Article III: CONSUMER HEALTHCARE PRODUCT; 
REQUIREMENTS; MEMBERSHIP

SEC. 1 Definition.
For the purposes of the Association, a consumer healthcare product is a food, 
drug, device, or cosmetic, as defined in the federal Food, Drug, and Cosmetic 
Act; recommended or intended for internal or external use by humans and sold 
or offered for sale to the general public without a prescription.

SEC. 2 Requirements.
For the purposes of the Association, a consumer healthcare product must be 
manufactured, packaged, labeled, and advertised, or otherwise promoted in 
compliance with the provisions of the federal Food, Drug, and Cosmetic Act, 
the Federal Trade Commission Act, and any other applicable statutes.

SEC. 3 Membership.
All persons, firms, or corporations who or which manufacture, own or 
control any consumer healthcare product which is sold in the United States 
for domestic use, is within product class limitations determined by the Board 
of Directors, and whose business does not consist in substantial part of the 
retail sale of goods other than consumer healthcare products manufactured or 
controlled by them, shall be eligible for Active Membership in the Association.

All persons, firms, or corporations who are otherwise interested in the sale, 
research, or promotion of consumer healthcare products as defined, and as 
meet the requirements set forth in this Article, shall be eligible for Associate Membership in the Association.

Only (i) Active Members and (ii) Associate Members elected to the Board 
of Directors (voting Associate Members) shall be entitled to vote. A voting 
member, through its Official Representative or other authorized officer, may 
designate its proxy in writing either to another voting member or to the 
Chair of the Association, or may vote by mail addressed to the Chair of the 
Association. Each voting member shall have one vote and, when so requested, 
shall designate the person who shall cast its vote.

SEC. 4 Application for Active Membership.
No applicant shall be considered eligible for Active Membership in the 
Association unless said applicant is a member of the consumer healthcare 
products industry in good standing as determined by the Board of Directors. 
To procure compliance with this requirement, each applicant for membership 
shall furnish the Association complete labeling for its consumer healthcare 
products, literature contained in or accompanying product packages, the 
advertising, and such other pertinent information as may assist the Board of 
Directors in determining whether the applicant is a member of the industry in 
good standing.

Article VII: ANNUAL DUES

SEC. 1 Fiscal Year.
The fiscal year of the Association shall be the calendar year.

SEC. 2 a. Active Membership.
For each fiscal year the annual dues for active membership in the Association 
shall be based on the member's annual net sales during the preceding calendar 
year of any consumer healthcare product within product class limitations 
determined by the Board of Directors under ART. III, SEC. 3 which (1) 
is manufactured or controlled by the member, or its parent or subsidiary 
corporations, if any, and (2) is sold in the United States for domestic use, 
according to a schedule of dues approved by the Board of Directors.

For the purpose of determining membership dues, net sales are gross sales less 
discounts and returns, on all consumer healthcare products within product 
class limitations determined by the Board of Directors sold by the Active 
Member or its affiliates, subsidiary corporations or divisions in the United 
States for domestic use, but a member may exclude sales of products which (1) 
are primarily toiletries or cosmetics, or, (2) in the case of a manufacturer, are 
controlled by another Active Member: Provided, however, that minimum dues 
for any Active Member shall be payable as set forth in the most current dues 
schedule approved by the Board of Directors.

The annual dues of Active Members shall be payable annually in January of 
each year.

SEC. 2 b. Associate Membership.
The annual dues for associate membership in the Association shall be fixed by 
the Board of Directors and shall be payable annually in January of each year.

SEC. 3 Pro Rating.
During any year in which a member of either class is elected to membership a pro 
rata payment only shall be required for the unexpired portion of the fiscal 
year.

SEC. 4 Delinquencies.
Whenever any member shall have failed to pay the established dues within 
thirty (30) days after notice of the same being due and payable, the Treasurer 
shall notify such delinquent member in writing that if at the expiration of thirty 
(30) days, said dues are still unpaid, such delinquency will be reported to the 
Board of Directors at its next regular session for appropriate action.

STATEMENT OF POLICY ADOPTED BY THE BOARD OF 
DIRECTORS, NOVEMBER 17, 2011

Consumer healthcare product class limitations for active membership: Under ART. III, SEC. 3, of the Association’s Bylaws, consumer healthcare products qualifying an applicant for active membership are limited to: (a) over-the-counter products regulated by the Food and Drug Administration as drugs and on which a drug claim is made; (b) dietary supplements as defined in the federal Food, Drug and Cosmetic Act as: a product labeled as a dietary supplement intended to supplement the diet that bears or contains a dietary ingredient that is a vitamin, mineral, herb or other botanical, amino acid, a dietary substance to supplement the diet by increasing the total dietary intake, or a concentrate, metabolite, constituent, extract, or combination of any of the prior ingredients; and that is intended for ingestion in tablet, capsule, or liquid form or, if not intended for ingestion in such form, is not represented for use as a sole item of a meal or the diet; and (c) denture cushions, denture retainers, denture repair kits, denture adhesives, denture cleaners, and dental plaque-disclosing agents regulated by the Food and Drug Administration as medical devices and legally sold without a prescription.

Materials to accompany an application for active membership:
To assist the Board of Directors in determining whether an applicant is a 
member of the consumer healthcare products industry in good standing, as 
required under ART. III, SEC. 4, of the Association’s Bylaws, each applicant for 
active membership shall furnish the Association with the following pertinent 
information:

- Complete labeling for its qualifying consumer healthcare products;
- Literature contained in or accompanying qualifying consumer healthcare 
  product packages;
- Advertisements for qualifying consumer healthcare products; and
- A statement as to whether the company or any of its principals or owners has 
  been convicted of criminal conduct related to the manufacture, ownership 
  or control of a consumer healthcare product.

Qualifying products for active member dues:
For each fiscal year the annual dues for Active Membership in the Association 
shall be based on the member's annual net sales during the preceding calendar 
year of any consumer healthcare product as defined in ART. III, SEC. 1, of the 
association’s Bylaws which (1) is manufactured, owned, or controlled by the 
member, or its parent or subsidiary corporations, if any, (2) is within product 
class limitations determined by the Board of Directors, and (3) is sold in the 
United States for domestic use, according to a schedule of dues approved by 
the Board of Directors. Consumer healthcare products on which dues are 
to be paid include (1) over-the-counter products regulated by the Food and 
Drug Administration as drugs and on which a drug claim is made; (2) dietary 
supplements as defined in the federal Food, Drug and Cosmetic Act; and 
(3) OTC denture devices (including cushions, retainers, repair kits, adhesives, 
cleaners, and plaque-disclosing agents regulated by the Food and Drug 
Administration as medical devices and legally sold without a prescription).