

POLICY REGARDING CANDY WRAPPER ANNOUNCEMENTS

Many inquiries have been received by Hershey regarding the requirements and conditions for use of HERSHEY'S® milk chocolate bars and/or other of our candy products in connection with candy wrapper announcements. "Candy wrapper announcements" are wrappers designed to fit around an existing candy product. These wrappers usually bear creative designs and messages and are made to be sold or given to others. Hershey Chocolate & Confectionery Corporation, the trademark management subsidiary of The Hershey Company, and The Hershey Company (collectively, "Hershey"), must require that candy wrapper announcements satisfy the following requirements:

1. The candy wrapper announcement must not contain any trademark owned or licensed by Hershey or in which it has proprietary rights including, but not limited to the following: HERSHEY'S®; HERESHEIS®; HEREHEIS®; HERETHEYARE®; HE&SHE'S®, MR. GOODBAR®; MR. GOODBOY®; MR. GOODGUY®; MS. GOODGIRL®; PAYDAY®; ANNOUNCING IT'S A and Design®; IT'S A HERSHEY'S®; the famous HERSHEY'S® trade dress, that is, the color and design of the wrappers for HERSHEY'S® milk chocolate bars.

The candy wrapper announcement must not contain any trademark that is similar in appearance, pronunciation or commercial impression to any trademark owned or licensed by Hershey or in which it has proprietary rights. For example, and not by way of limitation, we consider infringing wrappers that are confusingly similar to our ANNOUNCING IT'S A and Design® mark (Registration No. 1,396,706) for wrappers with a cutout which exposes either the letters "SHE" or "HE" from the underlying HERSHEY'S® chocolate bar wrapper. We also consider infringing any wrapper bearing a mark or design similar to our IT'S A HERSHEY'S® mark (Registration No. 2,045,646) for wrappers on which the letters "SHE" or "HE" in the trademark HERSHEY'S® are printed in pink or blue, respectively. As additional examples only (and this is not an exclusive list of the uses we would find infringing), we would consider the following damaging to our trademark rights: GOOD & PRECIOUS used in conjunction with the trade dress associated with our GOOD & PLENTY products; OUR NEW JOY in association with the trade dress associated with our ALMOND JOY product; MR. GOODBABY whether or not used in association with the trade dress associated with our MR. GOODBAR candy product; and any modification to the plume extending from our KISSES® candy product.

2. The original wrapper for the HERSHEY'S® milk chocolate bar or any other of our candy products must remain intact, and the candy wrapper announcement must cover (but not be glued onto) the entire wrapper without any cutout which would expose any portion of the underlying wrapper.

3. Please be aware that chocolate quickly absorbs odors that may result in off-flavors. Please, therefore, do not use any form of glue or adhesive when securing the candy wrapper around the bars that has an odor or flavor that might migrate to the chocolate or that is otherwise not proper for use on food product packaging.

4. If you are overwrapping any of our HERSHEY'S MINIATURES™ candy bars, you must include in the package to your customer the following notice:

IMPORTANT PRODUCT INFORMATION

This product contains an assortment of HERSHEY'S MINIATURES™ chocolate bars, which includes MR. GOODBAR® chocolate bars, HERSHEY'S® milk chocolate bars, SPECIAL DARK® chocolate bars, and KRACKEL® chocolate bars. Allergy Information: Contains peanuts and milk ingredients. For a detailed ingredient listing, call 1-800-468-1714.

[Your Business Name]

[Your Business Telephone Number]

5. In the event you wish to refer in any advertising literature (including web sites) to the HERSHEY'S® candy bars or any other product of The Hershey Company, you must capitalize the brand name, e.g., "HERSHEY'S", place the registered trademark symbol "®" after the brand name, e.g. "HERSHEY'S®", and you must place the following statement in your advertising in a manner clearly indicating to whom these trademarks belong: "Trademarks indicate products manufactured by The Hershey Company. There is no affiliation between The Hershey Company, its divisions or subsidiaries, and _____ [insert your business name]."

Hershey cannot and will not endorse or sponsor your business, or appear to do so, or sanction your use of a wrapper that may violate its proprietary rights in some fashion. Please be aware that Hershey reserves the right to object to your wrappers in the future if it is determined that your wrappers violate Hershey's proprietary rights.

We appreciate your interest in Hershey's products and trust that you will understand that we must zealously protect our trademarks and copyrights in order to protect our shareholders and you, the consumer. Thank you in advance for your cooperation.

Sincerely,
The Hershey Company