

# WHOLESALE ACCOUNT GUIDELINES

Mud Pie is a leading gift company, founded by current CEO, Marcia Miller in 1988. The company began with 10 home items, and has since grown into an award-winning manufacturer of items for the home, baby & kids apparel, and women's fashion & accessories all designed to celebrate life's special moments. Mud Pie is based in Atlanta, Georgia and is distributed to specialty retailers and department stores worldwide at [wholesale.mudpie.com](http://wholesale.mudpie.com).

All Mud Pie Wholesale Accounts should promote and protect the Mud Pie brand as well as operate to the Mud Pie standard and expectation. The following wholesale account guidelines outline what is required in order to uphold that standard and expectation. All potential new customer accounts must be reviewed prior to approval.

If you are an international retailer interested in becoming a Mud Pie retailer, please review the International Terms.

The approval of all potential Mud Pie New Customer Wholesale Accounts require appropriate and necessary review and may take a minimum of seven to ten business days in order to be approved.

## APPROVED RETAILER BUSINESS MODELS

The business model, revenue sources, customer base, and product sold must be defined as one of the below in order to meet account verification requirements:

**Independent Retail Store:** brick and mortar store front with physical retail location and address  
**Independent Online Retailer:** branded online retail website with secure and working shopping cart. Website must be established and with a working shopping cart for a minimum 6 months before being considered for approval.

## INDEPENDENT RETAIL STORE BUSINESS MODEL CRITERIA

- Opening minimum order amount is \$750
- Retailer's product and vendor offering should be complementary to the Mud Pie product offering
- Retailer should seek out to be a Mud Pie Brand ambassador in all they do, say, and convey thru strategic merchandising, marketing, and business operations
- Proper Mud Pie product placement must be protected and only sold at the approved location determined at the time of account set up
- Identified healthy social media presence, activity, and follower base on Facebook and/or Instagram strongly encouraged

## INDEPENDENT ONLINE RETAILER BUSINESS MODEL CRITERIA

- Opening Minimum amount is \$750
- Online business should be established for at least 12 months and fully operational with an active shopping cart

- Measured success on online selling platform strongly encouraged
- A minimum of 1000 followers required on Instagram and Facebook.
- Identified healthy social media presence, activity, and follower base on Facebook and/or Instagram
- Business name in Retailer's website domain is preferred
- Retailer should not identify with any other business channels or revenue sources
- Retailer's product and vendor offering should be complementary to the Mud Pie product offering
- Retailer should seek out to be a Mud Pie Brand ambassador in all they do, say, and convey thru strategic merchandising, marketing, and business operations
- Proper Mud Pie product placement must be protected and only sold at the approved location determined at the time of account set up
- Mud Pie Product must only be sold on the disclosed website determined at the time of account set up
- Mud Pie Product cannot be sold on Amazon or any other 3rd Party Selling Platform

### **BUSINESS MODELS NOT APPROVED**

The following do not meet Mud Pie wholesale account guidelines and requirements.

- 3rd party sellers (i.e. Amazon, eBay, Walmart.com)
- Online retailer marketing only handmade merchandise (i.e. Etsy)
- Online retailer marketing website as a wholesale provider or distributor
- Online retailer marketing via Walmart.com
- Website applications, platforms, markets, and/or providers that resale products at discounted prices (i.e. Poshmark, Mercari, Oberlo, Facebook Marketplace, etc.)
- Products sold through social media outlets such as Facebook or Instagram this includes flash sales, presales and closed groups
- Kiosks, booths or participating vendors that operate space within a co-op business (i.e. shops that share one Point of Sale and/or register)
- Pop-up shops, flea market or local fair vendors, and/or trunk shows
- Traveling trucks, trailers, or shops on wheels
- Home party and self-employed businesses
- Discount stores/Consignment stores that offer discount pricing

### **BUSINESS DOCUMENTS REQUIRED**

All Mud Pie Wholesale Accounts must furnish current and proper business documents. Both the legal business name and address represented on these documents must be consistent with the business name and address on the Mud Pie Account Application. Requirements may vary by state and for international accounts.

- Mud Pie Retail License Agreement
- Tax Resale Certificate
- Business Registration License (as applicable by state)
- Third Party and Amazon Selling Disclosure and Agreement

## **PRICING POLICY**

Mud Pie makes every effort to monitor and enforce the retail pricing guidelines and may choose to discontinue doing business with any non-compliant retailer as outlined in the Mud Pie Minimum Advertised Pricing (MAP) Policy. The retailer may always choose to price goods above the Keystone Pricing if desired.

- Minimum Suggested Retail Price (SRP) or Keystone Price = wholesale cost x 2
- Average Mud Pie retail price = wholesale cost x 2.25 o Retailer may not artificially mark prices above SRP and promote as marked down to appear discounted (i.e. \$10 wholesale promoted as \$29.95 reduced to \$19.95) o Discounts should be selective/limited to a short window of time (i.e. anniversary sale, end of season, markdowns etc.); fixed or permanent discounts are prohibited.

## **ADDITIONAL WHOLESALE ACCOUNT GUIDELINES**

As of fiscal year 2022, Mud Pie is not actively seeking new Amazon or third party platform business. Mud Pie's main objective is to never distract from our Independent Retailer Sales Channel.

Sales of Mud Pie product through **any** website, digital platform, or e-commerce marketplace other than the retailer's branded website shall be subject to Mud Pie's prior written approval, which may be granted or withheld in Mud Pie's sole discretion.

Retailers may only use Facebook, Instagram, Twitter, or other social platforms as a promotional platform in order to advertise Mud Pie product. Marketing thru social platforms is approved if the point of sale is direct from the store versus social platform. Facebook Live/Instagram Live can be used to promote Mud Pie product, but must include other vendors in their videos as well.

Violation of any of the aforementioned guidelines will result in a retailer's account being suspended pending corrections to meet guidelines. Repeat violations will result in a retailer's account being placed under Do Not Sell status with all orders being closed/voided.

## **MINIMUM ORDER REQUIREMENTS**

### **Independent Retailers**

- Opening Order: \$750
- Reorders: \$250

### **Independent Online Retailers**

- Opening Order: \$750
- Reorders: \$250

### **International Retailers**

- International Opening Order: \$2,500
- International Reorder: \$250

## **WHOLESALE PAYMENT METHODS**

Mud Pie offers payment terms in the form of:

- Credit Card (we accept American Express, Visa, Mastercard, and Discover)

- Electronic Check (eCheck)
- Prepayments/Deposits
- Credit terms (Approval is required)

Note: Not all accounts are entitled to credit. Accounts wishing to be considered for credit terms must complete a Mud Pie Credit Application to be returned to the Finance department.

All payments shall be made in United States dollars, payable pursuant to our instructions. Where applicable law permits, if you chose to pay by credit card, we will impose a 2% processing fee/charge on the transaction amount, which is not greater than our cost of acceptance. We do not impose a charge on Electronic Check (eCheck) payments.

In exchange for Mud Pie providing products, customers agree to pay:

- The price for products in effect upon order confirmation (unless otherwise specified),
- Timely and in full according to the due date of the invoice,
- All collection costs and expenses, including actual attorneys' fees and arbitration fees, incurred by us or on our behalf of legal and/or collection proceedings occur,
- All excise, export or import duties, transportation, insurance, shipping costs, and taxes relating to products.

Where the information on the Web Site is inaccurate or incomplete at the time you place an order, we reserve the right to cancel such order without liability to you if we correct the inaccurate or incomplete information prior to fulfilling your order.

Orders are subject to cancellation after the order passes the cancel date.

Holiday/seasonal specific items are subject to cancellation within close proximity to related/holiday season.

Orders cannot be cancelled in full if the cancellation request is made while said order is in process in the warehouse. A restock fee of 20% will be charged for any delivery refusals if cancellation request is made while order is already in process.

Mud Pie reserves the right to dispute attempted charge backs on invalid order cancellations.