

**TECHNICAL CRITERIA, QUALITY ASSURANCE AND  
APPROVAL REQUIREMENTS FOR  
PROMOTIONAL AND ADVERTISING SPECIALTY MERCHANDISE**

**APPROVAL REQUIREMENTS.**

Supplier, at its expense, must submit to The Coca-Cola Company (“TCCC”) or its designated representative (collectively, “**Company**”) all Products (including products, packaging and its ancillary materials, labeling, point of sale materials, trade show displays, sales materials, advertising and press releases) bearing TCCC’s Trademarks or Creations for Company’s advance written approval **prior to any sale, use or distribution of the same.**

- (a) Company, in its sole discretion, may approve or disapprove any submission. If no written approval is sent by Company, the submission will be deemed disapproved. Company’s decision shall be final. If written approval is given, such approval expires one (1) year after the date of approval.
- (b) In the event of any modification or Change in quality of the submitted materials, whether during the approval process or after final approval has been granted, such submitted materials will be submitted for a new approval submission, and Supplier will not distribute any of such submitted materials prior to receipt of such approval. “**Change**” means any change or modification in and to the raw materials, sourcing of raw materials, design or styling of Products, manufacturing processes or facilities, and/or distribution processes or facilities.
- (c) Any Change in the manufacture of any of the Products, including Change or addition of a Subcontractor, or Change of Subcontractor’s process, equipment or plant locations, requires a new approval submission.
- (d) Supplier must disclose all sources for any artwork not supplied by Company.
- (e) Supplier will not have any rights against Company for any remedies in the event Company fails or refuses to grant any approval referred to in these Technical Criteria requirements.
- (f) Supplier agrees that Company will have the right, in its sole discretion, upon thirty (30) days’ advance written notice to Supplier, to change the manner in which submissions are made to Company.
- (g) Supplier’s indemnification and other obligations will not be waived by approval of the Products by Company.

**QUALITY ASSURANCE.**

- (a) Prior to Company granting final approval of each of the Products, Supplier, at its expense, will provide passing quality and safety test results of production samples from an independent laboratory approved by TCCC’s Worldwide Licensing Department (or from an in-house laboratory approved by TCCC’s Worldwide Licensing Department) or detailed vendor certifications establishing the quality and safety of the materials and processes used in the manufacture of production samples approved by TCCC’s Worldwide Licensing Department. A list of TCCC’s Worldwide Licensing Department’s approved independent laboratories is attached.

- (b) TCCC's required safety and performance testing guidelines ("**Guidelines**") are available on-line at "[www.MTL-ACTS.com](http://www.MTL-ACTS.com)" ("**Web site**"). To view the Guidelines on the Web site, Supplier must enter the following in all caps in the 'BVcpnet Login' area:

User ID: COCMM  
Password: CCSTANDARD

Once inside the BVcpnet portion of the Web site, select 'Reference' and then 'Coca-Cola Spec' from the left menu. This will display a list of available topics. By selecting 'Product Guidelines,' Supplier will be able to access specific areas of TCCC's Guidelines.

- (c) If, after Company grants final approval with respect to any of the Products, Company decides, in its reasonable business judgment, that such Products present a risk of injury to consumers, then Company has the unconditional right to withdraw its approval and require Supplier to recall immediately at Supplier's expense all such Products from the marketplace.
- (d) TCCC's quality and safety testing requirements do not release Supplier from any responsibility to Company, its Affiliates, its authorized bottlers, or any Third Party with respect to the quality or safety of Products.
- (e) In addition to the above requirements, all Products manufactured from recycled PET must fully comply with TCCC's then-current "Recycled PET Specialty Promotional Merchandise" policy, which will be provided to Supplier by TCCC's Worldwide Licensing Department upon Supplier's request.
- (f) If Company decides, in its reasonable business judgment, that any of the Products should be recalled, Company has the unconditional right to withdraw its approval and require that Supplier immediately recall all such Products from the marketplace. If Company's decision to recall is a result of quality or technical difficulties with the Products, a breach of any warranty of the Supplier's Authorization Agreement between the Parties, or a breach of these Technical Criteria requirements, Supplier shall bear all expenses associated with such recall and reimburse Company's total out-of-pocket expenses incident to the recall which would not have been incurred but for the recall. If Company requests that Products be recalled absent any quality or technical difficulties with the Products or not as a result of a breach of any warranty of the Supplier's Authorization Agreement or these Technical Criteria requirements, Company shall reimburse Supplier for Supplier's total out-of-pocket expenses incident to the recall which would not have been incurred but for the recall.

**Capitalized terms used in these "Technical Criteria" requirements shall have the respective meanings given them in the Supplier's Authorization Agreement between TCCC and Supplier.**

*Revised: March 24, 2009*

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