



Unilateral Price Policy

Effective Immediately

In order to successfully compete in the marketplace and to ensure that NuGo Nutrition's ("NuGo") high-quality products are adequately promoted and supported, NuGo has announced this Unilateral Price Policy ("UPP"). This UPP is intended to level the playing field for all Resellers and ensure fair competition. Hereafter, all sales to End-Users of Products set forth in NuGo's Unilateral Price Grid (attached) inside the United States shall be subject to this UPP.

The terms of the UPP are as follows:

- 1) Resellers shall not advertise Products at prices below the Minimum Advertised Price ("MAP") set forth by NuGo, and as reflected in the applicable Unilateral Price Grid. Note: A price advertised even one cent below the MAP is considered non-acquiescence. NuGo reserves the right from time to time to alter, modify, suspend, or cancel this UPP, the Products covered and/or the minimum advertised price, in its sole and absolute discretion at any time. NuGo is the sole arbiter of such decisions and reserves the right to make any such decision unilaterally.
- 2) The UPP applies to all advertised prices for the Products. The UPP is not, and is not intended to be, an agreement or understanding of any kind, express or implied, regarding the price at which the Reseller may sell the Products (or any NuGo products). A Reseller may sell the Products (and all NuGo products) at any price it chooses. No officer, employee, representative or agent of NuGo has authority to (i) enter into any agreement or understanding with respect to the price at which the Reseller sells the Products; or (ii) coerce or otherwise force the Reseller to price the Products at any level other than that unilaterally determined by the Reseller. The Reseller within its own discretion can choose to acquiesce or not acquiesce with this policy. NuGo will not discuss conditions of acceptance related to this policy. This policy is non-negotiable and will not be altered, modified or amended for any Reseller.
- 3) The UPP applies to all advertisements and marketing of Products in any and all media, including and without limitation: newspapers, direct mail flyers or circulars, catalogs, television, radio, online/electronic media, and all other media. The UPP does not apply to in-store banners, displays, or price tags or other in-store advertising that is not distributed externally to End-Users. The UPP, however, prohibits the use of phrases or graphical representations that are intended to suggest, or that would allow an End-User to infer, that a lower price than the Minimum Advertised Price may apply.

Acts in acquiescence with this UPP:

- a) Offering free shipping or financing on Product(s) shall constitute acquiescence with the UPP.
- b) Offering a gift card, redeemable for value on a future purchase, along with the purchase of Product(s) shall constitute acquiescence with the UPP.

Acts NOT in acquiescence with this UPP:

- a) Website features such as "click for price," "see price in cart," "add to cart for best price," automated "bounce-back" pricing emails, pre-formatted email responses, forms, and automatic price display for any items prior to checkout, and other similar features are considered to be communications initiated by the dealer (rather than by the End-User), constitute advertisements and shall not constitute acquiescence with the UPP.
- b) Any statement or language that allows a recalculation of the advertised price to be made, such as "20% off prices shown everyday" or "call for \$50 off this price," shall not constitute acquiescence with this UPP if such recalculated advertised price is below the Minimum Advertised Price for that Product unless the statement or language is pursuant to a NuGo -sponsored promotional pricing is reflected in a Promotional Unilateral Price Grid.



- c) Including free or otherwise discounted products (whether NuGo products or another's products) along with the sale of Products shall not constitute acquiescence with this UPP if such inclusion has the effect of discounting the advertised price of the Product below the Minimum Advertised Price for that Product.
 - d) Combining one or more Product(s) with any other product to advertise a sales price lower than the combined price of what the two (2) or more products could be purchased independent of each other, shall not constitute acquiescence with this UPP.
 - e) Advertising and offering non-NuGo issued rebates (in any form) on Product(s) shall not constitute acquiescence with the UPP.
- 4) If NuGo determines that any Reseller has violated this UPP, then NuGo may within its sole discretion and without assuming any liability, cancel pending orders and may indefinitely refuse to accept new orders for Products.
- 5) NuGo may engage in monitoring of advertised prices for the Products sales in all channels, either directly or via the use of third parties. Third parties retained by NuGo may engage in the monitoring of product sales by the Resellers to verify that the terms of this UPP are being enforced.
- 6) Any questions regarding the UPP should be directed in writing via e-mail to brandprotection@nugonutrition.com



Nutrition Bars & Snacks

UNILATERAL PRICE GRID

11/15/2021



Original NUGO	Pack - Size	Bar UPC	Box UPC	MSRP	ECOMMERCE MAP
Milk Chocolate	15 - 1.76oz	6-91535-50101-0	6-91535-50103-4		
Peanut Butter	15 - 1.76oz	6-91535-50301-4	6-91535-50303-8		
Vanilla Yogurt	15 - 1.76oz	6-91535-50501-8	6-91535-50503-2	\$1.49 bar	\$1.33 bar
Coffee	15 - 1.76oz	6-91535-50601-5	6-91535-50603-9	\$21.99 15 bar box	\$20.00 15 bar box
Banana Chocolate	15 - 1.76oz	6-91535-50701-2	6-91535-50703-6		
Orange Smoothie	15 - 1.76oz	6-91535-50801-9	6-91535-50803-3		



Dark	Pack - Size	Bar UPC	Box UPC	MSRP	ECOMMERCE MAP
Choc Choc Chip	12 - 1.76oz	6-91535-52101-8	6-91535-52102-5		
Almond w/ Sea Salt	12 - 1.76oz	6-91535-52201-5	6-91535-52202-2		
Mocha Chocolate	12 - 1.76oz	6-91535-52301-2	6-91535-52302-9	\$1.89 bar	\$1.66 bar
Mint Chocolate Chip	12 - 1.76oz	6-91535-52501-6	6-91535-52502-3	\$21.99 12 bar box	\$20.00 12 bar box
Peanut Butter Cup	12 - 1.76oz	6-91535-52701-0	6-91535-52702-7		
Coconut	12 - 1.76oz	6-91535-52801-7	6-91535-52802-4		
Chocolate Pretzel	12 - 1.76oz	6-91535-52901-4	6-91535-52902-1		



Organic	Pack - Size	Bar UPC	Box UPC	MSRP	ECOMMERCE MAP
Dbl Dark Chocolate	12 - 1.76oz	6-91535-48101-5	6-91535-48102-2	\$1.99 bar	\$1.83 bar
Dk Choc Pomegranate	12 - 1.76oz	6-91535-48301-9	6-91535-48302-6	\$23.99 12 bar box	\$22.00 12 bar box
Dk Choc Almond	12 - 1.76oz	6-91535-48501-3	6-91535-48502-0		



Free	Pack - Size	Bar UPC	Box UPC	MSRP	ECOMMERCE MAP
Dark Choc Crunch	12 - 1.59oz	6-91535-45101-8	6-91535-45102-5	\$1.89 bar	\$1.66 bar
Dark Choc Trail Mix	12 - 1.59oz	6-91535-45301-2	6-91535-45302-9	\$21.99 12 bar box	\$20.00 12 bar box



Slim	Pack - Size	Bar UPC	Box UPC	MSRP	ECOMMERCE MAP
Brownie Crunch	12 - 1.59oz	6-91535-20101-9	6-91535-20102-6		
Roasted Peanut	12 - 1.59oz	6-91535-20301-3	6-91535-20302-0		
Raspberry Truffle	12 - 1.59oz	6-91535-20501-7	6-91535-20502-4	\$1.99 bar	\$1.83 bar
Chocolate Mint	12 - 1.59oz	6-91535-20601-4	6-91535-20602-1	\$23.99 12 bar box	\$22.00 12 bar box
Crunchy Peanut Butter	12 - 1.59oz	6-91535-20701-1	6-91535-20702-8		
Toasted Coconut	12 - 1.59oz	6-91535-20801-8	6-91535-20802-5		
Espresso	12 - 1.59oz	6-91535-20901-5	6-91535-20902-2		



Stronger	Pack - Size	Bar UPC	Box UPC	MSRP	ECOMMERCE MAP
Chocolate Caramel	12 - 2.82oz	6-91535-70101-4	6-91535-70102-1	\$2.49 bar	\$2.29 bar
Peanut Cluster	12 - 2.82oz	6-91535-70301-8	6-91535-70302-5	\$29.99 12 bar box	\$27.49 12 bar box
Caramel Pretzel	12 - 2.82oz	6-91535-70701-6	6-91535-70702-3		



Smarte Carb	Pack - Size	Bar UPC	Box UPC	MSRP	ECOMMERCE MAP
Peanut Butter Crunch	12 - 1.76oz	6-91535-51301-3	6-91535-51302-0	\$1.99 bar	\$1.83 bar
Chocolate Black Cherry	12 - 1.76oz	6-91535-51401-0	6-91535-51402-7	\$23.99 12 bar box	\$22.00 12 bar box



PROTEIN COOKIE	Pack - Size	Bar UPC	Box UPC	MSRP	ECOMMERCE MAP
Dark Chocolate Chip	12 - 3.53oz	6-91535-30101-6	6-91535-30102-3	\$2.59 per cookie	\$2.40 cookie
Double Chocolate	12 - 3.53oz	6-91535-30201-3	6-91535-30202-0	\$30.99 12 unit box	\$29.00 12 unit box



FIBER & LISH	Pack - Size	Bar UPC	Box UPC	MSRP	ECOMMERCE MAP
Banana Walnut	16 - 1.6oz	1-87471-00001-9	1-87471-00007-1		
Blondie Bar	16 - 1.6oz	1-87471-00031-6	1-87471-00037-8		
Blueberry Cobbler	16 - 1.6oz	1-87471-00030-9	1-87471-00036-1	\$1.89 bar	\$1.75 bar
Chocolate Brownie	16 - 1.6oz	1-87471-00015-6	1-87471-00017-0	\$29.99 16 bar box	\$28.00 16 bar box
Cinnamon Raisin	16 - 1.6oz	1-87471-00002-6	1-87471-00008-8		
Orange Cranberry	16 - 1.6oz	1-87471-00000-2	1-87471-00006-4		
Peanut Chocolate Chp	16 - 1.6oz	1-87471-00042-2	1-87471-00045-3		



PROMAX PROTEIN BARS	Pack - Size	Bar UPC	Box UPC	MSRP	ECOMMERCE MAP
Cookies 'n Cream	12 - 2.64oz	7-43659-12669-0	7-43659-12668-3		
Choc Chip Cookie Dough	12 - 2.64oz	7-43659-12910-3	7-43659-12911-0		
Double Fudge Brownie	12 - 2.64oz	7-43659-12594-5	7-43659-12593-8	\$1.89 bar	\$1.66 bar
Nutty Butter	12 - 2.64oz	7-43659-12805-2	7-43659-12806-9	\$21.99 12 bar box	\$20.00 12 bar box
Choc Peanut Crunch	12 - 2.64oz	7-43659-12582-2	7-43659-12583-9		
Lemon Bar	12 - 2.64oz	7-43659-12320-0	7-43659-12321-7		