

FAQ's - MADE IN USA

(VENDOR - MERCHANT - ITEM CREATION TEAM)

WHY WAS THIS PROCESS CREATED

<ul style="list-style-type: none">● Kohl's Legal team has decided to be proactive in an effort to mitigate risks of potential legal challenges, fines, and/or enforcement requirements from the FTC regarding Made In USA.
<ul style="list-style-type: none">● It was determined that we would need to have a process created that would help with making sure that we are overall being compliant.
<ul style="list-style-type: none">● A best practice was created for Made In USA and rolled out to the merchant & digital teams
<ul style="list-style-type: none">● Vendors are being asked to validate their product by signing a Made In USA Substantiation Form which is located in DocuSign.<ul style="list-style-type: none">○ An email is sent to the vendor after the Item Creation Team has created or updated a new or existing style. (Please see the process below).

WHAT STEPS DO I NEED TO DO IF STYLES ALREADY EXIST BUT SHOULD BE MADE IN USA?

VENDOR
<ul style="list-style-type: none">● Step 1: The vendor will need to fill out a buy sheet/DSN that has only styles that are Made In USA and send to merchants.
<ul style="list-style-type: none">● Step 2: The vendor will need to notate that the buysheet/DSN they are submitting has existing styles that have already been set up but the merchandise should have been part of "Made In USA".
<ul style="list-style-type: none">● Step 3: The vendor will need to make sure that all styles on buy sheet/DSN need to be of the same claim.<ul style="list-style-type: none">○ All qualified claims need to be on the same buysheet/DSN○ All unqualified claims need to be on the same buysheet/DSN○ They cannot be combined on the same buysheet/DSN
MERCHANT
<ul style="list-style-type: none">● Steps 4: Merchants will send buysheet/DSN to Item Creation Team as a Maintenance request.

<ul style="list-style-type: none"> ● Step 5: Merchant teams will need to make sure to include three things in the "Additional Details" section when filling out the Item Optimization Cross Functional Request Form: <ul style="list-style-type: none"> ○ The styles are existing. ○ The product on the buysheet/DSN is "Made in USA" so the Item Creation teams will then be aware of how to create the merchant group name (MG). ○ If the merchant group has already been created, "MIUSA" will need to be added at the end of the MG name.
<ul style="list-style-type: none"> ● Step 6: Merchant teams will make sure to include vendor contact information on buysheet/DSN or in the "Additional Details" section of the form because the item creation team will need to know who to send the email to in DocuSign.
ITEM CREATION TEAM
<ul style="list-style-type: none"> ● Step 7: As a maintenance request, the Item Creation Specialists will move existing styles to a new merchant group and adjust the name by adding "MIUSA" at the end.
<ul style="list-style-type: none"> ● Step 8: Once the styles are set up, then the Item Creation Team will send an email through DocuSign to the vendor with the merchant group name asking them to fill out the Made In USA Substantiation Legal Form that is needed for Made In USA products.
VENDOR
<ul style="list-style-type: none"> ● Step 9: The vendor signs the Made In USA Substantiation Legal Form and emails it back to the Item Creation Team.
ITEM CREATION TEAM
<ul style="list-style-type: none"> ● Step 10: The Item Creation Team will then send the merchant group to vendor so it will be able to proceed though the process and the styles can then be attributed.

WHAT STEPS DO I NEED TO DO IF STYLES ARE NEW AND SHOULD BE MADE IN USA?

VENDOR
<ul style="list-style-type: none"> ● Step 1: The vendor will need to fill out a buy sheet/DSN that has only styles that are Made In USA and send to merchants.
<ul style="list-style-type: none"> ● Step 2: The vendor will need to notate that the buysheet/DSN they are submitting has new styles that should be part of "Made In USA".
<ul style="list-style-type: none"> ● Step 3: The vendor will need to make sure that all styles on buy sheet/DSN need to be of the same claim. <ul style="list-style-type: none"> ○ All qualified claims need to be on the same buysheet/DSN

- All unqualified claims need to be on the same buysheet/DSN
- They cannot be combined on the same buysheet/DSN

MERCHANT

- Steps 4: Merchants will send buysheet/DSN to Item Creation Team as a new item setup
- Step 5: Merchant teams will need to make sure to include two things in the "Additional Details" section when filling out the Item Optimization Cross Functional Request Form:
 - The product on the buysheet/DSN is "Made in USA" so the Item Creation teams will then be aware of how to create the merchant group name (MG).
 - The merchant group will be created, and "MIUSA" will need to be added at the end of the MG name.
- Step 6: Merchant teams will make sure to include vendor contact information on buysheet/DSN or in the "Additional Details" section of the form because the item creation team will need to know who to send the email to in DocuSign.

ITEM CREATION TEAM

- Step 7: Once the styles are set up, then the Item Creation Team will send an email through DocuSign to the vendor with the merchant group name asking them to fill out the Made In USA Substantiation Legal Form that is needed for Made In USA products.
- Step 8: Once the styles are set up, then the Item Creation Team will send an email through DocuSign to the vendor with the merchant group name asking them to fill out the Made In USA Substantiation Legal Form that is needed for Made In USA products.

VENDOR

- Step 9: The vendor signs the Made In USA Substantiation Legal Form and emails it back to the Item Creation Team.

ITEM CREATION TEAM

- Step 10: The Item Creation Team will then send the merchant group to vendor so it will be able to proceed through the process and the styles can then be attributed.

WHAT STEPS DO I NEED TO DO BEFORE THE MADE IN USA SUBSTANTIATION LEGAL FORM IS SENT IN DOCUSIGN

Before the Made In USA Substantiation Legal Form can be signed by the vendor, there are a few steps in the process that need to be completed first.

VENDOR

- Step 1: The vendor will fill out a buy sheet/DSN and send it to merchants.
 - The vendor will need to notate that the buysheet/DSN they are submitting either are new styles or existing styles that have already been set up but the merchandise should have been part of "Made In USA".
 - All styles on buy sheet/DSN will be "Made in USA" product only

MERCHANT

- Step 2: Merchants will send buysheet/DSN to Item Creation Team either as a new item setup or if they are existing styles, it will need to be sent as a Maintenance request.
 - Merchant teams will need to make sure to include two thing in the "Additional Details" section when filling out the Item Optimization Cross Functional Request Form:
 - i. The product on the buysheet/DSN is "Made in USA" so the Item Creation teams will then be aware of how to create the merchant group name (MG).
 - ii. If the merchant group has already been created, "MIUSA" will need to be added at the end of the MG name.
 - Merchant teams will make sure to include vendor contact information on buysheet/DSN or in the "Additional Details" section of the form because the item creation team will need to know who to send the email to in DocuSign.

ITEM CREATION TEAM

- Step 3: New Item Setup vs Maintenance Request
 - If it is a new item setup request, the Item Creation Specialist will create a new merchant group and add "MIUSA " in the merchant group name and set up all the styles on the buysheet/DSN.
 - If it is a maintenance request, the Item Creation Specialists will move existing styles to a new merchant group and adjust the name by adding "MIUSA" at the end.
- Step 4: Once the styles are set up, then the Item Creation Team will send an email through DocuSign to the vendor with the merchant group name asking them to fill out the Made In USA Substantiation Legal Form that is needed for Made In USA products.
 - As soon as the Made In USA Substantiation Legal Form is signed by the vendor and emailed back to the Item Creation Team then the merchant group will be able to proceed though the process.

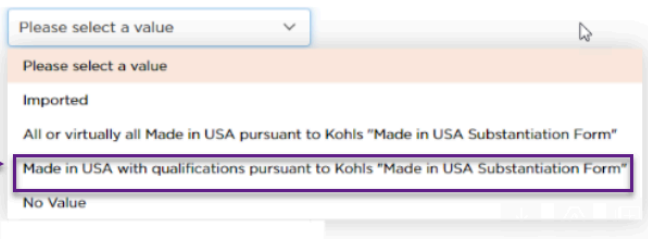
(VENDOR ONLY)

WHAT STEPS DO I NEED TO DO IF I AM FILLING IN MY ATTRIBUTES IN K-LINK UNDER "ORIGIN"?

- Step 1: You will only be able to select one option

- Step 2: In the Made In USA Substantiation form if you checked that the item in question is a qualified claim which means not every component of the product is Made In USA then in K-Link under "origin" you would need to select (Made in USA with qualifications pursuant to Kohls "Made in USA Substantiation Form").

Origin



Please select a value

Please select a value

Imported

All or virtually all Made in USA pursuant to Kohls "Made in USA Substantiation Form"

Made in USA with qualifications pursuant to Kohls "Made in USA Substantiation Form"

No Value

A purple arrow points to the selected option: "Made in USA with qualifications pursuant to Kohls 'Made in USA Substantiation Form'".

- Step 3: If a qualified claim, you will then need to provide the qualified Made In USA claim in the free form text right below origin.

If Made in the USA with qualifications pursuant to Kohl's "Made in USA Substantiation Form" was selected for the Origin attribute, please provide your qualified Made in USA claim

Choking hazard

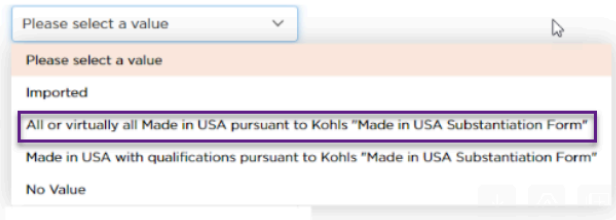


No

A purple arrow points to the free form text field.

- Step 4: If in the Made In USA Substantiation Form you selected that the item in question is a unqualified claim which means every component of the product is 100% Made In USA, then in K-Link under "origin" you would need to select (All or virtually all Made In USA pursuant to Kohls "Made In USA Substantiation Form"). At this point you would not need to fill in anything in the free form text.

Origin



Please select a value

Please select a value

Imported

All or virtually all Made in USA pursuant to Kohls "Made in USA Substantiation Form"

Made in USA with qualifications pursuant to Kohls "Made in USA Substantiation Form"

No Value

A purple arrow points to the selected option: "All or virtually all Made in USA pursuant to Kohls 'Made in USA Substantiation Form'".

- ❖ If any vendor encounters an issue moving forward, they can put "no value" in the free form text if they are choosing "imported" or "All or virtually all Made In USA pursuant to Kohls "Made in USA Substantiation Form"" under Origin.

WHAT COMPONENTS DO I NEED TO FILL OUT IN THE MADE IN USA SUBSTANTIATION FORM FROM THE EMAIL IN DOCUSIGN

There are 4 components in the Made In USA Substantiation Form that needs to be filled out before the vendor emails it back to the Item Creation Team:

- #1. Vendor Name (Please ensure the name matches what is in K-Link)

Made in USA Substantiation Form

#1

This Made in USA Substantiation Form (this "Substantiation Form") is provided by **Insert Legal Name of Vendor Here** ("Vendor") to Kohl's, Inc. ("Kohl's"). This Substantiation Form is provided as of the date set forth below and will continue in effect with respect to all merchandise supplied to Kohl's by or on behalf of Vendor. Further, this Substantiation Form in addition to and not in lieu of any obligations, representations, warranties, or other terms contained in Kohl's Merchandise Purchase Order Terms & Conditions and any other terms and conditions governing Kohl's order and Vendor's supply of merchandise ("Kohl's Terms").

- #2. Made In USA- Attachment A (Merchandising)
 - Provide Vendor Style Number, Sku Number & Sku Description

other terms and conditions governing Kohl's order and Vendor's supply of merchandise ("Kohl's Terms").

#2

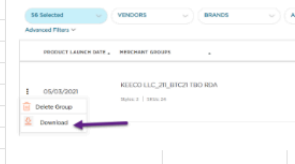
Merchandise: As set forth in the spreadsheet attached hereto and incorporated herein as Attachment A

Pursuant to this Substantiation Form, Vendor hereby represents and warrants that all merchandise supplied to Kohl's by or on behalf of Vendor (including, without limitation, the Merchandise specified above), shall comply with Section 5 of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 45, and 16 C.F.R. Part 323 (collectively, the "MUSA Rule").

MADE IN USA- ATTACHMENT A

Directions To Download Merchant Group From K-Link:

- Step 1: Log into K-Link
- Step 2: Pull up Merchant Group in question
- Step 3: Click on the 3 meatballs on the left side of merchant group
- Step 4: Click download (this will download into excel)



Step 5: Provide the following information:

- Vendor Style Number
- SKU Number
- SKU Description

Example below:

Vendor Style Number	SKU number	SKU Description
1148201	28147561	Disney 8pc Commemorative Series Storage
1148210	18223288	Disney 8pc Mickey Mouse Club Storage

- #3. Unqualified/Qualified Claim (Yes/No Section)
 - Select yes/no if the merchandise is a unqualified or qualified claim
 - If it is an unqualified claim, the products are 100% Made In USA
 - If it is a qualified claim, not every component of the product is Made In USA

By checking the applicable box, Vendor further represents and warrants the following:

#3

- (1) The final assembly or processing of the Merchandise occurred in the United States;
- (2) All significant processing that goes into the Merchandise occurred in the United States;
- (3) All or virtually all ingredients or components of the Merchandise are made and sourced in the United States; and
- (4) Vendor has all appropriate and necessary documentation to substantiate the foregoing and will promptly supply the same to Kohl's upon request.

Yes No

If answered NO, Vendor is NOT ELIGIBLE to make an unqualified claim or include any label that the Merchandise is "Made in the USA" or similar U.S.-origin claim without qualification

- (1) If NO to the above, a clear and conspicuous qualification appears immediately adjacent to the representation that accurately conveys the extent to which the Merchandise contains foreign parts, ingredients or components, and/or processing; and (2) Vendor has all appropriate and necessary documentation to substantiate the foregoing and will promptly supply the same to Kohl's upon request.

Yes No

If answered NO, Vendor is NOT ELIGIBLE to make any claim or include any label that the Merchandise is "Made in the USA" or similar U.S.-origin claim, with or without qualification

- #4. Vendor Signature

Vendor acknowledges that the information supplied and representations and warranties made in this Substantiation Form are true and correct and shall remain as such at all times with respect to the Merchandise. In addition to its obligations in the Kohl's Terms, Vendor shall indemnify, defend, and hold harmless Kohl's from and against any liabilities, damages, fines, penalties, taxes, costs, losses, and expenses, including reasonable attorneys' fees, arising out of, as a result of, or in connection with the information supplied in this Substantiation Form and/or Vendor's violation or alleged violation of applicable federal, state and local laws, rules, regulations, and/or ordinances (including, without limitation, the FTC Act and/or the MUSA Rule).

This Substantiation Form is agreed to by the following authorized representative of Vendor as of the date below:

SUPPLIER:

Insert Legal Name of Supplier Here

By: _____

Name: _____

Title: _____

Date: _____



(MERCHANT ONLY)

WHERE IS THE MADE IN USA BEST PRACTICE LOCATED?

- Step 1: Go to Workday in myKohls
 - myKohls - Human Resource - Workday
- Step 2: In the search box, please place the following information:
 - Lrn: Merchant Training: Made In USA Best Practice
 - If it doesn't appear in the main search box, please click on "More Categories" and scroll down to "Learning".
- Step 3: Please work through the 3 lessons provided