



DESIGNER PROTEIN[®]
SINCE 1993

Minimum Advertised Price Policy

Designer Protein, LLC has invested substantial resources into developing its brand name. In order to maintain and further enhance the Designer Protein, LLC brand image as a high quality and premium offering, Designer Protein, LLC has adopted a Minimum Advertised Price Policy (“MAPP”) that applies to all authorized Designer Protein, LLC resellers.

Policy: All Designer Protein, LLC products are subject to the MAPP. The current listing of products and applicable MAPP prices will be sent to authorized resellers electronically. A listing will be considered to have been received within 48 hours from the sending date. MAPP prices and the products subject to MAPP may be changed from time to time at Designer Protein, LLC sole discretion. Authorized Resellers are responsible for remaining current with the MAPP, products and pricing. Designer Protein, LLC in its sole discretion, reserves the right to discontinue doing business with any reseller that advertises any Designer Protein, LLC product at a price lower than the MAPP.

Scope: MAPP applies to any and all advertisements of Designer Protein, LLC products in any and all media including, without limitation, flyers, posters, coupons, mailers, inserts, newspapers, magazines, catalogs, mail order catalogs, emails, Internet or similar electronic media, television, radio and public signage.

Advertising: Advertising shall not include language or graphics that state or suggest that any Designer Protein, LLC product is being promoted at a price less than the MAPP price. For example, it would violate the policy to:

- a. Show the price of the Designer Protein, LLC product with a slash line through it in a manner that states or suggests that the advertised offer is less than the MAPP price.
- b. Advertise “\$X off” or “X% off” in a manner that states or suggests that the advertised offer is less than the MAPP price (i.e., unless MAPP products are specifically identified as excluded from the offer).
- c. Advertise any Designer Protein, LLC product as a “free” or “gift” item. (Offers of “free shipping” are not prohibited under this policy.)
- d. Advertise a bundle including any Designer Protein, LLC product in a manner that suggests that the Designer Protein, LLC product is being offered at a price below the MAPP.
- e. Use language such as “Sale Price” or “New Low Price” or words such as “Subtract,” “Less” or “Marked Down,” in a manner that states or suggests the advertised offer is less than the MAPP price.
- f. Include language such as “Price Too Low to Print,” “our manufacturer won’t let us tell you the price,” or “call for price.”
- g. Use language such as “click for price” or “move to shopping cart to see price” feature on a website in a way that suggests that the actual price is lower than the MAPP price.

Actual Sales Price: The MAPP applies only to advertised prices, and does not relate to actual sales prices of any item. Each authorized reseller remains free to establish its own resale prices and to sell Designer Protein, LLC products at any price it chooses. Designer Protein, LLC does not seek any reseller's agreement on minimum selling prices, and no representative or employee of Designer Protein, LLC is authorized to accept any such agreement from a Designer Protein, LLC distributor.

Modification: Designer Protein, LLC reserves the right at any time to modify, suspend, or discontinue the MAPP in whole or in part or designate promotional periods during which the terms of the policy change or designate periods of time during which the policy is not applicable. Policy modifications shall be communicated to authorized resellers electronically.

Enforcement and Interpretation: Designer Protein, LLC will enforce the MAPP through its own staff and outside consultants and agents. Designer Protein, LLC will unilaterally and in its sole discretion make all determinations relating to a violation of the MAPP to its sole satisfaction. All matters of interpretation and application of the terms of the MAPP shall be made solely by Designer Protein, LLC

Questions: Any questions about this policy should be directed, in writing, to the policy administrator at: MAPP@designerprotein.com