Gems Cinnamon Mints (6 Pack)	DMC406	40	ct	tray	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Mints	700596002128	700596102125	50700596102120	Spry Gems Lemon Crème Mints (6 Pack)	DML406	40	ct	tray	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Mints	700596002135	700596102132	50700596102137	Spry Gems Peppermint Mints (6 Pack)	DMP406	40	ct	tray	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Mints	700596002142	700596102149	50700596102144	Spry Gems Spearmint Mints (6 pack)	DMS406	40	ct	tray	\$ 17.94	\$ 14.35	\$ 2.99	\$ 2.39
Spry	Mints	700596002524	700596102521	50700596102526	Spry Powermints Cinnamon (6 pack)	PMC706	70	ct	tray	\$ 20.94	\$ 16.75	\$ 3.49	\$ 2.79
Spry	Mints	700596002500	700596102507	50700596102502	Spry Powermints Peppermint (6 pack)	PMP706	70	ct	tray	\$ 20.94	\$ 16.75	\$ 3.49	\$ 2.79
Spry	Mints	700596002517	700596102514	50700596102519	Spry Powermints Wintergreen (6 pack)	PMW706	70	ct	tray	\$ 20.94	\$ 16.75	\$ 3.49	\$ 2.79
Spry	Mints	700596000087		50700596000082	Spry Mints – 240 ct Jar – Berry	MRB240	240	ct	Jar	\$ 10.99	\$ 8.79		
Spry	Mints	700596000100		50700596000105	Spry Mints – 240 ct Jar – Cinnamon	MC240	240	ct	Jar	\$ 10.99	\$ 8.79		
Spry	Mints	700596000094		50700596000099	Spry Mints – 240 ct Jar – Lemon	MLB240	240	ct	Jar	\$ 10.99	\$ 8.79		
Spry	Mints	700596000070		50700596000075	Spry Mints – 240 ct Jar – Peppermint	MPP240	240	ct	Jar	\$ 10.99	\$ 8.79		
Spry	Mints	700596000971 PEPP / 700596000988 BERRY / 700596000995 LEMON /	700596100909	50700596100904	Spry Mints – 45 ct Display – 24 tubes – Mixed*	MDM45	45	ct	tube	\$ 57.36	\$ 45.89	\$ 2.39	\$ 1.91
Spry	Mints	700596000988	700596100985	50700596100980	Spry Mints – 45 ct (6 tubes) – Berry	MRB456	45	ct	tube	\$ 14.34	\$ 11.47	\$ 2.39	\$ 1.91
Spry	Mints	700596000957	700596100954	50700596100959	Spry Mints – 45 ct (6 tubes) – Cinnamon	MC456	45	ct	tube	\$ 14.34	\$ 11.47	\$ 2.39	\$ 1.91
Spry	Mints	700596000995	700596100992	50700596100997	Spry Mints – 45 ct (6 tubes) – Lemon	MLB456	45	ct	tube	\$ 14.34	\$ 11.47	\$ 2.39	\$ 1.91
Spry	Mints	700596000971	700596100978	50700596100973	Spry Mints – 45 ct (6 tubes) – Peppermint	MPP456	45	ct	tube	\$ 14.34	\$ 11.47	\$ 2.39	\$ 1.91
Spry	Mints	700596000407		50700596000402	Spry Mints 2-pc Sample Dispenser 225ct – ---Mixed	MM225	225	ct	container	\$ 36.70	\$ 29.36		
Spry	Oral Rinse	700596000520		50700596000525	Spry Oral Rinse – 16 oz – Coolmint	ORCM	16	oz	bottle	\$ 7.99	\$ 6.39		
Spry	Oral Rinse	700596001220		50700596001225	Spry Oral Rinse – 16 oz – Spearmint	ORSP	16	oz	bottle	\$ 7.99	\$ 6.39		
Spry	Oral Rinse	700596001237		50700596001232	Spry Oral Rinse – 16 oz – Wintergreen	ORWG	16	oz	bottle	\$ 7.99	\$ 6.39		
Spry	Oral Rinse	700596001251		50700596001256	Spry Herbal Mint Mouth Wash - Alcohol Free	MWHM	16	oz	bottle	\$ 8.99	\$ 7.19		
Spry	Oral Rinse	700596001275		50700596001270	Spry Mountain Mint Mouth Wash - Alcohol Free	MWMM	16	oz	bottle	\$ 8.99	\$ 7.19		

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Spry	Oral Rinse	700596001282		50700596001287	Kids Spry Bubble Gum Mouth Wash - Alcohol Free	MWBG	16	oz	bottle	\$ 8.99	\$ 7.19		
Spry	Oral Spray	700596000551		50700596000556	Moisturizing Mouth Spray (dual pack box)	RAIN	1	each	box	\$ 14.99	\$ 11.99		
Spry	Oral Gel	700596000568		50700596000563	Moisturizing Mouth Gel - original	MMGO	2	oz	tube	\$ 7.99	\$ 6.39		
Spry	Oral Gel	700596000575		50700596000570	Moisturizing Mouth Gel - spearmint	MMGS	2	oz	tube	\$ 7.99	\$ 6.39		
Spry	Tooth Gel	700596000742		50700596000747	Baby Banana Brush w/ Strawberry Banana Tooth Gel	SB BRUSH	1	each	kit	\$ 14.99	\$ 11.99		
Spry	Tooth Gel	700596000735		50700596000730	Spry Infant Tooth Gel with Pacifier – Original Flavor	PTGEL	1	each	kit	\$ 13.99	\$ 11.19		
Spry	Tooth Gel	700596000759		50700596000754	Spry Tooth Gel – 2.0 oz Tube - Natural Bubble Gum	BGTGEL	2	oz	tube	\$ 6.99	\$ 5.59		
Spry	Tooth Gel	700596000728		50700596000723	Spry Tooth Gel – 2.0 oz Tube - Strawberry Banana	SBTGEL	2	oz	tube	\$ 6.99	\$ 5.59		
Spry	Tooth Gel	700596000711		50700596000716	Spry Tooth Gel 2.0 oz Tube - Original Flavor	SPRY TGEL	2	oz	tube	\$ 6.99	\$ 5.59		
Spry	Toothpaste	700596001398		50700596001393	Spry Whitening Toothpaste	TPWHM	5	oz	tube	\$ 6.99	\$ 5.59		
Spry	Toothpaste	700596000506		50700596000501	Spry Peppermint Toothpaste	TP PP	5	oz	tube	\$ 6.99	\$ 5.59		
Spry	Toothpaste	700596000537		50700596000532	Spry Cinnamon Toothpaste	TP C	5	oz	tube	\$ 6.99	\$ 5.59		
Spry	Toothpaste	700596001329		50700596001324	Spry Spearmint Toothpaste	TP SP	5	oz	tube	\$ 6.99	\$ 5.59		