

## ITEM 19 FINANCIAL PERFORMANCE REPRESENTATIONS

The FTC's Franchise Rule permits a franchisor to provide information about the actual or potential financial performance of its franchised and/or franchisor-owned stores, if there is a reasonable basis for the information, and if the information is included in the Franchise Disclosure Document. Financial performance information that differs from that included in Item 19 may be given only if: (1) a franchisor provides the actual records of an existing Shop you are considering buying; or (2) a franchisor supplements the information provided in this Item 19, for example, by providing information about possible performance at a particular location or under particular circumstances.

Please read the following charts in conjunction with the notes that follow:

|                              | Special Venue |               |
|------------------------------|---------------|---------------|
|                              | Count         | %             |
| <b>≥\$600K</b>               | 4             | 36.4%         |
| <b>\$500,000 - \$599,999</b> | 1             | 9.1%          |
| <b>\$400,000 - \$499,999</b> | 1             | 9.1%          |
| <b>\$300,00 - \$399,999</b>  | 0             | 0%            |
| <b>\$200,00 - \$299,999</b>  | 4             | 36.4%         |
| <b>&lt;\$200K</b>            | 1             | 9.1%          |
| <b>Total</b>                 | <b>11</b>     | <b>100.0%</b> |

Note 1: Chart 1 reflects reported historical sales data for Special Venue Scoop Shops that operated during the 52-week period ending December 31, 2024 (including shops operating under the Food Service Provider Agreement, see Note 2, below). As of December 31, 2024, there were 11 Special Venue Scoop Shops that reported sales each month during this time period or that reported sales during those months that they are open for business, if they are only open seasonally. The median reported gross sales for these Special Venue Scoop Shops was \$463,407. The average reported gross sales in 2024 for these Special Venue Scoop Shops was \$635,597. Among these Special Venue Scoop Shops, the lowest reported gross sales for 2024 was \$181,773 and the highest reported gross sales for 2024 was \$1,970,336. The median is defined as the midpoint such that fifty percent of Scoop Shops attained or surpassed this figure and fifty percent of Scoop Shops did not surpass or did worse than this figure.

Note 2: From April 2002 until April 2012, Ben & Jerry's offered a Food Service Provider Franchise Agreement ("FSP Agreement"), which was typically offered to institutions and/or providers of food and other managed services, contract feeders, and the like. In 2012, the FSP Agreement was replaced by the Special Venue Franchise Agreement ("Special Venue Agreement"), which was made available to any operator who had access to a special or limited purpose, limited access, or captive audience facility, or other type of institutional account (including, for example, airports and other public transportation facilities, parks, stadiums, business and industrial complexes, government offices, military bases, educational institutions and

facilities, health care facilities, theaters, museums, art centers, zoos, warehouse clubs, amusement centers, and casinos). As these FSP Agreements expire, we migrate them to the Special Venue Agreement. Further, as Traditional Scoop Shop Franchise Agreements (see note 3B below) which were entered into for locations that have a limited purpose, limited access or captive facilities expire, we migrate them to the Special Venue Agreement.

Note 3: Chart 1 above does not contain any sales information from the following:

- A) There were 5 Special Venue Scoop Shops that have been open for less than the 52-week period ending December 31, 2024 if they opened for the first time or permanently closed during that course of time. There were 5 Special Venue Scoop Shops that were open seasonally.
- B) Ben & Jerry's scoop shops that are not Special Venue Scoop Shops ("Traditional Scoop Shops"). As noted in Item 1, this Franchise Disclosure Document does not describe the franchise program for Ben & Jerry's Traditional Scoop Shops which is set forth in a separate Scoop Shop Franchise Disclosure Document. A copy of the Franchise Disclosure Document for Traditional Scoop Shops will be made available to you upon request. We had 158 Traditional Scoop Shops open at least one month during the 52-week period ending on December 31, 2024, and these are not included in the stated results.
- C) Company-Owned Shops. Ben & Jerry's operates two (2) Company-Owned scoop shops in Vermont and these are not included in the stated results.

Note 4: The figures reflected in the chart were compiled from unaudited information reported to us by our franchisees. We have not independently verified any of the sales information upon which this financial performance representation is based and the information has not been prepared on a basis consistent with generally accepted accounting principles.

Note 5: The financial performance representations figures do not reflect the cost of goods, operating expenses or other costs or expenses (i.e. rent) that must be deducted from the gross sales figures to obtain your potential net income or profit. You should conduct an independent investigation of the costs and expenses you will incur in opening and operating your Ben & Jerry's Scoop Shop.

Note 6: Many of the shops included in this data have been open and operating for years. These franchisees have achieved their level of sales after spending many years building customer goodwill at a particular location. A newly opened business should not be expected to achieve sales volume (or maintain expenses) similar to those of an established business.

Note 7: The Special Venue Scoop Shops represented in this chart include locations in airports, amusement parks, attractions, casinos, cinemas, cruise ships, resorts, and universities. As potential customer volume and traffic patterns vary widely within the Special Venue category, so do the sales volumes.

Note 8: The sales results for a Ben & Jerry's Special Venue Scoop Shop are affected by a number of factors including but not limited to: the physical location of your Special Venue Scoop Shop; local demographics, including daytime and residential population and income levels; site characteristics (i.e. visibility, traffic count, ease of ingress and egress, parking availability);

seating; seasonality (particularly in colder climates); local competition; brand and product awareness in the geographic area in which the Special Venue Scoop Shop is located; and your individual marketing efforts. Sales may also be affected by other factors such as weather events and road construction affecting traffic patterns. Sales may also be affected by the strength of and public reception to the Ben & Jerry's brand, by overall brand marketing, by flavor availability and by the overall public desire for super-premium ice cream.

Note 9: Your sales will be affected by your own operational ability, which may include your experience with managing a business, your capital and financing (including working capital), continual training of you and your staff, customer service orientation, your business plan and the use of experts (for example, an accountant) to assist in your business plan. Your sales may be negatively affected if you do not adhere to our standards and systems. There are numerous factors that may affect sales at your Special Venue Scoop Shop, and the factors listed above and below are not an all-inclusive list of those factors.

Note 10: Global events such as pandemics, wars and natural disasters can impact your business. For example, the COVID 19 pandemic caused significant disruptions in customer demand, the supply chain for products and services, employee availability, and other aspects of operating a Scoop Shop. Moreover, inflation, local minimum wage laws and other circumstances beyond our and our affiliates' control can potentially increase the cost of labor and the production costs of the Products and other items that we require to be used, sold or offered in connection with the operation of a Scoop Shop. Accordingly, it is imperative to consider such factors when evaluating the Ben & Jerry's franchise offering.

Note 11: We do not make any promises or representations of any kind that you will achieve any particular results or level of sales or profitability or even achieve break-even results in any particular year of operation.

Note 12: Except for the information presented above, we do not make any representations about a franchisee's future financial performance or the past financial performance of franchised shops. We also do not authorize our employees or representatives to make any such representations either orally or in writing. If you receive any other financial performance information or projections of your future income, you should report it to the franchisor's management by contacting: Ben & Jerry's Franchising, Inc., 530 Community Drive, Suite 1, South Burlington, Vermont, 05403 or at (802) 846-1500, the Federal Trade Commission, and the appropriate state regulatory agencies.

Note 13: Written substantiation for the financial performance representation will be made available to you upon reasonable request.

**Please note: Some Ben & Jerry's Scoop Shops have sold the amounts reflected in the charts above. Your individual results may differ. There is no assurance that you'll earn as much.**

**ITEM 20**  
**OUTLETS AND FRANCHISEE INFORMATION**

**Table No. 1**  
**Systemwide Special Venue Scoop Shop Outlet Summary**  
**For Years 2022 to 2024**

| <b>Outlet Type</b>   | <b>Year</b> | <b>Outlets at the Start of the Year</b> | <b>Outlets at the End of the Year</b> | <b>Net Change</b> |
|----------------------|-------------|---|---------------------------------------|-------------------|
| Franchised           | 2022        | 38                                      | 35                                    | -3                |
|                      | 2023        | 35                                      | 22                                    | -13               |
|                      | 2024        | 22                                      | 17                                    | -5                |
| Company-Owned        | 2022        | 0                                       | 0                                     | 0                 |
|                      | 2023        | 0                                       | 0                                     | 0                 |
|                      | 2024        | 0                                       | 0                                     | 0                 |
| <b>Total Outlets</b> | <b>2022</b> | <b>38</b>                               | <b>35</b>                             | <b>-3</b>         |
|                      | <b>2023</b> | <b>35</b>                               | <b>22</b>                             | <b>-13</b>        |
|                      | <b>2024</b> | <b>22</b>                               | <b>17</b>                             | <b>-5</b>         |

**Notes:**

- 1) All numbers are as of December 31 for each year.
- 2) We and/or our affiliates also have franchises and/or company-owned stores in portions of Europe and Asia, as well as Australia and New Zealand, Canada, and in the Caribbean. For details, visit our website at [www.benjerry.com](http://www.benjerry.com).
- 3) This Franchise Disclosure Document does not describe the franchise program for Ben & Jerry's traditional Scoop Shops, which is set forth in a separate Scoop Shop Franchise Disclosure Document. A copy of the Franchise Disclosure Document for traditional Scoop Shops will be made available to you upon request.

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