



Marketing and Advertising Guidelines

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Marketing and Advertising Guidelines

Why is Compliance Important?

To put it simply, Gerber Life expects that its agents will do the right thing. This means serving the client ethically and honestly, presenting products accurately, and following our rules as well as federal and state legal and regulatory requirements.

It is critically important for all agents to become familiar with federal and state regulations as well as Gerber Life's compliance requirements. This guide covers our requirements for independent agent/agency marketing and advertising.

Subject to Change

The information in this manual is subject to change without prior notice. If at any time changes are made to the manual, the agent will be notified of said change.

Objective

Gerber Life is committed to ensuring that all advertising and sales materials used to promote or sell our products meet the criteria required by statute, regulation, and the Company's standards. Gerber Life is also committed to protecting its assets, which include service marks, trademarks, trade secrets and copyrights.

Definition

Gerber Life's Definition of Advertising, based on state law:

"Advertisement" means material designed to create agent or public interest in insurance or annuities, or in an insurer or in an insurance agent; or to induce the public to purchase, increase, modify, reinstate, borrow on, surrender, replace or retain a policy including but not limited to:

- Printed and published material, audiovisual material, and descriptive literature of an insurer or insurance

agent used in direct mail, newspapers, magazines, radio and television scripts, billboards and similar displays, and the internet or any other mass communication media.

- Descriptive literature and sales aids of all kinds, authored by the insurer, its insurance agents or third parties, issued, distributed or used by the insurer or insurance agent ; including but not limited to: all electronic communications, such as web chat, e-mail, social media, text messages, web pages; circulars, leaflets, booklets, depictions, illustrations and form letters.
- Material used for the recruitment, training and education of an insurer's insurance agents which is designed to be used or is used to induce the public to purchase, increase, modify, reinstate, borrow on, surrender, replace or retain a policy.
- Prepared sales talks, presentations and materials for use by insurance agents. "Advertisement" shall not include:
 - Communications or materials used within an insurer's own organization and not intended for dissemination to the public.
 - Communications with policyholders, other than communications/material urging policyholders to purchase, increase, modify, reinstate or retain a policy.
 - A general announcement from a group or blanket policyholder to eligible individuals on an employment or membership list that a policy or program has been written or arranged for that group or blanket policyholder, provided the announcement clearly indicates that it is preliminary to the issuance of a booklet explaining the proposed coverage.

Guidelines

Compliance with Gerber Life's guidelines requires that all agents request company review and **APPROVAL BEFORE USE OF** any advertising and sales materials that refer to Gerber Life or its products, or are used to sell Gerber Life products.

This includes, but is not limited to, any use of the following:

- Agent created websites and advertising materials (including flyers, postcards, social media posts)
- Gerber Life's logo or Company information
- Product training materials
- Product/plan rates
- Print ads
- Brochures
- Sales emails
- Sales scripts
- Use of Rate Cards on Gerber Life products with Third Party Vendors
- Postings and comments on Social Media Accounts (e.g., Facebook, Twitter, LinkedIn and URLs) that make reference to or could be associated with Gerber Life

Advertising provided by Gerber Life has already been approved by the Company. Any change or modification to advertising materials supplied by Gerber Life must also be reviewed and **APPROVED** by Gerber Life **BEFORE USE**.

If you have created any websites, postings to social media or URLs and you have posted them without Gerber Life's prior approval, please remove immediately.

Third-Party Websites

Maintenance of third-party websites is not Gerber Life's responsibility; it is the responsibility of the third party. An Agent website should not create any ambiguity or confusion with its or any third party's affiliation with Gerber Life or any Gerber Life website.

For example:

- Third party/Agency websites should not be made to look as if it is a Gerber Life website. Websites should contain the name, logo (if any), and address of the Agency or third party that owns the website.
- The website should identify itself by providing the third party/Agency contact information, including an email address and preferably a toll-free number, for consumer/customer contact.
- Third party/agent websites should not have a registered URL with Gerber Life in the URL.
- Third parties/agents may not use Gerber Life registered trademarks or logos on their websites without prior permission (e.g., "We're with you every step of the way®").
- Third party/Agency websites should not contain links to Gerber Life's social media pages, such as Facebook or Twitter.
- Third party/Agency websites should not link to Gerber Life's websites for a Privacy Policy or Terms and Conditions. Third party websites should have their own Privacy Policy and Terms of Conditions.
- It is the responsibility of third party/Agency websites to ensure non-public personal financial information including, but not limited to, financial information ("NPI"), personal health information ("Protected Health Information" or "PHI"), and other confidential information is securely transferred, protected, and maintained.

Social Media Policy

Only officially, designated employees can use social media to speak on behalf of Gerber Life in an official capacity. Independent agents and agency staff are not authorized to speak or post on behalf of Gerber Life.

Posts on social media platforms reflecting on the Gerber or Gerber Life brand should demonstrate integrity, professionalism and standards of privacy.

Content such as racial, ethnic, sexual, religious, and physical disability slurs, threats, personal insults, libelous statements, obscenities, and other objectionable, inflammatory and unacceptable workplace conduct are not tolerated on any social media platform that may reflect on or be associated with the Gerber or Gerber Life brand.

Agents and agency staff are neither allowed to disclose client or consumer information that is financial, operational and legal in nature, nor any other information that pertains to clients and customers. The use of client names or other confidential or personally identifiable information is to be excluded from social media posts.

Agents and agency staff are not allowed to disclose Gerber Life financial information, sales trends, marketing and sales strategies, forecasts, promotional activities or other proprietary information on social media.

Agents and agency staff are not allowed to respond to any negative comments posted on social media platforms if those comments may or do reflect on the Gerber or Gerber Life brand. Any negative comments received or posted should be referred to Gerber Life for handling at usninglic-qctdigital@internal.gerberlife.com as soon as possible. Gerber Life authorized staff will then address the incident as deemed appropriate by the Company.

Providing Full Disclosure

An agent appointed with Gerber Life is required to fully disclose, both to the consumer and to the Company, all information that may affect any coverage. Full disclosure also means disclosing that the agent is acting as an insurance agent on behalf of Gerber Life and clearly identifying that the products being offered are insurance products, including the benefits and limitations of the products (e.g. graded death benefit). It is critical that the agent ensures that the consumer understands the product(s) they are purchasing, including having the mental capacity and understanding the English language, before completing the transaction. Any question should be addressed to Gerber Life's Agency Department at gerberlifeagency-sales@gerberlife.com.

In addition, a number of states have enacted specific laws and impose strict guidelines on the use of "senior-specific" certifications or professional designations that may mislead a consumer.

It is the position of Gerber Life that no agent may use "senior-specific" certifications or professional designations in connection with the sale of Gerber Life's products without prior approval from Gerber Life. The terms "financial planner," "investment advisor," "financial consultant," "financial analyst," "financial counselor," or other similar terms may also not be used in connection with the sale of Gerber Life's insurance products where there is no recognized designation to support it or such term is used to imply that the agent's sales activity or compensation is unrelated to insurance sales or that the agent receives fee-for-service compensation. However, this will not preclude an agent who holds a formally recognized financial planning or consultant designation from using his/her designation appropriately when selling insurance.

Acceptable Advertising

The following information is intended to be helpful to you in creating an acceptable life insurance or annuity advertisement; however, it is not an exhaustive list of advertising requirements.

Clarity and Disclosures

The form and content of an advertisement must be sufficiently complete and clear to avoid being perceived as misleading or deceiving. The standard is the impression a person of average intelligence within the target market would receive.

Advertisements must be truthful and not misleading in fact or implication. Unfamiliar insurance terminology or vague wording may not be used. Important information must not be buried in the text of the advertisement.

- Life insurance products must be identified as such. A policy name must be followed by the words **life insurance** or the name of the product — **guaranteed whole life insurance** for example.
- The true purpose of the advertisement must be clear, and all representations regarding the advertiser and products advertised must not be misleading. An advertisement must not omit material information or use words or illustrations that are deceptive in regard to premiums, losses covered and/or benefits.
- It must be clear that rider benefits are at extra cost if such is the case. Premiums stated must apply to the exact coverage and risk classification advertised.

Point-of-sale material or other invitations to contract must clearly state the type of policy, premium payment period, and any changes in face amount and premiums. Plan of insurance must be in close proximity to face and premium amounts. **Limitations affecting the basic provisions of the policy must be disclosed.** Renewability, cancellability, termination or modification of benefits and changes in losses covered or premiums payable must be clearly disclosed.

Before starting a life insurance sales presentation, a life insurance agent must identify himself or herself as such and give the full name of the insurance company represented. Sales presentations are considered advertising.

Statistics regarding a policy or company must be recent, relevant, complete and true. A company's age, financial standing, etc., may not be misrepresented. Claim settlements may not be described as liberal or generous. Unusual claim amounts may not be used as examples. Sources of statistics must be identified within all articles, sales presentations and/or websites (ex: on the final page/presentation slide, or in the footer of all documents).

- An advertisement may not make unfair or incomplete comparisons of policies or benefits and **shall not disparage competitors** or their policies, services, business methods or marketing.
- An advertisement intended to be seen in an area in which the insurer (or agent) is not licensed may not imply licensing in that area.
- Advertisements may not imply any connection with the federal or state governments and may not display symbols similar to those of governmental agencies.
- The name of the actual insurer must be stated, and there must be no doubt as to the identity of the insurer (as opposed to its parent organization, for example). The policy series form number of the policy advertised must be printed and the generic name of the policy given.

Premiums, Rates and Fees

The term **enrollment** may not be used except in connection with group insurance, and there must be no implication when soliciting a class of individuals, such as government employees, that they are receiving special rates. A limited period to apply for a policy may not be implied unless there are substantial benefits for applying during that period.

- If interest rates are advertised, guaranteed rates must be given equal prominence with current, non-guaranteed rates.
- The nonguaranteed nature of current interest rates and the short-term nature of limited period guarantees must be clearly and conspicuously disclosed.
- An advertisement that is an **invitation to contract** (generally point-of-sale material) must clearly and conspicuously disclose all surrender charges and fees.
- Premiums must be called premium, consideration, cost, payments or purchase payment. The word **deposit** may not be used.
- Renewal premiums must be given equal prominence with initial premiums.
- An advertisement may not refer to **free** insurance.
- A policy may not be referred to as **low cost** without substantiation, demonstrating lower claim, administrative and production costs resulting in low premiums.

Words to Avoid

The model regulation and state-specific advertising regulations outline certain words that are prohibited or have conditions attached to their use. Agents and general agents should simply avoid these words. One such example of this mentioned above is **deposit**. The word **deposit** is considered objectionable for at least two reasons. First, it minimizes the risk that the insurance company is undertaking in a life insurance or annuity contract and the cost thereof, and, second, it implies that the premium is available on demand.

The following are some examples of words and combinations of words to avoid: affordable, burial insurance, burial plan, cash dividends, charter plan, deposit, enrollment, expansion plan, estate planner, financial consultant, financial counseling, financial planner, founder's plan, free, generous, inexpensive, interest plan, investment, investment advisor, investment plan, no additional cost, no cost, profits, profit sharing, return, risk free, safe, savings, savings plan, tax free, vanishing premium, and without cost.

Logo Guidelines

- The logo must appear the same size as the other logos on the page.
- It cannot be altered in any way (ex. Baby head only, words changed, colors changed, etc)
- This language must appear on the page –
Gerber Life Insurance is a trademark. Used under license from Société des Produits Nestlé S.A. and Gerber Products Company. Copyright ©2025 Gerber Life Insurance Company, White Plains, NY.
- For approval on logo usage for websites, promotional items, and marketing material, please refer to the following Approval Procedures section.



Some Do's and Don'ts

All advertising and sales materials are subject to advertising regulations whether they are media advertisements, illustrations, brochures, cartoons or other sales literature. The list below may be helpful if you should develop advertising materials.

DO

- Include the full name of the insurance company, location and form number on printed materials. Include the policy series form numbers of any products advertised.
- **If the agent is representing more than one carrier:** Representing Gerber Life Insurance Company and other fine companies.
- Submit all seminar materials, as well as any information announcing or promoting the seminar, for Compliance Department review.
- Submit materials pertaining to another company to its compliance unit for review and to Gerber Life Insurance if the product offered is ours.
- Check your state's regulation concerning gift-giving and rebating. Information is updated yearly.
- Use the term **premiums** when describing annuity or life insurance premium payments.
- Use **retirement plan** only when referring to an annuity, 401(k) or pension plan; never when referring to a life insurance product.
- Use **investment** only when referring to a product that is registered with the SEC and offered by prospectus.
- Use **financial services** as a substitute term when discussing insurance and investment products in general.

DON'T

- Use the term **savings** when describing a life insurance policy or annuity contract.
- Use the term **retirement plan** when referring to life insurance policies.
- Use the term **deposit** when describing premium payments.

Comparisons

Comparisons are advertising and must be complete and accurate. Disparaging another insurance company is generally an unfair trade practice.

We can compare:

- One life insurance product with a similar life insurance product, but if cost is part of the comparison, life insurance interest adjusted indexes must be used. A ledger illustration may not be used to compare costs except to the extent cost indexes are involved. Ledger illustrations are for the purpose of showing the cash flow pattern of policies.

When using competitor information, the following disclosure must be included: ***Competitor information is obtained from sources believed to be reliable, but its accuracy or completeness is not guaranteed. This data is for informational purposes and is not intended as a solicitation or recommendation of any insurance product. Premium rates and underwriting classes may vary by company.***

- One life insurance product with another life insurance product. It is never appropriate to compare life insurance or annuity products to:
 - Certificates of deposit.
 - Mutual funds.
 - Other securities.

Do Not Call Regulations

When producers represent Gerber Life Insurance, they are expected to comply with federal and state Do Not Call regulations. Penalties for violating the rules by calling and soliciting someone whose telephone number is on the federal registry can be up to \$40,000 per call. Gerber Life is not responsible for any producer's violation of the telemarketing rules, and producers will be responsible for any fines levied against them by a regulatory agency as a result of failure to comply with the rules.

Copyright Guidelines

Copyright law protects companies, writers, artists and composers who create books, magazines, newspapers, cartoons, videos, songs, computer software, jingles and other works.

Gerber Life's policy is that field associates may not use copyrighted works or portions thereof without obtaining prior written approval and paying any fees involved. Proof of both written approval and payment of any required fees must be submitted to the Compliance Department with the sales material in which such works will appear. A copy of the approval must be kept in your files for as long as the sales or advertising material is in use.



Approval Procedures

Agents, general agents and brokers selling products underwritten by Gerber Life are required to use the following approval procedures:

All advertising and sales materials must be reviewed and approved by the home office before they are presented to the public. Any changes to approved materials must be resubmitted before use. This includes changes to the materials themselves, as well as proposed use with a different product or in a different state than that previously approved.

The steps in the approval procedure are as follows:

1. Send an electronic copy of the advertising and sales material to be reviewed by email to **Sales and Marketing at gerberlifeagencysales@gerberlife.com**. Allow 10 to 15 business days to process normal submissions. Turnaround may take longer if large, complex packages of materials are submitted or when state filing is required.
2. Gerber Life, in partnership with the Compliance and Legal Team, reviews the material for compatibility with Gerber Life marketing standards. The Compliance and Legal Team will review the material to ensure it complies with all regulatory requirements.
3. The Compliance and Legal Team returns material to Sales and Marketing, which communicates approval directly to the requester by email. If not approved, Sales and Marketing works with the requester to correct the issue and resubmits it for additional review.
4. If the requester decides not to proceed with the advertising material, he or she should inform Sales and Marketing immediately in writing so the file can be closed.

This process assures that any materials you develop are in compliance with regulatory requirements, state laws and Gerber Life's policy.

Home Office Advertising File

All advertising materials, including updates and revisions, are maintained in the home office central file for a minimum of five years after the date of last use.

Violations of Guidelines

The following are examples of violations:

1. Use of unapproved advertising materials or training materials (containing sales presentations) in connection with Gerber Life products or services.
2. Using advertising, sales or training materials that were previously approved by Gerber Life but that the user has altered, either as to the content, or as to use with a different product or in a different state than previously approved.
3. Using without written permission or without payment of any required fees any advertising, sales or training materials that contain works or portions thereof that are authored, owned or copyrighted by a third party.
4. Failing to certify that the agent, general agent or broker will use only approved advertising, sales and training materials. **Approved** materials are those that have been reviewed and approved by Gerber Life's Compliance and Legal Team.
5. Failure on the part of general agents, trainers or others with management responsibility to adequately supervise agents, brokers or other associates in connection with the use of advertising, sales and training materials as defined in these guidelines.

Corrective Actions

Violations of the advertising guidelines will result in corrective action, which may vary depending upon the severity of the violation or the number of incidents.

When a violation is believed to have occurred, the individual involved will receive a letter from an appropriate member of the Gerber Life team and be given the opportunity to respond. If it is determined that a violation occurred, an appropriate sanction will be issued. Sanctions may include probation or termination.

Return to good standing after a probation period requires an agreement as to future compliance and a demonstrated appreciation of market conduct issues. A violation during the probation period will be considered a breach of the agent, general agent or broker contract.

At all levels, company action is in addition to and independent of the actions of various government regulatory bodies.



We Are All in This Together

The financial services industry is highly technical. Because of the technical nature of our industry and a lack of understanding of financial products on the part of the public, most states have specified what they consider minimum standards of communication. We all have a vested interest in exceeding those standards. By providing accurate, understandable and honest information when communicating with the public, we serve ourselves as well as our prospective buyers.

Gerber Life will do its best to steer your advertising in the right direction through the compliance process.

You can help by observing the guidelines in this booklet and cooperating with the review process. Together we should promote satisfied, well-informed clients and avoid the multimillion-dollar lawsuits and the tarnished reputations that have hurt some of the giant companies of our industry.





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