



# **BOIRON MINIMUM ADVERTISING PRICE POLICY**

## **INTRODUCTION**

Boiron USA is committed to supporting the sales of our products through our brand advertising, trade promotions, and consumer education. Boiron strives to be a leader in its field of product quality for the benefit of its customers. We also know that many of our resellers invest significant time and resources to deliver an extraordinary customer experience. To that end, Boiron adopted this Minimum Advertising Price Policy (MAP Policy) to ensure our efforts are not diminished by resellers advertising products at prices that may tarnish the Company's brand and harm customers by eliminating legitimate competition in the marketplace.

This MAP Policy is a unilateral policy created and implemented by Boiron. Boiron will not invite or accept any input into how the policy will be administered or maintained. This policy does not reflect or constitute an agreement between Boiron and any authorized distributor, reseller, any other person or entity. By issuing this policy, Boiron is not seeking any agreement from any entity.

## **GENERAL GUIDELINES**

It is essential that all distributors, resellers and others in the Boiron distribution network adhere to the following terms and conditions. Failure to abide by these terms and conditions may result in the penalties set forth herein.

1. This policy applies to all Boiron products, except as may be designated by Boiron from time to time. The minimum advertised price (MAP) for the products are listed in Appendix A to this policy. Boiron may in its sole discretion update or modify this list from time to time.
2. Boiron recognizes that distributors and resellers are free to make their own decisions to sell any Boiron product at any price they choose, without consulting or advising Boiron, subject to the terms of this policy.
3. The policy applies to advertised prices, not the price at which MAP products are actually sold or offered for sale to an individual in-store, over the telephone or on the internet.
4. Boiron will make its own decisions regarding the Boiron Authorized Reseller Program, supplemental marketing materials, point-of-purchase displays, product allocation, new product availability, or future promotional, joint marketing, or sponsorship programs.
5. Resellers, distributors and others in the Boiron distribution network are required to comply with all applicable laws. Among other things, all shipments to California are subject to the requirements set forth in Proposition 65, which requires businesses to provide certain warnings.

## **APPLICATION OF MAP STANDARDS**

The MAP standards apply to any and all advertisements for any Boiron product in any and all forms of print and electronic media, direct mail, and audio and video communications. For clarity, the MAP standards apply to all coupons, coupon and promotion codes, flyers, inserts,

magazines and circulars, mail order catalogs, mailers, postcards, newsletters, newspapers, posters, billboards, television advertising, radio advertising. The MAP standards also apply to all internet-based advertising, including for example, all e-mail solicitations, website advertising, banner ads, click-throughs, social media advertisements and other forms of internet advertising, which may be identified in the future.

## **ADVERTISING MINIMUM PRICES**

1. The MAP standards apply to advertised prices of Boiron products, and not the prices at which Boiron products are actually sold. Resellers and distributors are free to resell Boiron products at any price of their choice.
2. The minimum advertised price for each Boiron product shall be the price designated as the MAP on the list set forth in Appendix A. If no MAP is listed for any Boiron product, the MAP will be the Manufacturer's Suggested Retail Price ("MSRP") for that product minus 10% of that MSRP. (Current price lists may be obtained by contacting a Boiron sales representative.)
3. Boiron considers any price advertised below the MAP a violation of its MAP Policy. For example, if a product with a MAP of \$9.95 is advertised below \$9.95, it is a violation of this policy.
4. Subject to the "Modification of Policy" terms below, advertising prices (especially on the Internet) includes all methods of displaying prices or any reference to higher discounting for any Boiron product, together with a picture or a description of such product. Examples of advertising violations include but are not limited to the following:
  - a. The use of a rebate, coupon, promotion, volume discount, rewards program, giveaway, or incentive that reduces the advertised price below the minimum advertised price;
  - b. Offering free shipping and handling of Boiron products if the monetary value for such offer results in the display of the price for such product below the established minimum advertised price;
  - c. Any strike-through or other alteration of the established minimum advertised price;
  - d. The use of "click on" or "click through" buttons on a website, or any similar buttons or automated price quotation transmission features, to provide automatic price quotations at or below the established minimum advertised price;
  - e. Language such as "Click 'Buy' for Price" or "Click 'Add to Cart' for Price" or "Click for Quote" if used on the same website page on which Boiron products are being advertised for sale and where such language results in a price offered lower than the minimum advertised price prior to the product being placed "in cart" and/or are used in a way that confuses or misleads consumers; and
  - f. Statements such as "Click here for Lower Price," "Add to Cart for Lower Price," or "Check Cart for Lower Price" where such language results in a price offered lower than the minimum advertised price prior to the product being placed "in cart" and/or are used in a way that confuses or misleads consumers.

## **ADVERTISING BUNDLES**

1. Advertising two or more Boiron products for sale together at a price less than the combined MAPs for each Boiron product is a violation of this policy. For example, if a Boiron product bundle includes one Boiron product with a MAP of \$9.95 and a second Boiron product with a MAP of \$7.95, any advertisement below \$17.90 (the combined MAP of the products) would violate this policy.
2. The inclusion in advertising of free or discounted products with a product covered by this policy violates this policy if it has the effect of discounting the advertised price of the Boiron product below the minimum advertised price.

3. Advertisements featuring a Boiron product along with another brand of product will violate this policy if the price in the advertisement is lower than the Boiron product's MAP. In determining whether the advertisement contains a price in compliance with this policy, Boiron will assess whether a reasonable viewer of the advertisement will, looking within the four corners of the advertisement, conclude that the advertisement is stating a price for the Boiron product below the MAP.
4. It is a violation of this policy to create, copy, print, assign or otherwise generate a UPC or barcode for any Boiron product, including without limitation creating a UPC or barcode for a bundle of products that includes a Boiron product.

## **MODIFICATIONS TO POLICY**

1. Boiron reserves the right to modify, suspend, or cancel the MAP Policy, or modify any or all MAPs at any time. Boiron will provide notice of any such modifications, suspension or cancellations on the designated Boiron website. All resellers, distributors and other members of the Boiron distribution network are required to monitor the Boiron website for updates.
2. The MAP for one or more products may be amended from time to time and may be suspended periodically for national, regional and/or seasonal promotions sponsored by Boiron. Boiron may also modify MAP for any Boiron product bundles.
3. If a distributor or reseller with multiple store locations violates this MAP Policy at any one store location, or on any one website, then Boiron will consider this to be a violation of the distributor or reseller for all locations and websites.
4. Although this policy does not contemplate any special promotions or events created or implemented by a distributor or reseller, Boiron may work with a reseller, distributor or other entity to create or implement such a promotion.
5. Boiron sales, marketing, or other personnel are not authorized to modify or grant exceptions to the MAP Policy; provided however the VP of Sales or Ecommerce Director may approve modifications to this policy for a particular circumstance.

## **Enforcement**

If a distributor, reseller or other member of the Boiron distribution network advertises prices below those required by this MAP Policy, Boiron may, in its sole discretion, impose sanctions, including but not limited to one or more of the following actions:

1. Notify the violator of the non-compliant advertisement with a reminder of Boiron's MAP policy on Boiron products;
2. Cancel any pending orders;
3. Suspend the violator's right to sell a portion of the Boiron product portfolio for a period of time (e.g., thirty (30), forty-five (45), ninety (90) days or longer) depending on the breadth and severity of the MAP Policy violation, commencing from the date of notice from Boiron;
4. Suspend the violator's right to sell the entire Boiron product portfolio for a period of time (e.g., thirty (30), forty-five (45), ninety (90) days, or longer) depending on the breadth and severity of the MAP policy violation, commencing from the date of notice from Boiron;
5. Terminate the right for a distributor, reseller or other entity to sell or offer for sale any Boiron product; and/or
6. Terminate the distributor/reseller agreement or other relationship between Boiron and the violator.

Boiron will make all decisions concerning compliance with and enforcement of this MAP Policy in its sole discretion. Boiron will not be held liable or responsible in any way for any actions or inactions (such as fees or shipment costs from canceled or delayed orders) that occur as a

result of the suspension, termination or any other penalty imposed herein. Further, Boiron shall not have any obligation to pay for any returned products by way of a refund or credit or otherwise.

## **NOTICE AND CURE**

Boiron will notify the distributor, reseller or other entity within the Boiron distribution network of any violation of this policy. In the event Boiron permits the violator to correct such violation, prior to suspension, termination, cancellation or other enforcement action, the violator shall correct the violation to Boiron's satisfaction within the time period set forth in written notice (the "Cure Period"). Failure to correct such violation within the Cure Period shall result in a subsequent violation. Violations shall continue to multiply for each twenty-four (24) period in which the violation is not corrected. Each repeat violation during the twelve (12) month period following any initial or subsequent violation may result in Boiron taking any of the enforcement measures described above.

Should you have any questions about the MAP Policy, please direct them to [qualityandmap@boiron.com](mailto:qualityandmap@boiron.com)

**APPENDIX A**  
**MINIMUM ADVERTISED PRICING**

Each product's minimum advertised price is as set forth below:

<b>UPC</b>	<b>Description</b>	<b>Size</b>	<b>MAP</b>
306962608606	Acidil Tablets	60 tablets	\$10.39
306969010426	Acidil On the Go	2 MDT	\$10.99
306969003541	Aconitum 30C Bonus Pack	3 MDT	\$14.99
306969306048	AllergyCalm Tablets	60 tablets	\$10.39
306939303428	AllergyCalm On the Go	2 MDT	\$10.99
306962020002	Ambrosia 30C Bonus Pack	3 MDT	\$14.99
306962021009	Ambrosia 30C Single Pack	80 pellets	\$6.99
306962797249	Arnica 30C Bonus Pack	3 MDT	\$14.99
306969050439	Arnica 30X Bonus Pack	3 MDT	\$14.99
306969044049	Arnicare Arthritis Tablets	60 tablets	\$10.39
306969077634	Arnicare Arthritis Cream 2.5 oz	2.5 oz	\$14.99
306969083048	Arnicare Bruise Tablets	60 tablets	\$10.39
306969085127	Arnicare Bruise Cream	1.4 oz	\$6.99
306969084540	Arnicare Bruise Gel	1.5 oz	\$6.92
306969046562	Arnicare Cream (horizontal)	2.5 oz	\$8.31
306962033569	Arnicare Cream (vertical/bi-directional)	2.5 oz	\$8.31
306962032555	Arnicare Cream 1.33 oz	1.33 oz	\$6.23
306969022825	Arnicare Cream 4.2 oz	4.2 oz	\$13.99
306969047781	Arnicare Cream/MDT Value Pack	2.5 oz + 1 MDT	\$11.43
306969055823	Arnicare FootCare (cream)	4.2 oz	\$13.99
306969000595	Arnicare Gel (horizontal)	2.6 oz	\$8.31
306962035594	Arnicare Gel (vertical/bi-directional)	2.6 oz	\$8.31
306960511540	Arnicare Gel 1.5 oz	1.5 oz	\$6.23
306969000571	Arnicare Gel 4.2 oz	4.2 oz	\$13.99
306962747244	Arnicare Gel/MDT Value Pack	2.6 oz + 1 MDT	\$11.43
306969073902	Arnicare Leg Cramps	33 tablets	\$10.39
306960229506	Arnicare Ointment	1 oz	\$6.23
306969000847	Arnicare Roll-on	1.5 oz	\$7.27
306962037000	Arnicare Roll-on Twin Pack	2 x 1.5 oz	\$10.99
306969059043	Arnicare Tablets	60 tablets	\$10.39
306969053041	Arsenicum Album 30C Bonus Pack	3 MDT	\$14.99
306969094440	Bryonia 30C Bonus Pack	3 MDT	\$14.99
306969086506	Calendula Burn (ointment)	1 oz	\$5.99
306969021569	Calendula Cream (horizontal)	2.5 oz	\$8.99
306962043568	Calendula Cream (vertical/bi-directional)	2.5 oz	\$8.99
306961105540	Calendula Gel 1.5 oz	1.5 oz	\$5.99
306962046590	Calendula Gel 2.6 oz	2.6 oz	\$8.99
306962052508	Calendula Ointment	1 oz	\$5.99

306969054086	Camilia 15 doses	15 liquid doses	\$7.99
306969054093	Camilia 30 doses	30 liquid doses	\$10.99
306969067284	Chestal Cold & Cough	6.7 fl oz	\$8.99
306969032282	Chestal Honey	6.7 fl oz	\$8.99
306969068281	Chestal Kids Cold & Cough	6.7 fl oz	\$8.99
306969033289	Chestal Kids Honey	6.7 fl oz	\$8.99
306969066423	Chestal Kids Pellets	2 MDT	\$10.99
306969065426	Chestal Pellets	2 MDT	\$10.99
306969139646	Cinchona Officinalis 30C Bonus Pack	3 MDT	\$14.99
306969094433	Coffea Cruda 30C Bonus Pack	3 MDT	\$14.99
306969057094	ColdCalm Baby Liquid Doses	30 liquid doses	\$10.99
306969060094	ColdCalm Kids Liquid Doses	30 liquid doses	\$10.99
306969049426	ColdCalm Kids Pellets	2 MDT	\$10.99
306962607609	ColdCalm Tablets	60 tablets	\$10.39
306969098424	ColdCalm On the Go	2 MDT	\$10.99
306969074091	ColicComfort	30 liquid doses	\$11.99
306969078044	Cyclease Cramps Tablets	60 tablets	\$10.39
306969082041	Cyclease Menopause Tablets	60 tablets	\$10.39
306962615604	Cyclease PMS Tablets	60 tablets	\$10.39
306969095041	Diaralia Tablets	60 tablets	\$10.39
306969097427	Diaralia On the Go	2 MDT	\$10.99
306962609603	Gasalia Tablets	60 tablets	\$10.39
306969096420	Gasalia On the Go	2 MDT	\$10.99
306969225349	Gelsemium 30C Bonus Pack	3 MDT	\$14.99
306969120514	HemCalm Ointment	1 oz	\$6.99
306969121672	HemCalm Suppositories	10 suppositories	\$9.99
306969122044	HemCalm Tablets	60 tablets	\$10.39
306969123423	HemCalm On the Go	2 MDT	\$10.99
306962961244	Histaminum 30C Bonus Pack	3 MDT	\$14.99
306969258149	Hypericum Perforatum 30C Bonus Pack	3 MDT	\$14.99
306969259849	Ignatia Amara 30C Bonus Pack	3 MDT	\$14.99
306969214435	Jet Lag Relief Bonus Pack	3 MDT	\$14.99
306969278437	Kali Phosphoricum 30C Bonus Pack	3 MDT	\$14.99
306969228432	Leg Pain Relief Bonus Pack	3 MDT	\$14.99
306969318744	Lycopodium Clavatum 30C Bonus Pack	3 MDT	\$14.99
306969234044	MotionCalm Tablets	60 tablets	\$10.39
306969244043	NauseaCalm Tablets	60 tablets	\$10.39
306962844240	Nux Vomica 30C Bonus Pack	3 MDT	\$14.99
306962193713	Optique 1 Eye Drops 10 doses	10 liquid doses	\$5.99
306969277720	Optique 1 Eye Drops 30 doses	30 liquid doses	\$10.99
306969998519	Oscillococcinum 6 doses	6 doses	\$10.99
306969998342	Oscillococcinum 12 doses	12 doses	\$18.00
306962878245	Oscillococcinum 30 doses	30 doses	\$28.00

306969998519	Oscillococinum 6 doses	6 doses	\$10.99
306969418543	Pulsatilla 30C Bonus Pack	3 MDT	\$14.99
306969317433	RhinAllergy Kids Pellets	3 MDT	\$10.99
306969316047	RhinAllergy Kids Tablets	60 tablets	\$10.39
306969315040	RhinAllergy Tablets	60 tablets	\$10.39
306969440049	Rhus Tox 30C Bonus Pack	3 MDT	\$14.99
306969456552	Sambucus 6C Single Pack	80 pellets	\$6.99
306969453643	Sambucus Nigra 6C Bonus Pack	3 MDT	\$14.99
306969347423	SinusCalm Pellets	2 MDT	\$10.99
306969338049	SinusCalm Tablets	60 tablets	\$10.39
306969339046	SinusCalm Allergy Tablets	60 tablets	\$10.39
306969309094	SleepCalm Kids 15 doses	15 liquid doses	\$9.99
306969308424	SleepCalm Kids Pellets	2 MDT	\$10.99
306969310045	SleepCalm Tablets	60 tablets	\$10.39
306969311424	SleepCalm On the Go	2 MDT	\$10.99
306969333044	StressCalm Tablets	60 tablets	\$10.39
306969334423	StressCalm On the Go	2 MDT	\$10.99
306969325049	ThroatCalm Tablets	60 tablets	\$10.39
306969325421	ThroatCalm On the Go	2 MDT	\$10.99
306969356432	Thuja Occidentalis 30C Bonus Pack	3 MDT	\$14.99
306969372043	WartCalm Tablets	60 tablets	\$10.39
306969376621	YeastCalm	7 suppositories	\$11.99
Various	Multi-Dose Tubes: 200CK, 1M, 10M, 100M, 1CM	80 Pellets	\$8.99
Various	Multi-Dose Tubes: 3C-30C & 3X-30X	80 Pellets	\$6.99
Various	Gemmotherapy	2 fl oz.	\$11.76

*Last Updated: July 28, 2022*