



Your Trusted Leader in Insect Control

January 1, 2023

To: Dealer Partner

RE: PYRANHA MAP POLICY

Introduction

To support you, our Dealer partner, and to protect your investment, Pyranha is establishing a **Minimum Advertised Price Policy (MAPP)** that will allow you the ability to compete and earn the highest profits and maintain the level of excellence people have come to expect from Pyranha Dealers.

Pyranha, Inc.'s (Pyranha) MAP Policy will begin on January 1, 2023. Pyranha will reserve the right to withhold any product from any Dealer, as to the products covered by this MAP Policy, if that Dealer intentionally advertises any MAPP Product **below** its MAP price. Pyranha is confident that this program will strengthen competitiveness and benefit all its Dealers. This policy relates only to pricing that is advertised to the public. *See the MAP products below and their specific MAP pricing.*

Pyranha Products Covered By MAPP:

- SEE ATTACHED

Official Policy and Guidelines

A. General

- 1) Pyranha reserves the right to take corrective action with respect to any Dealer that violates this MAP Policy.
- 2) The Map Policy will be enforced by Pyranha in its sole discretion.
- 3) Although Dealers remain free to establish their own resale prices, Pyranha reserves the right to cancel all orders and indefinitely refuse to accept any new orders from Dealers that have **advertised any MAPP products at a net retail sales price less than current MAPP retail prices** established by Pyranha or if a Dealer has violated this policy in any other way.
- 4) Pyranha will maintain an updated "MAPP Products" list of those products that will fall under this MAP Policy. Pyranha reserves the right to update or modify this list at any time.

B. Marketing /Pricing Strategies



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- 1) All products listed below will have a MAPP retail price. Listing a price lower than the MAP retail price next to the featured MAP product in any advertising will be viewed as a violation of this MAP Policy. This MAP Policy applies to all advertisement of MAPP Products in any

and all media, including, without limitation, flyers, posters, coupons, mailers, inserts, newspapers, magazines catalogs, mail order catalogs, internet or similar electronic media including websites, forum, email newsletters, email solicitations, television, radio, and public signage. Such website features as “Click for price” automated “bounce-back” pricing emails, pre-formatted email responses, forms, automatic price display for any items prior to being placed in a customer’s shopping cart, and other similar features are considered to be communications initiated by the Dealer (rather than by the customer) and this constitutes “advertising” under this MAP Policy. This MAP Policy also applies to any activity which Pyranha determines, in its sole discretion, is designed or intended to circumvent the intent of this MAP Policy, such as solicitations for ‘group purchases’ and the like.
- 2) It shall not be a violation of this MAP Policy to advertise in general that the Dealer has “the lowest prices” or will match or beat its competitors’ prices, or to use similar phrases; so long as the Dealer does not include any advertised price below MAPP and otherwise complies with this MAP Policy.
- 3) Where Pyranha items are bundled with or sold as part of a package that includes other products (whether or not manufactured by Pyranha, it shall be a violation of this MAP Policy to sell or advertise the bundle (or package) at a price that: (a) is lower than the total Minimum Advertised Price of the Pyranha product or (b) violates the letter or spirit of the MAP Policy.

C. Exclusions

- 1) From time to time, Pyranha may permit Dealers to advertise MAPP products at prices lower than the MAPP retail price. In such events, Pyranha reserves the right to modify or suspend the MAPP retail price with respect to the affected products for a specified period by providing advance notice to all Dealers of such changes.
- 2) From time to time, Pyranha may offer a direct manufacturer’s rebate to customers. In such events, it shall not be a violation of this MAP Policy to advertise the availability of the manufacturer’s rebate, provided that (a) the advertisement includes a MAPP-compliant price, the rebate amount and the net price after manufacturer’s rebate in the same type size and style; (b) an asterisk is placed next to the net price after manufacturer’s rebate; and (c) the “*After the manufacturer's rebate” appears in the same area of the advertisement as the advertised product.
- 3) It shall be a violation of this MAP Policy to include in any advertising for Pyranha items any additional discount, coupon, gift card, or incentive (whether in the form of a special event, promotion, term of doing business or otherwise) that translates into an immediate price reduction, where the cumulative effect would be to reduce the advertised price of any MAPP product below MAPP. Advertising that includes an additional discount, coupon, gift card, points, or any other incentive for future purchases (regardless of whether the future purchase is of a Pyranha product) shall be evaluated under the same guidelines as described above regarding product



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bundling. For example, a gift card redeemable on a future purchase would be considered an “other product.”

- 4) It shall not be a violation of this MAP Policy to advertise that a customer may “call for price” or “Email for a price,” or to use similar language, specifically with respect to Pyranha items, so long as no price is listed.
- 5) If a Dealer with multiple store locations violates this MAP Policy at any store location, then Pyranha will consider this to be a violation by all the Dealer’s locations.
- 6) Pyranha agents are NOT permitted to discuss this Policy or make any agreements or assurances with respect to Pyranha Policy regarding Dealer advertising or pricing. This also includes any consumer program or promotion that affects the listed MAPP Products above.

To protect the investment of our Dealers and the Pyranha brand, we are unilaterally adopting a MINIMUM ADVERTISED PRICE POLICY (“MAP Policy”). This policy will, among other things, ensure that Pyranha maintains its competitive position in the market as well as provide the most possible profit to its Dealers.

After reviewing the MAPP products that are attached and this MAP Policy, please sign below and return your signature page, acknowledging your understanding and compliance with this policy.

We appreciate your attention to this matter.

Thank you,
/S/ David Cunningham
David Cunningham

The undersigned acknowledges and accepts receipt of the Pyranha Minimum Advertised Price Policy

(MAPP) this _____ day of _____, 2023.

Name: _____

Retail Company Name: _____

Please return this signed document to Marcie Voglino at marcie@pyranhalife.com