

## US DISTRIBUTOR GUIDE

The purpose of this Guide is to provide to you, our Independent Rain Partner, the information you need to advertise and conduct your Rain business in a compliant and successful way.

### U.S. Regulatory Background

While the regulatory environment in the United States is always changing, there are a number of fundamental principles that, if followed, will ensure in large part that you are conducting your Rain business in accordance with the framework established by the Food & Drug Administration (FDA) and Federal Trade Commission (FTC).

The FDA has jurisdiction over foods, cosmetics and drugs. Dietary supplements fall in the food category. FDA's main job is to ensure that the foods, cosmetics and drugs that are introduced into the marketplace are safe and labeled compliantly. "Labeling" includes claims about the product, and is not limited to just the product "label," but any advertising material that accompanies the product at the point of sale, which usually includes websites and sales tools available where product is sold. The rules governing foods, cosmetics and drugs differ significantly, and it will be important to understand these differences and what category a Rain product falls into as you promote Rain products.

While the FDA is mostly concerned with a product's *classification* (i.e. food, cosmetic, drug), the FTC is mostly concerned with the product's *advertising*. The FTC's primary focus is to ensure that the product advertising is truthful, not misleading, and substantiated. With regard to product advertising, there is some overlap between FDA and FTC jurisdiction, but FTC rarely steps in to regulate product labeling, and generally keeps to broader media like the internet, television, radio ads, and marketing materials.

Prior to introducing a product into the marketplace, Rain International will ensure that the product meets all FDA regulations regarding safety, efficacy, and labeling, and that its claims are substantiated. You will be able to find Rain-approved product claims in this Guide and on Rain International's website and company marketing materials for the US market. That means that you, as a Rain Partner, will be able to focus on your business building activities knowing you're covered if you follow the simple policies and rules outlined in this Guide.

### RAIN INTERNATIONAL POLICIES

The Company's advertising policy states that distributors should use the sales aids and marketing materials produced by or approved by the Company. If you wish to create your own advertising material, you can, but you should *first* submit the content of the material to the Company's Rain Partner Education & Compliance Department for review and approval. Materials should be submitted in English and can be emailed to [compliance@rainintl.com](mailto:compliance@rainintl.com) or mailed to the Company at its American Fork address, attention Compliance Department. Once the material has been reviewed and approved by the Compliance Department, you will be provided a Company approval logo that should be placed on the material or website to indicate that it has been approved.

In addition, all distributor-created materials should clearly indicate the name of the distributor, followed by “Independent Rain International Distributor” so that it is clear that the material is not generated by the Company. By following Rain International’s policies and procedures, you will ensure that you’re conducting your business in the best way possible to achieve longevity and success for you and the Company.

## DIETARY SUPPLEMENT CLAIMS

As mentioned above, one of FDA’s functions is to monitor the advertising of dietary supplements, to ensure that they are not advertised as drugs. Under FDA regulations, any product, if advertised as a drug, becomes a drug, and FDA would then require that the product cease to be marketed until such time as it can be registered as a drug. Therefore it is very important to understand what claims can be made for dietary supplements, and what claims would make a dietary supplement (or cosmetic) a drug, in other words, drug claims.

In 1994, Congress passed the Dietary Supplement Health and Education Act (DSHEA), which provided the framework for regulatory policy on dietary supplements. DSHEA allows supplements to bear “structure/function” claims. Structure/function claims generally represent how a product or ingredient helps to **maintain or support an already healthy state** of being or levels that are already within normal range. Drug claims (also called “medical claims” or “disease claims”), on the other hand, are claims that suggest that a product or ingredient treats, cures, mitigates or prevents a disease or dysfunctional state of being. Here are some examples:

- You can say a supplement “helps maintain intestinal health” but not that it “prevents diarrhea.”
- You can say a supplement “supports a healthy immune system” but not that it “treats the common cold or flu.”
- You can say a supplement “helps maintain cholesterol levels already within normal range” but not that it “lowers cholesterol.”
- You can say that an ingredient in a supplement “helps support cartilage and joint function” but not that it “reduces joint pain” (because joint pain is generally associated with arthritis).

Whenever a structure/function claim is used, the following disclaimer needs to either immediately follow the claim or be linked to the disclaimer by an asterisk at the end of the claim.

**\*These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.**

If linked by a symbol, the disclaimer should appear on the same page as the claim. The disclaimer must be set off in a box, in bold face type of a size no less than one-sixteenth of an inch high (minimum 8 point font in Times New Roman).

## EXPRESS V. IMPLIED CLAIMS

An express claim is a direct claim about the relationship between a product or ingredient and an effect. An example of an express drug claim is, “Product X helps prevent heart disease.” An implied claim is a claim that suggests that a product or ingredient in the product, will produce an effect. Examples of implied drug claims are “relieves joint pain” (arthritis), “relieves bronchospasm” (asthma), and “lowers cholesterol” (heart disease).

A claim that a product is a substitute for a drug or other therapy for disease, or has fewer side effects than a therapy for disease, is also an implied drug claim. For example, it is a drug claim to say, “Product X is a better anti-inflammatory than Celebrex.”

Drug claims about the ingredients in a product, in the context of a presentation about that product, are drug claims about that product. For example, saying ingredient X lowers cholesterol, and Product Y contains ingredient X, makes a drug claim about Product Y.

## COMPANY-APPROVED PRODUCT CLAIMS

Below are the Company-approved structure/function claims for each dietary supplement the Company markets.

### RAIN<sup>®</sup> SOUL

- Helps support healthy joints\*
- Relieves minor muscle pain after exercise\*
- Helps maintain a healthy immune system\*
- Promotes a healthy cardiovascular system\*
- Neutralizes free radicals\*

### RAIN<sup>®</sup> CORE

- Protects against DNA damage\*
- Helps absorption of Vitamin C and E\*
- Supports a healthy immune system\*
- Supports blood flow to the brain for healthy cognition\*
- Supports healthy liver function\*

## DISTRIBUTOR TESTIMONIALS

When you make claims about Rain products in the setting of a meeting intending to recruit distributors or sell product, it is as if the Company is making the claims, and you are subject to the regulations set out by the FDA and FTC. Product claims, including personal testimonials, must be truthful, not misleading, and not reference the treatment, prevention, or cure of a disease. Unfortunately, it is not enough that your testimonial represents your honest opinion and experience. In order for a claim to be truthful and not misleading, it must be representative of what consumers will generally achieve when using the product. This can only be determined through studies that adhere to rigorous scientific methods. Any personal experiences that deviate from the Company-approved structure/function claims should be preceded by a disclaimer stating that this is your personal experience and no one should expect to experience similar results.

Lastly, the FTC is very concerned about products marketed to children and remedies aimed at children. As a general rule, do not involve children in any examples involving the benefits of Rain products.

## SOCIAL MEDIA

While you generally are free to communicate your honest experiences and opinions on blogs and other social media sites, the above guidelines apply to any product claims and testimonials where the claim or testimonial is in conjunction with any contact information or links that can lead a consumer to the Rain opportunity and product purchase. Please see the Company Policies & Procedures Section 3.2.18 for the Company’s complete social media policies.

## DISTRIBUTORS WHO ARE DOCTORS

Distributors are all held to the same regulations, as explained above, regardless of their medical or other professional qualifications. Both the distributor and doctor “hats” cannot be worn at the same time, unless the medical or scientific presentation adheres to FDA guidelines (i.e. product claims are limited to the Company-approved structure/function claims).

Distributor doctors who are building their Rain business and selling Company products are still required to comply with Company policies and FDA regulations regarding product claims. Thus, distributor doctors could not do a medical or scientific presentation (where disease claims are made) at their own business opportunity meeting or to drive traffic to their distributorship to sell product. If distributors who are doctors want to provide information based on their medical or scientific training at a different distributor's meeting, they should adhere to the Doctor Presentation Guidelines below.

## DOCTOR PRESENTATION GUIDELINES

Distributors who ask medical or scientific professionals to provide information at meetings in which the Rain business opportunity and/or products are sold should ensure that the following guidelines are met.

- The presenter should have appropriate qualifications: e.g. Ph.D. or M.D., and accurately represent their credentials.
- Presentations should be limited to studies and articles that appear in reputable scientific journals subject to peer review. All discussion of health benefits should be substantiated by citing the supporting studies or journal articles.
- Presentations should not include personal clinical or anecdotal statements, or personal testimonials (since these cannot be substantiated), and should not provide dosage or other medical advice.
- Presentations should be educational and independent in nature, and focus only on ingredients or components, not on formulas.
- There should be *no mention of the Company or any Company products during the presentation*.
- Presentations should be preceded by an effective disclaimer stating that the presentation is for informational purposes only, that no product is being promoted, no medical advice is being given, and that claims have not been approved by the FDA.

## INCOME CLAIMS

Income claims involve statements or inferences about the earning potential of Rain International distributors. Income claims can be express or implied. You make an express income claim when you show a commission check, make statements about how much one can earn as a distributor, or guaranteeing a certain income. Implied income claims usually take the form of lifestyle claims, such as pictures of money, luxurious cars and houses, jewelry, vacations, etc., in marketing materials and sales tools.

The FTC and a number of states have regulations governing income claims. All income claims must be representative of what the typical participant will actually achieve, or be accompanied by an income disclosure document showing what the typical participant actually achieves. Because Rain International has not provided the data necessary to comply with the legal requirements for making income claims, when marketing the Rain business opportunity you should not make income projections, income claims or disclose your commission check amounts. The income potential as a Rain International distributor is great enough to be highly attractive without reporting specific earnings.

## DISTRIBUTOR USE OF TRADEMARKS AND COMPANY NAME

As you create email addresses, websites, and sales tools to promote your Rain International independent distributorship, you need to be aware of the policies governing use of the Company name and its trademarks. The Company name “Rain International,” and the following Company marks and its after-acquired marks (collectively “Marks”) are protected, and can only be used under certain conditions.



RAIN® SOUL

RAIN® CORE

RAIN® (when referring to the brand and not to the company)

SOUL PURE WELLNESS®

Distributors cannot use any Company Marks, or confusingly similar marks, for any internet domain name or sub-domain name, email address or business name or in any other address or title. The following examples demonstrate how Company Marks could be used inappropriately by distributors:

Soulpurewellness@gmail.com  
Rainintl@yahoo.com  
www.rainsoul.com  
www.raynsoul.com  
www.anydomain.com/raininternational  
Rain Intl, LLC  
Soul Pure Wellness, Inc.

To assure that Rain International independent distributors are not confused with the Company, distributors should identify themselves on any literature, websites, social media sites, business cards, or communications (e.g. email) as an “Independent Rain International Distributor” or “Independent Rain Partner.” Where possible, distributors should display the following logo (more to come):



By understanding and adhering to the above policies and guidelines, you can move your Rain business forward with confidence, ensuring the longevity and continued success of your business and Rain International. We appreciate all you are doing to share the remarkable story of seed nutrition and Rain International. If you have any further questions, please contact the Rain Partner Education & Compliance Department at [compliance@rainintl.com](mailto:compliance@rainintl.com).