

Minimum Advertised Price Policy

Effective January 1, 2020, a Minimum Advertised Price (“MAP”) on all Stout Brothers Co, Inc. (“SB”) products will be in effect. This MAP policy was created to maintain a fair business environment for SB’s Authorized Retailers, to ensure that SB products are properly promoted and to preserve SB’s strong reputation for providing customers with high value products.

SB PRODUCTS SUBJECT TO MAP

Marcus William, Bassett McNab and The Art of Color branded products are not permitted to be sold online without written approval from SB.

SB products subject to this MAP are Stout branded products. All Authorized Retailers are responsible for being aware of the then-current MAP and minimum advertised prices established by SB.

SB products identified by SB on any of our websites as “DISCONTINUED” or “CLOSEOUT”, regardless of the brand name under which such products are advertised, are not subject to this MAP.

MAP GUIDELINES

1. The MAP for SB products is established by SB and may be adjusted by SB in its sole discretion at any time. The minimum advertised price for SB products subject to this MAP are as follows:
 - a. **Non-Exclusive** SB branded products shall be no more than a 25% reduction from the SB suggested retail price of 2 times stated wholesale.
 - b. **Exclusive** SB branded products shall be the SB suggested retail price of 2 times stated wholesale.
2. The MAP applies to all forms of advertisements of SB products in any and all media, including, but not limited to:
 - a. flyers, posters, coupons (excluding coupons available only on your website for use at customer checkout), mailers, inserts, newspapers, magazines, catalogs, mail order catalogs, email newsletters, email solicitations, internet or similar electronic media, television, radio, public signage, search engine advertising, automated response pricing e-mails, SMS or other phone/electronic text messages, search engine optimization, banners, pop-ups or pop-up under ads, price comparison sites, auction functions or websites, shopping websites, shopping feed and portal sites, online display advertising, or similar electronic media, including advertisements and marketing by affiliates.
3. If pricing is displayed, any strike-through or other alteration of the Minimum Advertised Price is prohibited.
4. The MAP does not apply after an item is added to a customer’s “shopping cart” on a website as long as such “shopping cart” technology does not permit any below minimum advertised pricing to be displayed as a search engine result or otherwise revealed to the public.

5. SB products shall not be sold or offered for sale on or through any internet auction website or reserve price auction website (including but not limited to EBay® or Amazon®) and shall not be sold through any advertising referral unless authorized by SB.
6. The MAP policy is not applicable to any in-store advertising that is displayed only in the store and not distributed to any customer in any format.
7. The minimum advertised price applies only to advertised prices and does not apply to the price at which the products are actually sold or offered for sale to an individual consumer.
8. The MAP does not establish maximum advertised prices. All Authorized Retailers may offer SB products at any price equal to or in excess of the MAP.
9. The MAP policy does not in any way limit the ability of any Authorized Retailer to advertise that “they have the lowest prices” or, they “will meet or beat any competitors price”, that consumers should “call for a price” or phrases of similar import as long as the price advertised or listed for the products is not less than the MAP.

ENFORCEMENT

Authorized Retailers who intentionally or repeatedly fail to follow the MAP may face one or more of the following sanctions:

1. Suspension of shipments, including but not limited to drop-shipping of products subject to this MAP.
2. Suspension of accepting orders for products subject to this MAP.
3. Suspension of discounts for products subject to this MAP.

This is a unilateral policy, not an agreement and the MAP does not restrict in any way the price at which you choose to sell any SB products. By purchasing products subject to this MAP, the Authorized Retailer is indicating its understanding of this MAP and its willingness to abide by its terms and conditions. SB will not discuss any conditions of acceptance related to this MAP, as it will not be altered for any Authorized Retailer.

If you have any questions regarding this MAP, please send them in writing to: Stout Brothers Co., Inc., 3050 Trewigtown Rd, Colmar, PA 18915, Attention: MAP Administrator.