



Authorized Dealer

Guidelines & Policies

2022 Edition



ACTIVA Products, Inc.
8900 FM 1998
Marshall, TX 75672
 903-938-2224 / 905-834-8020
 800-883-3899
 www.activaproducts.com

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Dear Wholesale Dealer,

Thank you for your interest in partnering with ACTIVA Products, Inc to offer your valued customers trusted, quality products in your brick-and-mortar and/or e-commerce store(s)!

Highlights

- ❖ All items ship direct from our manufacturing and production facility
- ❖ Unique, niche & crossover market opportunity
- ❖ Fast, reliable order processing and fulfillment
- ❖ Quality, safe products for all ages, certified non-toxic and CPSC, Prop-65 compliant

General Rules

To qualify and remain an Authorized Dealer of ACTIVA®-brand products, your business must adhere to the following policies and procedures at all times:

Maintain Current Business Information & Disclose All Locations That Carry ACTIVA®-brand Products

Maintain accurate and up-to-date company information and disclose all retail locations that carry ACTIVA® products throughout the term of your Authorized Dealer relationship with ACTIVA Products, Inc.

Qualifying locations include:

- i) Physical brick & mortar store(s);
- ii) Commercial warehouse(s);
- iii) Company or privately owned ecommerce-enabled website(s).

Awarded, Licensed-only Agreements are any one or more of the following:

- i) 3rd party platforms and/or managed listing marketplaces including **Amazon.com, eBay.com, Walmart.com, Etsy.com, Overstock.com, Alibaba.com, Buy.com, Newegg.com**, etc;
- ii) Business-to-Business partnerships.

These account types are beyond the scope of this Wholesale Dealer Guide and strictly prohibited unless written permission is granted. Please contact your Sales Rep for more information.



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ACTIVA®'s Trademarks & Brand Policy

Authorized Dealer must comply with ACTIVA®'s Trademark & Brand Policy and represent yourself as an ACTIVA® Authorized Reseller in any/all online advertising & sales collateral.

Setting up businesses, registering domain names, or social media usernames that contain any of ACTIVA®'s trademarks is strictly prohibited. To ensure compliance with ACTIVA®'s Authorized Dealer Policy, you must only use approved marketing materials for all (company) products.

ACTIVA®'s Minimum Advertised Price (MAP) Policy

Authorized Dealer must understand their obligations under ACTIVA®'s MAP Policy and abide by them. Be sure to review extended MAP Policy detailed in this guide.

ACTIVA®'s Return (RA) Policy

Authorized Dealer must understand their obligations under ACTIVA®'s Return Policy and abide by them. Be sure to review extended Return Policy detailed in this guide.

Sell to Retail Consumers Only

Authorized Dealer may not sell in bulk to B2B accounts, wholesalers, or freight forwarders/drop shippers for other retailers. Dealer may sell to your end consumers only.

Only Sell ACTIVA® Products in Original Packaging

Authorized Dealer may not alter original ACTIVA® packaging in any way prior to reselling ACTIVA® products. Removing ACTIVA® products from packaging and reselling ACTIVA® products in a different packaging or under a different name is strictly prohibited unless written permission is granted and licensing awarded.

No Bundling ACTIVA® Products Without Obtaining Permission

Authorized Dealer must not re-SKU or bundle ACTIVA® products in your online assortments & data feeds without receiving prior written permission from ACTIVA Products, Inc.

Customer Confusion

Authorized Dealer will not advertise, market, display, or demonstrate non-ACTIVA® products together with ACTIVA® products in a manner that would create the impression that the non-ACTIVA® products are made by, endorsed by, or associated with ACTIVA Products, Inc.



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Sell on Approved Retail Website(s) Only

Authorized Dealer must only take orders via publicly accessible ecommerce enabled web pages hosted on approved websites owned and operated by your company.

Awarded, Licensed-only Agreements are any one or more of the following:

- i) 3rd party platforms and/or managed listing marketplaces including **Amazon.com, eBay.com, Walmart.com, Etsy.com, Overstock.com, Alibaba.com, Buy.com, Newegg.com**, etc;
- ii) Business-to-Business partnerships.

These account types are beyond the scope of this Wholesale Dealer Guide and strictly prohibited unless written permission is granted. Please contact your Sales Rep for more information.

Sales Channels Permitted to Sell Within the United States Only

Authorized Dealer must only sell ACTIVA®-brand and all its other catalog products within the United States. Interested in offering ACTIVA®-brand and all its other catalog products outside the U.S.? Contact us at support@activaproducts.com to request more information on international dealer accounts.

Ensure PCI Compliance

Authorized Dealer must ensure PCI compliance for all approved commerce-enabled websites owned & operated by your company.

Maintain Updated Privacy Policy

Authorized Dealer must publish and maintain a publicly accessible privacy policy.

Security Measures for E-Commerce Sites and Fraud Protection

Authorized Dealer must ensure industry-standard e-commerce security and fraud protection measures are in place including authentication and customer fraud resolution procedures.

Failure to comply with any of the General Rules may result in suspension or termination of your account.



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Terms & Conditions of Sale

Payment Terms

All first-time orders are prepaid via credit card prior to shipment.

- ❖ Accepted credit cards and payment methods: Visa, MasterCard, Discover, Amex, PayPal



- ❖ Payments by business check or electronic funds transfer (EFT) requires application and approval process.
- ❖ Dealers are eligible to apply for credit terms. Approved terms are 1% 15 days, Net 30. Please send a request for credit terms application to support@activaproducts.com.
- ❖ 1.5% (18% per annum) monthly service charge on all past-due balances.

Freight Terms

- ❖ Prepaid shipping available upon payment of order
- ❖ Pallet and Stretch Wrap Charge: \$15.00 per pallet
- ❖ Freight Terms: COLLECT - FOB 8900 FM 1998, Marshall, TX 75672
- ❖ All claims for damage or merchandise, due to shipping, must be filed by customer with the delivery carrier.
- ❖ Any damage or errors in shipment must be reported to ACTIVA Products, Inc. in writing within 10 days of receipt of order.

Pricing

- ❖ NET pricing in US dollars.
- ❖ Prices are subject to change without notice unless a blanket agreement has been established.
- ❖ Authorized Dealer prices are for single item and case quantities.

Territory

- ❖ ACTIVA is only accepting Authorized Dealers operating within the United States.
- ❖ Located outside the United States? Contact us at support@activaproducts.com to request more information on international dealer accounts.



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Purchase Order Processing

Purchase orders can be submitted by email or fax, please no phone orders.:

Email	**PREFERRED**	orders@activaproducts.com
Fax No.		903-938-3899

Confirming receipt of a PO is available by email only. PO submissions via EDI also available, contact your Sales Rep for more information.

Note(s):

Please ensure the following details are included on Purchase Orders:

- Purchase Order No.
- Billing name, address, ph#
- Shipping name, address, ph#
- Preferred shipping method

Availability / Back Orders

As the manufacturer of our product offering, we strive to maintain an adequate inventory of all items. However, during peak seasons and special event Holidays, we may be temporarily out of stock of some items.

An out of stock/discontinued item notification message will be sent via email, fax, or phone prior to order processing with advisory of specified item shortage(s) and approximate availability. We will await buyer confirmation to ship order(s); (i) incomplete, (ii) upon availability, or (iii) cancel.



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Product Specifications, Inventory & Pricing

ACTIVA Products, Inc will provide all product SKUs, UPCs, descriptions, item & shipper carton dimensions, weights, MSRPs, MAPs and more for your website or catalog via excel spreadsheet. Images can be downloaded from our in large format via supplied Dropbox™ file hosting links. We may periodically send you an updated excel sheet with new/discontinued items and ask that you update your site or catalog.

Minimum Advertised Price Policy

To ensure the integrity of our product collection, ACTIVA Products, Inc. has established a Minimum Advertised Price (MAP) Policy for compliance by all Dealers of ACTIVA®-brand products. This policy is intended to protect and sustain our valued reseller partnerships and providing for reasonable profit margins.

A Minimum Advertised Price (MAP) is applicable to all ACTIVA® brand products. Our MAP policy guidelines as follows:

1. Dealers of ACTIVA®-brand products may not advertise a price lower than the Minimum Advertised Price (MAP) for any item.
2. ACTIVA®-brand products being listed on third-party online marketplaces like Amazon, Walmart, eBay, etc may not advertise a price lower than the Minimum Advertised Price (MAP) for any item.
3. Prices below the Minimum Advertised Price (MAP) cannot be advertised in any medium, including print, internet, radio, television, etc.
4. Sales, discounts, and promotions that effectively lower the retail price of the product below the Minimum Advertised Price (MAP) are acceptable (e.g., 10% discount on order totals exceeding \$99).
5. ACTIVA Products, Inc reserves the right to sell its own products directly to consumers at Minimum Advertised Price (MAP) pricing, consistent with this policy.
6. In the event ACTIVA Products, Inc increases or decreases the MSRP for any product we will notify our reseller partners in writing in advance of the change.
7. ACTIVA Products, Inc reserves the right not to sell to any reseller found to be in violation of this policy. ACTIVA Products, Inc will also not be held responsible for enforcement of this policy or lack thereof.



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Shipping Location & Loading

Warehouse Location

All orders are packaged and shipped from ACTIVA's Manufacturing & Production Warehouse located at:

8900 FM 1998
Marshall, TX 75672
United States

Pick-Up / Loading Dock Hours

Sunday CLOSED

Monday 7:00am – 3:00pm CST

Tuesday 7:00am – 3:00pm CST

Wednesday 7:00am – 3:00pm CST

Thursday 7:00am – 3:00pm CST

Friday CLOSED

Saturday CLOSED

- Dock is CLOSED during scheduled lunch 12:00–12:30pm
- Dock is CLOSED on all US statutory Holidays.

Bulk / Large Orders (LTL/FTL Freight)

Please contact your Sales Rep for any bulk/large volume purchases and to obtain a quotation for LTL/FTL freight shipping. All large orders ship on standard size pallets (48 x 40 in) unless otherwise specified. Pallet & stretchwrap charge is \$15.00 each.



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Return Policy

All merchandise returns require authorization from ACTIVA Products, Inc. Contact customer service for RA #. All product return refunds are issued for product pricing only upon receipt and are subject to a 25% restocking fee. Shipping costs are a third-party expense and are not eligible for refund/credit.

Returns must be requested in writing within 30 days from when item(s) are received to initiate a return.

Any damage or errors in shipment must be reported to ACTIVA Products, Inc. in writing within 10 days of receipt of order. All claims for damage or merchandise, due to shipping, must be filed by customer with the delivery carrier.

Return Eligibility

To be eligible for a return, all items must be in original packaging and unopened, in saleable condition, and **must have a minimum drop ship cost of \$5.00 dollars**. All orders with items totaling a drop ship cost of less than \$5.00 will not be eligible for a credit or refund. Shipping costs are a third-party expense and are not eligible for refund/credit.

Return Address

ACTIVA Products, Inc.
RA# _____
8900 FM 1998
Marshall, TX 75672

How To Return

STEP 1:

Request an RA number.

Please contact us via one of the following methods to request a Return Authorization number (RA) for your recent order:

- i) Email: support@activaproducts.com
- ii) Fax: 905-734-7733 / 903-938-3899

Note: Please make sure to include company information, purchase order number, name, address, etc.



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STEP 2:

Upon ACTIVA approval, please notify your customer to repackage and ship returning item(s) with RA# to the Return Address provided. All shipping expenses are the responsibility of the sender.

STEP 3:

Notify ACTIVA of shipment in transit by email to support@activaproducts.com. Make sure to notify us of courier name and tracking number(s) to ensure a timely payment.

Shipping Hours:

Mon – Thu 8:00am – 2:00pm

STEP 4:

Receive your refund/credit. All items are subject to a 25% restocking fee.

ACTIVA must confirm delivery and product condition prior to issuing credit payment. Refund/credit is issued in the form of a credit memo on account unless otherwise requested. You will be notified via email with credit confirmation.

Non-Returnable Bulk Orders

Some installations and projects can demand a large volume of materials. Please make sure to assess needed quantities appropriately prior to order submission as these transactions are non-returnable and non-refundable.

Order Cancellation

Purchase orders requiring cancellation must be initiated by 8:00am EST of the scheduled ship date. Please contact us via phone, fax, or email at your earliest convenience to confirm all cancellations. In the event of a shipment in transit already, ACTIVA Products, Inc will advise return/cancellation instructions.

Damaged, Missing or Incorrect Goods

If you have received an incorrect item from what was originally ordered or if the package(s) arrived with damage during transit, please contact ACTIVA detailing company information, purchase order number, and damage claim. Photo proof may be requested for verification.



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Warranty

ACTIVA Products, Inc strives to manufacture and supply quality, safe products. All our products are regularly tested by a CPSC-accredited lab, toxicologists at Duke University and maintain ACMI's AP certified non-toxic, safe for children seal. ACTIVA has a customer satisfaction policy on the products we sell.

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United States

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Tel: 903-938-2224 / 905-834-8020

Fax: 903-938-3899 / 905-734-7733

Tax #: 75-2380415

Order Dept

orders@activaproducts.com

Accounting Dept

nell@activaproducts.com

Vendor Support

support@activaproducts.com



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AUTHORIZED DEALER APPLICATION FORM

Complete the following with details regarding the parent corporation or head office.

Business Information			
Company:			
Tax ID# (EIN or HST):			
Address:			
City:			
State/Province:		Zip/Postal Code:	
Country:			
Phone Number:		Fax Number:	

Complete the following with details regarding physical brick-and-mortar and/or distribution warehouse. Please provide one copy of this form for each location.

Physical Location Information			
Type:	<input type="checkbox"/> Brick-and-Mortar	<input type="checkbox"/> Distribution Warehouse	
Store Name:			
Address:			
City:			
State/Province:		Zip/Postal Code:	
Country:			
Phone Number:			

Please direct all questions, submissions:
Em: support@activaproducts.com Ph: 905-834-8020.



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E-COMMERCE ACCOUNTS

Please reference any/all e-commerce website account names, URLs, etc you will be listing our products on.

Online Store Information	
Account:	
URL:	

Online Store Information	
Account:	
URL:	

Online Store Information	
Account:	
URL:	

Online Store Information	
Account:	
URL:	

Online Store Information	
Account:	
URL:	

Please direct all questions, submissions:
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Complete the following with details of the applicant.

Applicant Information	
Name:	
Position:	
Email:	
Phone Number:	

Applicant must place a check in each box to acknowledge the following:

- I acknowledge any/all products will not be listed on third-party websites, including Amazon, Wal-mart, eBay, Etsy, Overstock, Target, etc without prior consent or awarded authorization.
- I acknowledge any/all products are permitted for resale only within the United States.

Authorized Signature

Date

Please direct all questions, submissions:
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CREDIT CARD BILLING AUTHORIZATION FORM

Credit Card Billing Information			
Company:			
Name On Card:			
Credit Card Type:	Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> AMEX <input type="checkbox"/> Discover <input type="checkbox"/> Other, please specify:		
Credit Card Number:			
Expiration Date:	/	CVC (Security Code):	
Billing Address:			
City:			
State/Province:		Zip/Postal Code:	
Country:		Phone Number:	

Please select one of the following Payment Options:			
Once	Bill my credit card once for the following amount:		
	Please apply this payment to the following Purchase Order / Invoice #:		
Retain	Please retain my credit card on account and process per order:		Y / N
<p>Applicant agrees that all information provided is accurate and complete. Applicant also acknowledges that all orders may be immediately held at company's discretion if any outstanding charges are declined.</p> <p>Any issues regarding payments should be immediately reported to:</p> <p>Name: _____ Email: _____</p> <p>Phone: _____ Fax: _____</p>			

Authorized Signature

Date

Please direct all questions, submissions:
Em: support@activaproducts.com **Ph:** 905-834-8020