

BED BATH & BEYOND

Beyond any store of its kind.™



Corporate Office 650 Liberty Avenue, Union, NJ 07083

January 3, 2011

To Our Supplier Partners:

The letter serves to inform you of a compliance initiative that is taking effect by BED BATH & BEYOND and its subsidiary companies, HARMON STORES, INC., CHRISTMAS TREE SHOPS, INC. AND BUY BUY BABY, INC. (collectively, "BED BATH & BEYOND") that will require action on your part.

BED BATH & BEYOND is challenged with the growing pressures of compliance surrounding an ever increasing number of Federal, State, and local regulations. Additionally, BED BATH & BEYOND must make every effort to protect its brand, associates, customers and the communities we serve, as well as respond to the public concern for safer product alternatives. Your cooperation with the following initiative will help BED BATH & BEYOND better manage chemical containing products* and thus, alleviate many regulatory challenges.

BED BATH & BEYOND has selected the WERCSmart solution offered by The Wercs as our partner to manage our regulatory compliance requirements for chemical containing products.

New Policy:

Starting **January 31, 2011**, in order to on-board any new chemical containing product, suppliers will be asked to go to <http://www.supplierwercs.com> and follow the steps required to have your product assessed by the Wercs. Due to a pre-existing relationship with other retailers, many suppliers may have already provided product information using the WERCSmart solution. If this is the case, you must only authorize the Wercs to send BED BATH & BEYOND your MSDS and chemical assessment data. A small transmission fee for unique formulations will apply. New suppliers must set up an account and input the required information. Due to the importance of this information, failure to comply with this process will result in a delay in the on-boarding process of your new products.

The failure of BED BATH & BEYOND suppliers in reporting or accurately reporting the required MSDS and chemical assessment data may result in BED BATH & BEYOND incurring fines and/or charges as a direct result of federal, state and/or local regulatory audits. In such event, Bed Bath & Beyond will notify the affected supplier and shall be entitled to seek reimbursement of such fines and/or charges from said supplier which have been assessed to BED BATH & BEYOND as a result of such audit and its failure to comply with regulatory controls.

Additionally, **on or before January 31, 2011**, all existing chemical containing products currently being supplied to BED BATH & BEYOND must be added to the WERCSmart system:

We greatly appreciate your cooperation and partnership in our continued commitment to enhance compliance with State and Federal regulations, as well as lessen our impact on the environment within the communities we serve.

Kindly acknowledge receipt of this letter in the space provided below and **return a copy to the undersigned by email, facsimile or mail.**

Sincerely,

David Denenberg
Vice President, Merchandise Control
Email: wercsresponse@bedbath.com
Facsimile: (908) 688-5279

*chemical containing products can be a chemical, pesticide or aerosol and are defined as follows:

- Chemical - a product that contains a powder, gel, paste or liquid that is not intended for human consumption. [NOTE: This category applies to many Health and Beauty Care (HBC) products and Over-the-Counter (OTC) medications.]
- Pesticide – a product containing chemicals that is advertised or labeled to kill, repel or prevent the growth of any living organism.
- Aerosol - an item that contains a compressed gas or propellant.

Supplier Acknowledgement of Receipt and Agreement:

Company Name: _____

By: _____

Printed Name: _____

Title: _____