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Effective September 4, 2020

**Return Materials Policy
Direct, Wholesale, Distribution,
Retail and Specialty Pharmacy Sales
Aesthetic Injectables, Medical Dermatology, Neocutis & Non-Prescription**

Merz North America, Inc. (Merz) Return Materials Policy is subject to change with a thirty (30) day notification after September 4, 2020. All returns must be authorized. Eligible Products under this Policy may be returned for credit, with prior written authorization from Merz. No credit will be provided without prior written authorization.

Procedure for Returning Product

Authorization to return Product can only be provided by authorized personnel from Merz Headquarters in Raleigh, NC. Merz Territory Managers, Regional Managers and any other Field-Based employees are not authorized to accept Product or approve return of Product. Requests for such authorization must include an itemized list of Products, lot numbers, lot expiration dates, and reason for the request. To obtain a Return Materials Authorization (RMA) form, requests should be sent via email or fax to the attention of:

Merz Return Goods
Email: returngoods@merz.com
Fax: 1-866-862-1212

Return authorization is issued based upon unconfirmed representations made to Merz and is not intended to be a guarantee of credit or a basis for relying on receipt of credit. Returns are subject to Merz inspection and acceptance and are not deductible from any outstanding invoice until a Credit Memorandum is issued. Unauthorized deductions for returns may result in held customer orders. Approved Product returns must be shipped within sixty (60) days of authorization date; if shipped on day sixty one (61) or after, Product is ineligible for credit.

Merz will issue an RMA within 45 calendar days of receipt of a customer's debit memo.

Customers can ship returnable Products with itemized list following receipt of the authorization to:

Merz North America
Attn: Receiving
13900 West Grandview Parkway
Sturtevant, WI 53177

Shipping charges for Product returned for credit are the responsibility of the customer and must be prepaid by the customer unless the return is a result of a shipping error or product quality issue on the part of Merz.

Credit Memorandum will be issued at:

- 90% of the Merz current wholesale acquisition cost (WAC) of the product
- For indirect retail and specialty pharmacy customers, authorized returns will be credited through such indirect customer's wholesaler
- Authorized returns purchased at a contract price or through a promotional price program will be credited at the contract or promotional price.

Products Returnable for Credit:

(Ref: Product Listing – Appendix A)

- Product within three (3) months prior to or twelve (12) months after, lot expiration date is considered outdated for all Products
- Unopened Product in its original packaging bearing its original label and for which the lot number and expiration date are legible
- Full and unopened solids, liquids, creams, and gels returned in original packaging
- Concealed damages must be reported to Merz and accompanied by pictures within thirty (30) days of receipt.
- Product with apparent damages must be reported within ten (10) days of receipt; all efforts must be made to note damages on bill of Lading provided by the carrier.
- Shipping overages and shortages must be reported within ten (10) days of receipt; adjustments may be made after an investigation by Merz is completed.

Products Not Returnable for Credit:

(Ref: Product Listing – Appendix B)

- All sales are final for Products Not Returnable for Credit except if required by state or federal laws.
- If you receive an order for Products Not Returnable for Credit from Merz that contains damaged product, please contact the carrier directly to initiate an investigation.
- Any claim of shipment shortages, damages, overages or loss must be reported to Merz by phone (1-866-862-1211) or email, returngoods@merz.com within 10 days of shipment receipt.
- Returns may be permitted if Product is damaged prior to receipt at customer's location; credit will be at original invoice price.

All other Products:

- Product or short-dated Product that was purchased on a non-returnable basis
- Wholesaler or distributor is not an authorized Merz trading partner.
- Product is not returned in the original package.
- Distressed Product obtained through bankruptcy, liquidation, sacrifice sale or going out-of-business sale.
- Professional samples or other no charge Product
- Product obtained illegally or re-imported from outside the United States.
- Product involved in a customer inventory reduction.
- Product was handled and stored contrary to the package insert.
- Product is deteriorated because of condition beyond Merz control (e.g., due to improper storage, heat, cold, water, smoke, fire, etc.).

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- Product packages that have been marked or disfigured in any way; excluding labels affixed by a third-party return goods processing company so long as the affixed label does not obscure Merz's original Product label description, lot number, and expiration date.
 - Product returned more than three (3) months prior to or more than twelve (12) months after lot expiration date.
 - No partial packaging returns will be accepted.
 - No partial Product returns will be accepted for solids, liquids, creams and gels.
 - Product is sent to another processing facility and destroyed without Merz's authorization.
 - Product lot number and/or expiration date are not legible.
 - Product is repackaged or trade packaging contains a quantity greater than the actual package size (overfilled packaging).
 - If non-Merz Products (foreign) are returned to Merz.

Special Instructions or Conditions:

- Provide DEA Registration Number
- Indirect customers must provide their wholesaler's name and address.
- Batched returns submitted under any name and address other than indirect account itself will not be accepted for credit.
- Product must be returned on a separate debit memo or invoice statement not comingled with any other manufacturer's Product; debit memo must include UDI, lot number, quantity and expiration date.
- It is recommended that customers insure all return shipments; Merz cannot be held responsible for shipments lost in transit or received in damaged condition.
- RMA form must accompany each shipment of returned Product; unauthorized returns may be returned to customer freight collect.
- Merz reserves the right to destroy, without recourse, all returned Products.
- Merz Products are returnable for destruction, regardless of credit eligibility.
- Merz will not pay or issue credit for any process and handling fees (e.g., Returns Processor).

Product Recall:

Instructions for returning recall Product will be referenced on the official recall notification at the time of the event. Credit will be issued at the current wholesale acquisition cost or contract price paid.

Appendix A – Returnable Products

UPC Number	Product	Package Size
30259-601806-4	AQUA GLYCOLIC HAND & BODY LOTION	6 oz.
30259-602006-7	AQUA GLYCOLIC TONER	6 oz.
30259-602108-8	AQUA GLYCOLIC SHAMPOO & BODY CLEANSER	8 oz.
30259-601906-1	AQUA GLYCOLIC FACIAL CLEANSER	6 oz.
30259-012802-8	AQUA GLYCOLIC FACE CREAM	2 oz.
30259-601716-6	AQUALIEVE INTESIVE MOISTURIZING LOTION	16 oz.
30259-600216-2	AQUALIEVE EVERYDAY LOTION	16 oz.
30259-601416-5	AQUALIEVE GENTLE SOAP-FREE CLEANSER	16 oz.
30259-600516-3	AQUALIEVE SKIN SOFTENING BATH OIL CONCENTRATE	16 oz.

Appendix B – Non-Returnable Products (Pg. 1 of 6)

NDC/Part Number	Product	Package Size
46783-0121-52	Asclera® 0.5%	5 amps
46783-0221-52	Asclera® 1%	5 amps
5030542	BELOTERO BALANCE®	1 unit
5034776	BELOTERO BALANCE® with Lidocaine	1 unit
5035780	DeScribe® Transparent PFD Patch-15pk US	Case pack is determined by order
5035781	DeScribe® Transparent PFD Patch-15pk EU	Case pack is determined by order
5035782	DeScribe® Transparent PFD Patch-15pk JA	Case pack is determined by order
5035836	DeScribe® 2-Pack Sample	Case pack is determined by order
5035837	DeScribe® 10-Pack	Case pack is determined by order
5035838	DeScribe® Experience Survey Kit	Case pack is determined by order
5030503	RADIESSE® 0.8	Case pack is determined by order
5030520	RADIESSE® 1.5	Case pack is determined by order
5032357	RADIESSE® + 0.8	Case pack is determined by order
5032332	RADIESSE® + 1.5	Case pack is determined by order
46783-161-01	XEOMIN® (incobotulinum toxinA) Cosmetic 50 unit vial	50 U
46783-160-01	XEOMIN® (incobotulinum toxinA) Cosmetic 100 unit vial	100 U

Merz reserves the right to update Appendix A and B at any time.

Appendix B – Non-Returnable Products (Pg. 2 of 6)

NDC/Part Number	Product	Package Size
41152000	BIO•BODY® Bio-restorative Cream	200 ml
4111050	BIO•CREAM RICHE® Bio-restorative Skin Balm	50 ml
4101030	BIO•CREAM® Bio-restorative Skin Cream	30 ml
4101050	BIO•CREAM® Bio-restorative Skin Cream	50 ml
2800272	BIO•CREAM® Bio-restorative Skin Cream Back Bar	200 ml
4107030	BIO•GEL® Bio-restorative Hydrogel	30 ml
4107050	BIO•GEL® Bio-restorative Hydrogel	50 ml
2800294	BIO•GEL® Bio-restorative Hydrogel Back Bar	200 ml
4205004	BIO•SERUM® Bio-restorative Serum Intensive Spot Treatment Pen	4 ml
4205030	BIO•SERUM® Bio-restorative Serum Intensive Treatment	30 ml
4213015	HYALIS® Hydrating Serum	15 ml
4213030	HYALIS® Hydrating Serum	30 ml
2800295	HYALIS® Hydrating Serum Back Bar	200 ml

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Appendix B – Non-Returnable Products (Pg. 3 of 6)

NDC/Part Number	Product	Package Size
4112030	JOURNÉE® Bio-restorative Day Cream Broad-spectrum Sunscreen SPF 30	30 ml
4112050	JOURNÉE® Bio-restorative Day Cream Broad-spectrum Sunscreen SPF 30	50 ml
2800289	JOURNÉE® Bio-restorative Day Cream Broad-spectrum Sunscreen SPF 30 Back Bar	200 ml
2800119	JOURNÉE® RICHE Bio-restorative Day Balm Broad-spectrum Sunscreen SPF 30	50 ml
4122015	LUMIÈRE RICHE® Bio-restorative Eye Balm	15 ml
4102015	LUMIÈRE® Bio-restorative Eye Cream	15 ml
2800293	LUMIÈRE® Bio-restorative Eye Cream Back Bar	200 ml
4553030	MICRO•DAY™ Rejuvenating Cream Broad-spectrum Sunscreen SPF 30	30 ml
2801317	MICRO•DAY™ Back Bar SPF 30	200 ml
4552015	MICRO•EYES™ Rejuvenating Cream	15 ml
2800483	MICRO•DAY™ RICHE	15 ml
2800489	MICRO•DAY™ RICHE	50 ml
2800463	MICRO•EYES™ RICHE	15 ml
2801320	MICRO•EYES™ Back Bar	200 ml
2801319	MICRO•FIRM™ Back Bar	200 ml
4551030	MICRO•NIGHT™ Rejuvenating Cream	30 ml
2800470	MICRO•NIGHT™ RICHE	15 ml
2800475	MICRO•NIGHT™ RICHE	50 ml
2801318	MICRO•NIGHT™ Back Bar	200 ml
2800212	MICRO•SERUM™ Intensive Treatment	30 ml
2800479	MICRO•BODY™	200 ml
2800378	MICRO•GEL™	15 ml
2800492	MICRO•GEL™	50 ml
4109125	NEO•CLEANSE® Exfoliating Skin Cleanser	125 ml
4100125	NEO•CLEANSE® Gentle Skin Cleanser	125 ml
2801452	Lumiere	15ml
2801453	Lumiere Riche	15ml
2801458	Bio Serum	30ml
2801460	After Care	15ml
2801461	After Care	200ml
2801488	Bio Cream	15ml
2801489	Bio Cream	50ml
2801494	Journee	15ml
2801495	Journee	50ml
2801454	Micro Eyes by Lumiere	15ml

Merz reserves the right to update Appendix A and B at any time.

Appendix B – Non-Returnable Products (Pg. 4 of 6)

NDC/Part Number	Product	Package Size
4340020**	NEO•PEEL® 20 Glycolic Acid Solution with MELAPLEX Technology	Case of 6 peels plus 1 bottle of Neutralizing Solution
4340040**	NEO•PEEL® 40 Glycolic Acid Solution with MELAPLEX Technology	Case of 6 peels plus 1 bottle of Neutralizing Solution
4340050**	NEO•PEEL® 50 Glycolic Acid Solution with MELAPLEX Technology	Case of 6 peels plus 1 bottle of Neutralizing Solution
4340060**	NEO•PEEL® 60 Glycolic Acid Solution with MELAPLEX Technology	Case of 6 peels plus 1 bottle of Neutralizing Solution
4340200**	NEO•PEEL® Neutralizing Solution	200 ml
4218030	NOUVELLE™ Retinol Correction Cream	30 ml
4204030	PÊCHE® Redness Control	30 ml
4203030	PERLE® Skin Brightening Cream	30 ml
2801336	Prism+ Defense Cream	50 ml
2801337	Prism+ Defense Cream	150 ml
4206030	RéACTIVE™ Anti-Oxidant Serum	30 ml
2801335	RéActive+	30 ml

**Returns will not be processed after December 2018.

Merz reserves the right to update Appendix A and B at any time.

Appendix B – Non-Returnable Products (Pg. 5 of 6)

NDC/Part Number	Product	Package Size
2801550	Hyalis +	15ml
2801551	Hyalis +	30ml
2801552	Hyalis +	200ml
2801487	Neo Firm	50g
2801459	Micro Serum	30ml
2801457	Micro Gel	50ml
2801568	Micro Gel	200ml
2801554	Reactive +	30ml
2801455	Micro Eyes Riche by Lumiere	15ml
2801491	Micro Night	50ml
2801492	Micro Night Riche	50ml
2801496	Micro Day	15ml
2801497	Micro Day	50ml
2801533	Micro Day	200ml
2801556	Bio Gel	50ml
2801557	Prism +	150ml
2801571	Journee Riche	50ml
2801643	Bio Serum Firm	30ml
2801577	Perle	30ml
2801575	Bio Cream Riche	50ml
2801594	Journee Riche	15ml
2801571	Journee Riche	50ml
2801581	Micro Day Riche	50ml
2801587	Nouvelle +	30ml
2801580	Micro Day Riche	15ml
2801490	Micro Night	15ml
2801493	Micro Night Riche	15ml
2801530	Neo Firm	200ml
2801498	Neo Body	40ml
2801499	Neo Body	200ml
2801582	Neo Cleanse Exfoliating	40ml
2801576	Neo Cleanse Exfoliating	125ml

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Appendix B – Non-Returnable Products (Pg. 6 of 6)

NDC/Part Number	Product	Package Size
2801588	Neo Cleanse Gentle	40ml
2801578	Neo Cleanse Gentle Cleanser	125ml
2801755	Lumiere Firm	15ml
2801758	Lumiere Firm	200ml
2801762	Lumiere Firm Riche	15ml
2801765	Lumiere Firm Riche	200ml

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