

LEADING PHARMA/ EXCELLIUM RETURN GOODS POLICY

RETURNABLE ITEMS:

Returns eligible for the following manufacturer's labeler codes 69315/ 64125 only.

- Products with less than 6 months remaining shelf life.
- Expired products that are not more than 12 months past expiration date.
- Concealed damage claims made within 10 days of receipt.
- Products that have been damaged in transit with a signed BOL noting the damage and where Leading/ Excellium has been notified within five (5) business days from the date of receipt and returned within 30 days.
- Products shipped by Leading/ Excellium in error; provided Leading/ Excellium Customer Service is notified of the error within five (5) business days of receipt.
- Recalled or withdrawn products (Must be returned as stated on the recall/withdrawal notice. All recalled/ withdrawn products that have expired must be returned separately).

NON-RETURNABLE ITEMS:

- Products with more than six (6) months remaining shelf life.
- Products retained more than twelve (12) months beyond expiration date.
- Private Label products, repacked goods, patient labeled product or promotional one time purchases.
- Products missing any of the following: label, lot number, expiration date or products marked, coded or altered in any way.
- Products sold on a non-returnable basis.
- Products sold as free goods provided in exchange for previous returns, or products provided at no charge for promotional incentives, samples or short-dated products sold as such.
- Products that remain unpaid with past due invoices.
- Merchandise from inactive accounts, outstanding balance, or accounts in the process of selling or closing.
- Partial product for suspensions, liquids, powders, solutions, ointments. Products damaged due to insurable causes such as natural disasters, or if damaged due to improper handling or storage by the customer.
- Products involved in distressed, sacrifice, fire, flood, snow, smoke or bankruptcy sale.
- Overstock, unless agreed by Leading/ Excellium in writing.
- Products not purchased directly from Leading/ Excellium.
- Products purchased or distributed contrary to federal, state or local laws.
- Products where proof of purchase cannot be verified or returned by other than the original purchaser.

TRANSPORTATION:

- Transportation charges on all returned goods are the responsibility of the customer, not including errors due to Leading/ Excellium, as determined by Leading/ Excellium.

THIRD PARTY PROCESSING:

- Third party return processors must comply with all requirements of Leading/ Excellium's Return Goods Policy.
- Third party returns must be in compliance with Leading/ Excellium's return goods policy.
- Leading/ Excellium will not process returns using pricing from the third party's internally generated price list.
- Leading/ Excellium will not reimburse any service fees with the customer or processing agent for the miscellaneous fees (i.e., handling, processing fees) or freight charges incurred.

TERMS OF POLICY:

- For direct customers, Leading/ Excellium will issue credit for returns that will be calculated at the lower of the original invoice price or current contract price.
- For direct customers returning non-contract product purchased indirectly, credit will be given at a calculated average contract price.
- For third party customers, the return will be valued and a check issued at calculated average contract price.
- Full bottles will be issued full credit.
- Partial bottles will be issued partial credit based on an exact count methodology.
- Leading/ Excellium will not accept deductions from invoices for returns however will instead issue a credit memo. Do not make any deductions from remittances in anticipation of credit.
- Return goods credit must be used within one year from the date issued.
- Proof of return is the customer's responsibility.
- Leading/ Excellium reserves the right to make in its sole discretion the final determination on the valuation of the return.

PROCEDURE FOR RETURNING GOODS:

To return merchandise for replacement or credit, please call 973-276-9600 for Return Authorization number. Request may be faxed at 973-276-9656 that include the following:

1. P.O. Number/ Invoice
2. NDC Number
3. Product name and strength
4. Lot Number
5. Expiration Date
6. Quantity of item to be returned
7. For control substances, include DEA Form-41
8. Reason for return

Once the authorization is approved, an authorization number will be issues and sent to the respective party. All merchandise should be adequately packaged, insured, and returned prepaid along with the authorization number to:

Leading Pharma, LLC.
3 Oak Road
Fairfield, NJ 07004

Recalled or withdrawn products (must be returned as stated on the recall/withdrawal notice. All recalled/ withdrawn products that have expired must be returned separately).

Leading Pharma, LLC. will inspect all returned goods before authorization for replacement or a credit memo is granted. No deduction will be accepted without appropriate Return Authorization Number or Credit Memo.

DISCLAIMERS:

- Leading/ Excellium does not pay or reimburse fees incurred for the processing of or destruction of products processed through a third party returns processing company.
- Products that do not qualify for credit or reimbursement or not returned in accordance with the Return Goods Policy will be destroyed and not returned to the customer. Customer will be notified of non-credited items.

Leading/ Excellium reserves the right to change or update this policy upon written notice to customers.

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