

April 24, 2019

Dear Valued Customer:

Nivagen is pleased to announce that effective May 1, 2019 we will be partnering with Inmar, a leading expert in pharmaceutical returns management. Through Inmar's return management services, you will be provided with the convenience of obtaining Return Authorizations instantly via a web based solution. The box labels and web portal help track and manage the return to Nivagen more efficiently. Please make the following changes in your processes and within appropriate database systems for returns management.

FOR RETURN AUTHORIZATIONS

Request for Return Authorizations (box labels) can be made by any of the below methods:

1. Accessing the Inmar website at <https://returns.healthcare.inmar.com> (you will need to upload a PDF copy of your debit memo)
2. E-mail your debit memo to rarequest@inmar.com Be sure to include NDC#, lot# and expiration dates assigned to each item.
3. Fax your debit memo to Inmar at 817-868-5343

PRODUCT RETURNS

Upon receipt of a box label(s), actual returns are to be forwarded to the processing facility at the following location:

Inmar – South Dock
4332 Empire Road
Fort Worth, TX 76155

Attached you will find the updated Nivagen Return Goods Policy effective May 1, 2019.

For assistance with the return process contact Inmar Customer Service at 1-800-967-5952.
Hours: Monday thru Friday 8am – 5pm Eastern Time

Thank you for your continued support of Nivagen.

Sincerely,



Nivagen

Nivagen Pharmaceuticals, Inc.

3050 Fite Circle, Suite 100 ■ Sacramento, CA 95827

Phone: 916-364-1662 ■ Fax: 844-270-3131 ■ Customer Service: 877-977-0687

www.nivagen.com



PRODUCT RETURNS AND CREDITS:

Nivagen Pharmaceuticals, Inc. will credit all returned packages of its products at the original purchase price from six (6) months prior to, and one year (12 months) post-expiration date from an authorized Nivagen Pharmaceutical wholesale distributor. All requests for returns must have prior authorization.

- Nivagen determination of physical count is final.
- Nivagen reserves the right to destroy all returned merchandise.
- Product must be in original package (full bottles only); no altered or re-packaged product is eligible for credit. The customer will pay transportation charges.
- Nivagen Pharmaceuticals is not responsible for:
 - Product returned through third party return goods processing companies, nor will Nivagen be responsible for their processing fees.
 - Product involved in or part of a bankruptcy sale is not eligible for credit.
 - Any open packages of merchandise (partials) with broken seals, not in original containers, in un-saleable condition (marked), or deteriorated and/or DAMAGED DUE TO IMPROPER STORAGE OR HANDLING.
 - Products sold on a non-returnable basis, deleted from our product price list for more than one year or export sales merchandise.
 - Product delivered as free goods.
- No credit will be issued for product purchased outside the United States of America or from a non-authorized Nivagen Pharmaceuticals distributor.
- Non-direct customers should return products to their drug wholesaler for credit under their wholesaler's return goods policy.
- Nivagen Pharmaceuticals reserves the right to exchange expired product with fresh stock.

TRANSPORTATION CLAIMS AND LIABILITY

MERCHANDISE CLAIM:

Even exchange of merchandise or credit will be issued in Nivagen's discretion for loss or damage at delivery time, but only if: (a) the loss or damage is noted on the carrier's delivery receipt and reported to Nivagen within five working days, or (b) if the loss or damage is concealed at the time of delivery and is inspected by the purchaser within 30 days after delivery and purchaser's inspection report is forwarded to Nivagen.

Nivagen will not reimburse or credit for processing fees or freight costs relating to claims.