

PENN HERB COMPANY, LTD. - OLBAS MAP POLICY
Frequently Asked Questions (“FAQ’s”)

Note that these FAQs are illustrative only, and to the extent there is any conflict, the MAP Policy controls.

1. Are all forms of advertising covered by the Policy?

A: All forms of advertising are covered; however the MAP Policy does not apply to any physical in-store advertising that is not distributed to customers.

2. Are all SKU's/products covered by the MAP?

A: No. Only the products listed in the Policy. The list may change over time, but any changes will be distributed to resellers and / or posted on the Olbas.com website.

3. What if a reseller's printed weekly circular advertises a MAP Product at a price below the MAP price?

A: The weekly circular violates the Policy.

4. How often are the MAP Product prices updated in the Policy?

A: Penn Herb Company Ltd. may update the prices periodically at its discretion, and will announce any changes to its resellers. Olbas.com will post a current list of MAP Products and prices.

5. Can a reseller advertise a price higher than the listed MAP price?

A: Yes.

6. What types of advertising does the Policy prohibit?

A: This Policy prohibits advertising a MAP Product below the MAP price, in any form, including, but not limited to any rebates, membership discounts, banner discounts, store-wide or department sales (20% off, buy-one-get-one-50% off), gift card or free gift with purchase, bundled product discounts or any other advertised discount on the Products that has the effect of discounting the advertised price of a MAP Product below the MAP price.

7. Will advertising a storewide coupon with a discount (10% off everything in the store) violate this Policy?

A: Yes, if the Products are advertised together with the coupon. In other words, the advertising should not display any MAP Product, in words or pictures, together with the storewide discount.

8. Will a banner ad at the top of my website advertising a discount or promotion (e.g., 20% off all products) violate this Policy?

A: Yes, if the MAP Products are advertised together with the banner ad.

9. Does it violate the Policy to advertise a generic “\$5.00 off” a certain category of products, where some of the products are covered by the MAP Policy and some of them are not?

A: Yes. This is a violation of the Policy unless the MAP Products are expressly excluded from the advertised discount.

10. Does advertising a discounted bundle of products violate the Policy, where only one of the products is a MAP Product?

A: Yes, it violates the Policy to advertise a MAP Product as part of a discounted bundle unless the MAP Product is clearly advertised at the MAP Price.

- 11. Does advertising a Gift Card (GC) or a Gift with Purchase (GWP) violate the Policy?**
A: Yes, if the product to be purchased in order to qualify for the GC or GWP is a MAP Product.
- 12. What if a reseller's website mistakenly lists a SKU below the MAP price?**
A: The Policy does not permit us to determine whether an advertisement was a "mistake" or not. Accordingly, the Policy will apply according to its clear terms.
- 13. What if a reseller has been cited for more than one SKU violation of the Policy?**
A: The Policy will apply according to its clear terms for each SKU.
- 14. What if a reseller repeatedly violates the Policy?**
A: A frequent violator of the Policy risks losing the privilege of selling our products and potentially being terminated as an account.
- 15. What if a reseller promises not to do it again?**
A: Unfortunately, we cannot accept such promises nor do we ask you to promise to comply. Reinstatement is a decision made unilaterally by Penn Herb Company, Ltd.
- 16. Does this policy apply to the actual sale price of the products?**
A: No. Every reseller is free to establish any sale price that they choose. This policy applies to the price at which the MAP Products are advertised off-site (i.e., not in the physical store), including all advertised discounts and rebates. The policy does not apply to the actual sales price in a store, or reflected on any "shopping cart page" of a website.
- 17. What if another reseller advertises a product below the MAP price and we match this advertised price in store?**
A. This would not be a violation of the Policy, as long as you do not also advertise this price outside your store.
- 18. What should we do if another reseller advertises a product below the MAP price?**
A. Nothing. We do not ask for, nor will we accept, complaints from a reseller about another reseller's advertised prices. Resellers should not attempt to enforce the MAP policy against other resellers.
- 19. If a retailer advertises a MAP Product below the MAP price, should the distributor stop selling to that retailer?**
A: Distributors may sell to whomever they wish. Penn Herb Company, Ltd. is not asking distributors to assist with enforcing the MAP Policy. However, upon confirming a violation of the MAP Policy by a reseller, Penn Herb Company, Ltd. will warn the reseller of their violation and may be blocked from ordering in accordance with the Policy.
- 20. With whom can I discuss this policy?**
A: If you would like to make a comment about the MAP Policy you may email the MAP Administrator Keith Page, at keith@olbas.com.