



ZURVITA™
A higher way of life.

HOW TO DO BUSINESS



GERMANY



Zurvita is a leading-edge, marketing company leveraging the power of word of mouth advertising and the Internet to create the next generation, home-business opportunity. This business model creates immediate cash flow and generates long-term, residual income from proprietary health and wellness products.

How We Operate in Germany

Thank you for being interested in ZURVITA's expansion into Germany. ZURVITA is pleased to offer our renowned ZEAL products in Germany, effective the fall of 2014. The following information should help you understand the appropriate rules of engagement, enabling you to acquire and offer ZURVITA products and the business opportunity to others in this country. Some of our US policies have been adapted to meet the needs of International Markets so please read carefully.

ZURVITA will soon be conducting business around the world, in many countries. Each country will have its own guidelines, rules & regulations, based on a multitude of factors. Independent Consultants are responsible to be aware of each countries' differences, by reading the How to Do Business information for each specific country.

Zeal Wellness products are offered in Germany and the EU as Food Supplements. As such the appropriate VAT for Food Supplements and the labeling regulations for Food Supplements have been applied as appropriate. ZURVITA will be providing products to residents of Germany initially from the UK third party warehouse without restrictions as a distant sale. As volumes

increase, a local warehouse closer to Germany will be established to service German customers and consultants, as well as other EU countries. There are no restrictions on re-sale of the product within Germany.

German residents are eligible for participation and purchase of products. However, you should be aware that Zurvita is NOT accepting orders or shipping products to the following locations in Germany at the present time: (excluded are the island of Heligoland or the territory of Büsingen.)

Purchases are made over the internet and concluded in the USA and will be delivered directly to customers from the third party warehouse located in the UK. Delivery times will vary according to distance but are about 4-7 days from the time of order.

There are special consumer laws related to Direct Selling Schemes in Germany which have been applied, as well as new EU regulations with regards to Consumer Rights for internet purchases. Please review the specifics below and in your back office to ensure compliance in your daily activities.





Products

To begin, the only ZURVITA products formulated and labeled as FOOD SUPPLEMENTS for Germany are:



- Zeal Wellness Wild Berry Canister
- Zeal Wellness Bold Grape Canister
- Zeal Wellness Wild Berry Single Serve Bottles
- Zeal Wellness Bold Grape Single Serve Bottles

In the future, additional products may or may not be introduced into Germany based on a multitude of factors. In almost all countries around the world, Zeal Wellness products are the first products being introduced.

Special Restrictions

Germany has special restrictions on Direct Selling Schemes as well as purchase limitations you should be aware of. These are summarised below and repeated in the formal Terms and Conditions, and other Notices you will find in the z-centre back office.

- **Auto-ship Is an Optional Program:** Auto-ship (as defined as monthly Wellness Packs) is an optional

program and not required in Germany. All bonuses and commissions are available as long as sufficient volume is obtained by the independent consultant. However, you may find electing to use the auto-ship program is an easy and convenient way to ensure you have sufficient volume to qualify for Zurvita commissions and bonuses.

Financial Matters

- Commissions and bonuses will be paid **ONLY** to your ZurvitaPay account at which point you may use them for further ZURVITA Product purchases, transfer to your bank account in local currency, or use with your ZurvitaPay issued debit card for other purchases where the debit card is accepted. **Please note that you must open an account and sign-up directly with ZurvitaPay to use this service through your z-center back office.**
- German residents agree that to be eligible for commissions, they will allow ZURVITA to obtain,

as necessary, a United States IRS W-8BEN form in their behalf, claiming exemption from US tax withholding on commissions received. Information will be gathered for this purpose during the sign up process. Any income taxes required to be reported to or paid to the home country of the consultant, for commissions received from ZURVITA, are entirely the responsibility of the independent consultant receiving such commissions and NOT the responsibility of ZURVITA.

- All prices of products are stated in Euro only.



Commissions, Incentives, Bonuses, Promotions Available

- All ZURVITA incentive and bonus programs are available in Germany, except some programs may have modifications for international residents.
- Periodic Sales Promotions conducted by ZURVITA will vary from those offered in the United States and Canada, in the form of products being offered and the time period of availability. Watch for specific International Promotions offered monthly.
- Special Provisions for First Time Purchasers. Every first purchase of a Zeal Wellness Canister also receives a complimentary (Free) Blender Bottle in their shipment. For example, first purchase by a Retail customer, Preferred Customer or Consultant of a Canister, Builders Pak or Wellness Pak (containing a canister of Bold Grape or Wild Berry) will also contain a Blender Bottle. Subsequent purchases will not include a Blender bottle. Blender bottles are NOT sold separately as a product.
- All commissions paid are stated and done so in US dollars only.
- Car Program Modifications –The Car Bonus Program is eliminated for international consultants (due to global application challenges). In lieu of this, the TBV is increased to a FLAT \$200 bonus based on TBV on the amount of 1200 points. The independent consultant may use the bonus increase for any business building practice desired. There is no separate Car Program in Germany as a result.
- Commissions will be paid according to the ZURVITA commission plan with the following exceptions for international residents.
 1. ALL Team Group Volume Bonuses which state a 30 day qualification period in the compensation plan, will be extended for an additional 10 days (40 total) in the first month. This is to compensate for purchase limitations and international shipping time. This includes all eligible TBV (Starter Paks & Initial order Wellness Paks). As a result, the Consultant has up to 40 days from their “start date” to achieve All Star Bonus (first bonus). If accomplished, Consultant will have an additional 30 days to achieve the Platinum All Star Bonus. After that, there is no specific time period to achieve any Team Bonus, just a 30 day “shelf life” on eligible TBV.
 2. In addition, the amount for qualification for TBV for international residents will be reduced to 1200 volume points with a reduction in program bonuses to be paid rather than the US 3000 BV points. This is done to accommodate purchase limits in some countries. This will allow you to receive your bonus with 6 qualifying people as in the US.
 3. The amount of the bonus is adjusted to pay \$320 on the AllStar (first bonus) and \$400 on the AllStar Platinum (second bonus in the next 30 days).
 4. As a result of the lower cost Builder Paks for International Residents (200 BV for international vice 500 BV for US/Canada), the upline bonus payout will remain 20% but be aware that the actual amount of bonus is reduced from \$100 to \$40 USD or the equivalent in local currency.



Other Business Details

- ALL German residents, both customers and independent consultants, who complete a legal application (sign up) with ZURVITA, agree they are doing so under US laws and regulations with additional EU regulations for Consumer protection and Direct Sales laws also being in effect, with ZURVITA accepting and making such sales, supply, and contracts in the U.S. Please see the *“Addendum for International Residents”* to the *ZURVITA Statement of Policies and Procedures and Terms and Conditions* for specific details. Also please read the specific *“Notice to UK and EU Participants”*, and *“Website Privacy Policy”* documents for Germany. These additional documents are important to understand your rights and restrictions for conducting business.
- German residents agree to provide accurate personal identification information to ZURVITA in order to be accepted as independent consultants or customers. Such Identification shall include Citizens ID #, or valid passport #, or valid driver’s license #.
- Products are properly labelled for German and EU Food Supplement regulations and may be resold. Please review the special restrictions section for requirements should you re-sell products in the course of your business.
- Products will be shipped directly from the third party warehouse to customer and independent consultant addresses. All should allow approximately 4-7 days for delivery from time of order.

German Country Founders Club

ZURVITA recognizes that those who engage with ZURVITA in the early weeks & months of doing business in a foreign country, may not have every marketing tool available, every product available, and every other component that might exist in Zurvita’s home country (USA). In recognition of these limitations which must be patiently managed by the early-participating consultants

(referred to as pioneers), ZURVITA has created a Country Founders Program. Those qualifying for this program will receive some significant, long-term benefits, including high-level recognition and a share in a 1% pool of the countries’ sales volume (see International Founders Program for specifics).



Product Return Policy

For independent consultants, you have special return rights under EU regulations which may differ from normal Zurvita policies in the US. Effective June of 2014 the European Union has increased the rights of consumers when purchasing products over the internet and wish to return products so purchased. The following summarizes the new rights according to the regulations:

- a. The 14 day cooling off period for purchases starts when you receive the products ordered.
- b. If you desire to cancel your purchase and return the goods you will receive the full purchase price INCLUDING VAT and SHIPPING you paid in the purchase.
- c. You are responsible for the cost of the return shipping to the warehouse designated by Zurvita.
- d. You must return the goods in SELLABLE condition. This means to receive your full refund you may only handle the goods as you would in a shop, and opening or use of the product negates the EU full refund policy. The EU directive allows for a partial refund for diminished value of the goods (e.g. you have purchased multiple units of

the product and one is used but others remain in sellable condition. In that case a partial refund will be made.) PLEASE NOTE: ZURVITA's 30 Day Guarantee is a more liberal policy and will apply allowing customers to use the product and receive a refund if dissatisfied.

- e. You may notify the company by email, or other communication including telephone of your desire to cancel the purchase. You may also use the standard cancellation form found in the company website.
- f. You must physically return the goods as directed within 14 days after you have notified the company of the cancellation of purchase or return.
- g. You will receive your refund after the return of the goods.

For retail customers, they should contact the independent consultant from whom they purchased the product. The consultants will refund your purchase price and then they will receive reimbursement from ZURVITA according to ZURVITA's guarantee policies.

FAQs

Can I resell the product in Germany?

Yes, the product is labelled correctly for resale inside Germany. Please review the special Restriction sections below for your business activities.

When will other ZURVITA products be available?

Additional ZURVITA products may be made available in the future. This is a decision resting on many factors, including sales volume, market interest and government formulation acceptability.

When will ZURVITA establish a local warehouse and office?

ZURVITA has an authorized representative warehouse/distribution company in the UK. Zurvita may make the decision to establish a local office in Germany sometime in the future, based on a variety of factors, including sales volume. This decision varies with each country.

Can I hold public meetings in Germany to build my business?

Yes.



Special Provisions to Be Aware of for This Country

The following is provided so that you may understand specific EU Requirements.

Notice to EU Participants

As a ZURVITA Independent Consultant it is important that you familiarize yourself with the rules and documents necessary to operate your business in Germany and other EU countries and use only the materials available from ZURVITA at all times.

All ZURVITA materials have been prepared to comply with the law but your strict attention is specifically drawn to the following.

I. TRADING REGULATIONS

A. Basic Principles:

As a ZURVITA independent consultant promoting ZURVITA products and services in Germany, you operate in your own name and on your own behalf as a self-employed independent contractor. The independent nature of your business operations remains the same irrespective of whether you additionally perform the very important functions of enrolling new independent consultants, i.e. recruiting, training and supporting other ZURVITA independent consultants.

B. Trading Schemes Regulations:

In the EU, the ZURVITA opportunity has been designed to comply with the appropriate provisions of EU and German regulations.

C. Advertising:

i. General:

Under the regulations a promoter i.e. ZURVITA, or a participant i.e. ZURVITA Independent consultants, in a trading scheme must NOT issue, circulate or distribute any advertisement “which contains information likely to lead directly or indirectly to persons becoming participants in a trading scheme by any means”, unless that advertisement contains both the Independent consultants’s name and address and that of ZURVITA as the promoter of the opportunity and a description of the goods or services being promoted.

The following statutory warning is required in the UK and we recommend the same policy and use throughout the EU:

1. “It is illegal for a promoter or a participant in a trading scheme to persuade anyone to make a payment by promising benefits from getting others to join the scheme.
2. Do not be misled by claims that high earnings are easily achieved.”





TRADING REGULATIONS / Advertising (cont.)

The warning must be easily legible or audible, must not appear at the beginning or the end of the advertisement and must be afforded no less prominence than that given to any other information in the advertisement apart from the heading.

If the advertisement contains any information as to the sources of income for Independent consultants, the statutory warning must appear with such information and be given no less prominence than such information.

These rules do not apply to any advertisement which forms a part of a newspaper or magazine.

All ZURVITA official marketing material complies with the regulations. You must ensure that if you produce any material yourself to promote your ZURVITA business that it complies both with the Company's advertising guidelines contained in the Policies and Procedures and with the requirements of the Regulations set out above.

ii. Earnings Claims

If you make any earnings claims with your promotion of the ZURVITA business opportunity, in addition to complying with the terms of your independent consultant agreement and the Regulations, you must also ensure that you do not breach any EU regulations or Member State Code of Advertising, Sales Promotion and Direct Marketing rules. The code applies to "advertisements in non-broadcast electronic media", i.e. to newspapers, magazines, flyers, brochures but not to the internet, TV or radio advertising

The code provides that advertisements for income opportunities should not mislead as to the support available or the likely rewards for the investment and work required, nor should they be presented in such a way as to likely to be confused with an offer of paid employment. Advertisements should contain the name and contact details of the advertiser and where possible, a description of the work involved, the extent of the investor's commitments and the financial investment.

Earnings figures should not be exaggerated and when claims as to earnings attainable are made the advertiser should have available evidence that such earnings are currently obtained by existing independent consultants.

II. TAXATION

A. Income Tax

If you are trading as an Individual, are an independent consultant, and are resident in the EU, then you will be taxed in your member state as a self-employed individual on your worldwide income.



TAXATION / Income Tax (cont.)

As a self-employed independent consultants, it is your responsibility to file the appropriate tax returns and to make all payments of tax due in connection with your ZURVITA business. You must register with the appropriate tax authorities where you live, as self-employed as soon as you register as a ZURVITA independent consultants. Contact your personal accountant to assist you in these matters.

If you do not register within the allotted timeframe for your country, you may be liable for a penalty. ZURVITA recommends that you seek the advice of a suitably qualified accountant or tax advisor.

B. Value Added Tax

The standard VAT rate is 19% with some food products and food supplements offered by Zurvita rated at 7% (e.g. Zeal Wellness Products). As a self-employed independent consultants it is your responsibility to register for VAT once your turnover exceeds the threshold for compulsory registration in the preceding twelve months. If you are VAT registered, then the company will provide you with a commission statement in your back-office and you will need to provide the company with a VAT invoice each month for the VAT on your commission to be paid, (Alternately ZURVITA may create a self-billing statement on your behalf to pay the VAT on your commissions.)

IF at any time while you are an independent consultant of ZURVITA, you register or deregister for VAT, it is essential that you advise the company as soon as possible. If you are VAT registered or become VAT registered the company will require a copy of your VAT registration certificate and confirmation of your status on renewal each year thereafter.

III. PARTNERSHIP / COMPANIES

ZURVITA accepts as independent consultant's individuals, partnerships, and limited companies. If you plan to operate your ZURVITA business as a partnership, even if your proposed partner is your spouse, you need to consider carefully the business relationship between you and your partner and we strongly advise you to have a written partnership agreement and/or to take professional advice in this respect.

IV. SOCIAL SECURITY CONTRIBUTIONS

All self-employed persons in Germany, and other EU member states, must register for and pay social taxes. You can pay these by direct debit monthly and can register for them and find out current amounts when you register yourself as a self-employed person with your taxing authority. Exemptions for small earnings may be available.

V. DATA PROTECTION

ZURVITA has a policy on how it processes and treats your personal data and that of all ZURVITA independent consultants. IF you maintain a database of your contacts and/or customers including personal information such as addresses and telephone numbers, then you should check carefully that you are complying with the applicable legislation in how you deal with this information. There can be fines and costs imposed by legal authorities and appropriate courts in the EU and each of its member states, for failure to notify processing activities.



VI. SPAM

Although we recognise that email is a powerful communication tool, new rules came into force in the UK in December 2003 and other Member States which requires the following:

- A. You cannot transmit, nor instigate the transmission of, unsolicited marketing materials by electronic mail to an individual subscriber UNLESS the recipient of the electronic mail has previously notified you, the sender, that he/she consents, for the time being, to receiving such communications.
- B. You cannot transmit, nor instigate the transmission of any marketing by electronic mail (whether solicited or unsolicited) to any subscriber (whether corporate or individual) where:
 - (a) The identity of the sender has been disguised or concealed; or
 - (b) a valid address to which the recipient can send an opt-out request has not been provided.

A “solicited message” is one that you have actively invited. An “unsolicited marketing message that you have opted into receiving” is one that you have not invited but you have indicated that you do not, for the time being object to receiving.

VII. MOBILE TELEPHONE CALLS

It is now an offence in the UK and in the EU in general to cause or permit someone to make or receive a mobile call whilst they are driving. Please bear this in mind when contacting other current or potential independent consultants or customers.

VIII. INDIVIDUAL EXPERT ADVICE

Please take the above information merely as general guidelines that do not claim to be exhaustive or complete. Obviously, this information cannot take into consideration every, and all the legal, tax, and social security aspects of each individual situation. We therefore recommend that you seek the assistance of a suitably qualified solicitor, accountant, or tax advisor as appropriate.



IX. RIGHTS FOR REFUNDS AND RETURN OF GOODS

Effective June of 2014 the European Union has increased the rights of consumers when purchasing products over the internet and wish to return products so purchased. The following summarizes the new rights according to the regulations:

- a. The 14 day cooling off period for purchases starts when you receive the products ordered.
- b. If you desire to cancel your purchase and return the goods you will receive the full purchase price INCLUDING VAT and SHIPPING you paid in the purchase.
- c. You are responsible for the cost of the return shipping to the warehouse designated by Zurvita.
- d. You must return the goods in SELLABLE condition. This means to receive your full refund you may only handle the goods as you would in a shop, and opening or use of the product negates the EU full refund policy. The EU directive allows for a partial refund for diminished value of the goods (e.g. you have purchased multiple units of the product and one is used but others remain in sellable condition. In that case a partial refund will be made.) PLEASE NOTE: ZURVITA's 30 Day Guarantee is a more liberal policy and will apply allowing customers to use the product and receive a refund if dissatisfied.
- e. You may notify the company by email, or other communication including telephone of your desire to cancel the purchase. You may also use the standard cancellation form found in the company website.
- f. You must physically return the goods as directed within 14 days after you have notified the company of the cancellation of purchase or return.
- g. You will receive your refund after the return of the goods.

Customer Service Contact Information

Initially, all customer service will be provided from the USA.

The hours of service German CET time, will be:
2 p.m. – 10 a.m.

Customer Service may be contacted via email at:
germany@zurvita.com

Telephone **0800-186-0230** German number that connects to US.

For questions related to the delivery of your product ONLY, you may contact the Third Party Warehouse Provider as follows (all other customer service questions should be directed to the US Customer Service Department at Zurvita):

PDX Logistics Ltd.
Tel: +44 (0) 1844 295155



Our mission is to create an opportunity where people from all walks of life can participate and create an immediate income as well as a long-term monthly recurring income that will last for generations. Our unique wellness products and exciting compensation plan offer every individual the opportunity to win at every level.

That's what is so wonderful about Zurvita: We want you to win, we want you to make money and we love to recognize you for your accomplishments. As our Consultants achieve their dreams by helping others reach their own, we want them to know they're heroes by treating them like royalty.

— Mark and Tracy Jarvis