

FRESENIUS USA MARKETING, INC.  
PHARMACEUTICAL RETURN POLICY

Effective Date: October 1, 2023

I. Applicability of Return Policy

This Pharmaceutical Return Policy (“Return Policy”) applies to any pharmaceutical products added by exhibit hereto, marketed and sold by Fresenius USA Marketing, Inc. (“FUSA”) including Venofe<sup>®</sup>, Velphoro<sup>®</sup>, and Phoslyra<sup>®</sup>.

Any terms and conditions of this Return Policy that are specific to a particular product will be set forth in an exhibit for that product. In the event of a conflict between this Return Policy and any of its exhibits, the exhibit will prevail.

This Return Policy applies only to products purchased from FUSA by a wholesale distributor or directly from FUSA by a customer. Customers who purchase indirectly through a wholesale distributor must look to their distributors’ policies for the terms of any returns, credits, exchanges or replacements.

This Return Policy does not apply to products purchased from sources outside the United States and its territories.

x

4. Claims for Recalled Products

- x Recalled products must be returned separately from other returned products, in accordance with the recall notice.

B. Expired Products

- x FUSA may accept products for partial credit, at FUSA's sole discretion, to the extent that the products are not otherwise covered by a recall notice. ~~te Euiat io r~~ ~~partial cre--3.9 (d)10.4 (i)-3.2 (t)-3.3 ( for(s)359 du)10.5 (c)4.6~~ ~~prots~~ so they

Fresenius USA Marketing, Inc.  
920 Winter Street  
Waltham, MA 02451  
Email: [PharmaRGADept@fmc-na.com](mailto:PharmaRGADept@fmc-na.com)

- x If returned goods are authorized for credit, such credit shall be effective for one (1) year from the date of issue, for the full amount of the price on the original invoice less any applicable price concessions, and if for expired products, such difference shall be further multiplied by the applicable percentages in Section

### III. Non-Returnable Products

FUSA will not accept the following products for credit or return.

- x Products which are not authorized for return or destruction or are outside the Expiration Window (as described above)
- x Products which do not comply with the terms and conditions of this Return Policy.
- x Products which are unlabeled or partially labeled, have defaced or covered labels, or lack valid or legible lot numbers or expiration dates.
- x Products which were damaged by improp
- x
- x

