

EXELAN PHARMACEUTICALS

RETURN GOODS POLICY

POLICY STATEMENT

Exelan Pharmaceuticals requires that all returns be approved by an authorized Exelan Pharmaceuticals representative and accompanied by a completed Return Authorization Request. Please request Return Authorizations from our selected returns processor: **Qualanex, LLC**. Return Authorizations can be requested by accessing the Qualanex Website at: www.qualanex.com, via telephone at 1-800-505-9291, email to customerservice@qualanex.com, or Fax at 847-775-7258. All returns require prior Exelan Pharmaceuticals approval. Exelan Pharmaceuticals will only accept returns from purchasers who have purchased products directly from Exelan Pharmaceuticals.

RETURN GOODS POLICY

- Credit, less rebates and any other discounts and allowances, will be issued based on the original net purchase price, the lowest catalogue price during the previous 24 months, or the current catalogue price, whichever is lower
- Credit for returned product(s) will be in the form of a Credit Memo issued in a timely manner; no cash returns, and no deductions from any Invoice can be made
- Credit will not be issued for product(s) that has been destroyed by the purchaser without prior approval (All third party return processors must contact Qualanex for Return Authorization)
- Exelan Pharmaceuticals representatives are prohibited from picking up or transporting product(s) for return
- Exelan Pharmaceuticals reserves the right to destroy, without recourse, all unauthorized product(s) returned

RETURN GOODS (CREDIT)

- In-date product(s) with less than six (6) months of remaining shelf life and expired product(s) not more than 12 months past expiration date, in original, unopened packages. Partial returns will not be accepted (exception would be returns from the states of Georgia, Mississippi, and North Carolina)
- Concealed damage claims made within 14 days of receipt
- Product(s) received in error or damaged in shipping (accompanied by signed Bill of Lading noting damage) if reported to an authorized Exelan Pharmaceuticals representative within fourteen (14) days of receipt and returned within thirty (30) days
- Products received in error or damaged in shipping to consignee (accompanied by a signed bill of lading noting such damage) if reported to Exelan customer service within 5 days of receipt and returned within 30 days.
- Prior written approval is required for all return of all overstocked product with greater than 12 months expiration dating. All products with 12 month dating will be subject to a 15% restocking fee.

NON-RETURNABLE GOODS (NO CREDIT)

- Product(s) returned without prior Exelan Pharmaceuticals authorization
- Product(s) sold on a non-returnable basis, "stickered" (but not to include internal inventory control stickers), marked, coded, dated, damaged, deteriorated, soiled, or adulterated in any way
- Product(s) involved in a sacrifice or bankruptcy sale
- Product(s) provided free of charge as a promotional incentive
- Product(s) discontinued more than one (1) year
- Returns received 60 days or more after date of Return Authorization
- Product(s) purchased or distributed contrary to federal, state, or local law or Exelan Pharmaceuticals policy

TRANSPORTATION CHARGES

- Transportation and insurance charges on all returned product(s) are the responsibility of the purchaser except when due to Exelan Pharmaceuticals error as determined by Exelan Pharmaceuticals
- All returned product(s) must be traceable

THIRD PARTY RETURN PROCESSING

Third party return processors and all returns must comply and be in accordance with all requirements of the Exelan Pharmaceuticals Return Goods Policy. **All products must be returned to Qualanex for destruction.** Any returns from non-authorized purchasers will be destroyed as stated above. Exelan Pharmaceuticals will not reimburse any service

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fees to the purchaser or third party return processor, i.e. handling, processing, etc., or freight charges incurred. It is the purchaser's responsibility to insure that third party return processors comply with the Exelan Pharmaceuticals Return Goods Policy. All returns must be in agreement with the approved Return Authorization Request.

PROCEDURE FOR RETURNING MERCHANDISE

Step 1: Requesting a Return Authorization

- a) Direct purchasers: Please request Return Authorization from our selected returns processor: **Qualanex, LLC**. Return Authorization request can be made by accessing the Qualanex Website at: www.qualanex.com, via telephone at 1-800-505-9291, email to customerservice@qualanex.com, or Fax at 847-775-7258

All Return Goods requests must contain the following:

Product description (name, strength, package size)
NDC # of each item to be returned
Quantity of each item to be returned
Product Lot Number
Product Expiration Date
Shipper's complete address with contact person, telephone number and fax number
Reason for Return

- b) Return authorization will be issued for products in unopened packages within 6 months of remaining shelf life and 12 months past the expiration date.
- c) **Any product return not detailed on the completed RGA will not receive credit, will not be accepted for return, and will be destroyed by Qualanex.**
- d) RGA Numbers are good for 60 days from the date issued.

Step 2: Returning Merchandise

- a) Once approved, please enclose a copy of the RGA form in your shipment. To assure proper credit, each carton should be clearly labeled with the Return Authorization number and marked "Returns".
- b) Ship merchandise fully insured and freight pre-paid to:

**Exelan Pharmaceuticals, Inc.
C/O Qualanex LLC
1410 Harris Road
Libertyville, IL. 60048**

DISCLAIMER

Exelan Pharmaceuticals reserves the right to amend this statement of policy by written notification to the purchaser. This statement of policy shall supersede and/or serve as notice of termination of any previous agreement or policy, whether written, oral, or established through course of dealing between purchaser and Exelan Pharmaceuticals with respect to the subject matter hereof.