

Provision	Section in Development Agreement	Summary
r. Non-competition covenants after the franchise is terminated or expires	§ 8.2	Includes 2-year prohibition identical to those described in section “q” above, within or within a 5-mile radius of the Development Area or any Shop then-operating under the System.
s. Modification of the agreement	§ 15.1	Must be in writing executed by both parties.
t. Integration/ merger clause	§ 15	Only the terms of the Development Agreement and Franchise Agreement(s) are binding (subject to state law). Any representations or promises outside of the disclosure document, Development Agreement and Franchise Agreement(s) may not be enforceable.
u. Dispute resolution by arbitration or mediation	§ 17.2	Non-binding mediation by mediator or through established mediation program we select or by an agreed upon mediator.
v. Choice of forum	§ 17.4	Judicial district where we have our principal place of business at the time the action is initiated.
w. Choice of law	§ 17.1	Vermont Law.

ITEM 18 **PUBLIC FIGURES**

We do not use any public figures to promote our franchise.

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:

CHART 1
Reported Gross Sales for Scoop Shops open all 12 months in 2024

	Community		Quick Fix		Tourist		TOTAL	
	Count	%	Count	%	Count	%	Count	%
≥\$600K	35	42%	0	0%	28	70%	63	51%
\$500,000 - \$599,999	14	17%	1	100%	1	2.5%	16	13%
\$400,000 - \$499,999	15	18%	0	0%	4	10%	19	15%
\$300,000 - \$399,999	8	10%	0	0%	4	10%	12	10%
\$200,000 - \$299,999	8	10%	0	0%	2	5%	10	8%
<\$200K	3	3%	0	0%	1	2.5%	4	3%
Total	83	100%	1	100%	40	100%	124	100%

CHART 2
Reported Gross Sales for Seasonal Scoop Shops in 2024

	Community		Quick Fix		Tourist		TOTAL	
	Count	%	Count	%	Count	%	Count	%
≥\$600K	0	0%	0	0%	1	6%	1	6%
\$500,000 - \$599,999	0	0%	0	0%	1	6%	1	6%
\$400,000 - \$499,999	0	0%	0	0%	2	13%	2	11%
\$300,000 - \$399,999	0	0%	0	0%	4	25%	4	24%
\$200,000 - \$299,999	0	0%	0	0%	4	25%	4	24%
<\$200K	1	100%	0	0%	4	25%	5	29%
Total	1	100%	0	100%	16	100%	17	100%

Note 1: As is standard business practice for Ben & Jerry’s, each scoop shop has been assigned one of three customer profile categories: Community, Tourist, or Quick Fix.

A) A Community shop’s primary customers are residents of the area who visit Ben & Jerry’s as an occasional splurge, typically in a leisure-time setting. They may consider the shop to be “their local Ben & Jerry’s.” Real estate types include downtowns, lifestyle centers, strip centers, and malls. With the exception of malls, these are typically storefront locations, over 700 square feet, with seating for customers, and they typically serve a full menu. Mall locations are typically walk-up counters or kiosks with a limited menu, and rely on shared seating with other businesses or have no seating at all.

B) A Tourist shop is typically found in areas where people vacation, and whose primary customers are tourists who are enjoying a visit to Ben & Jerry's as part of their vacation/tourist activities. Real estate types include downtowns, entertainment centers, outlet centers and beaches. These are typically storefront locations, over 700 square feet, with some seating for customers, and they typically serve a full menu. There are some limited-menu counters and kiosks in this category as well.

C) A Quick Fix shop is a small location (under 500 sq. ft.) with limited menu offerings, typically found in places where consumers are on the go and just want to grab a snack before moving on to their intended next stop. Shops are typically walk-up counters or kiosks and rely on shared seating with other businesses or have no seating at all. Real estate types include airports and other public transportation facilities, stadiums, educational institutions and facilities, health care facilities, cinemas, and zoos.

Note 2: "Gross Sales" means revenue from the sale of all Products and all other income, whether for cash or credit, of every kind and nature related to the Shop, Off-Premises Activities, On-Demand Sales and Mobile Vending, but excluding all sales taxes.

Note 3: Chart 1 reflects reported historical sales data for Scoop Shops that have been continuously operating, and that reported sales for the 52-week period ending December 31, 2024. As of December 31, 2024, there were 124 Scoop Shops that reported sales each month during this time period. The median reported Gross Sales for the Scoop Shops in Chart 1 was \$612,025. The average reported Gross Sales in 2024 for the Scoop Shops in Chart 1 was \$664,319. Among the Scoop Shops in Chart 1, the lowest reported Gross Sales for 2024 was \$138,455 and the highest reported Gross Sales for 2024 was \$2,434,012. 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 4: Chart 2 reflects reported historical sales data for Seasonal Shops that have been operating, and that reported sales for an abbreviated number of months during the 52-week period ending December 31, 2024. A Seasonal Shop is typically defined as a location open for an abbreviated number of months annually due to the fact that the customer base drops off significantly at certain times of the year (for example, a beach location or a college). As of December 31, 2024, there were 17 Seasonal Shops that reported sales for each month they were open. The median reported Gross Sales for these Seasonal Scoop Shops was \$280,489. The average reported Gross Sales for the Seasonal Shops in Chart 2 was \$319,608. Among the Seasonal Shops in Chart 2, the lowest reported Gross Sales for 2023 was \$98,903 and the highest reported Gross Sales for 2024 was \$722,247. 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 failed to surpass or did worse than this figure.

Note 5: Charts 1 and 2 above do not contain any sales information from the following:

A) Certain Scoop Shops. There were 15 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 2 Scoop Shops that were closed for 1 or more months due to weather.

B) Satellite Shops. Satellite Shops are defined in Item 1 of this Franchise Disclosure Document and are only offered to existing franchisees. There were 15 Satellite Shops operating as of December 31, 2024. These shops ranged from \$77,605 to \$994,071 with a median of \$314,195. The average for these shops was \$394,518.

C) Test Shops. Test Shops are defined in Item 1 of this FDD. There were 2 Test Shops in operation as of December 31, 2024.

D) Special Venue Scoop Shops. From April 2002 until April 2012, we 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 the old FSP Agreements expire, we migrate them to the Special Venue Agreement. Further, as old Scoop Shop Franchise Agreements which were entered into for locations having a limited purpose, limited access or captive facilities expire, we migrate them to the Special Venue Agreement. We had 22 Special Venue Scoop Shops (including shops operating under the FSP Agreement) open at least one month during the 52-week period ending on December 31, 2024. As noted in Item 1, this Franchise Disclosure Document does not describe the program for Special Venue Scoop Shops, which is set forth in a separate Special Venue Scoop Shop Franchise Disclosure Document. A copy of the Special Venue Scoop Shop Franchise Disclosure Document will be made available to you upon request.

E) Company-Owned Shops. We operate two (2) Company-Owned scoop shops in Vermont and these are not included in the stated results.

Note 6: The figures reflected in the charts 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 7: 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 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 8: 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 9: The sales results for a Ben & Jerry’s Scoop Shop are affected by a number of factors including but not limited to: the physical location of your 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 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 10: 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 Scoop Shop, and the factors listed above and below are not an all-inclusive list of those factors.

Note 11: Many Ben & Jerry's franchisees actively pursue off-premise sales opportunities, defined as any catering or special event(s) executed by your Shop, at a location other than your Shop. The reported Gross Sales data in the above charts include off-premise sales for those shops that pursue off-premise sales. Franchisees who do not pursue these opportunities may be negatively affected.

Note 12: Many Ben & Jerry's franchisees also actively pursue ice cream cake sales opportunities. If you do not, your sales may be negatively affected. The reported gross sales data in the above charts include cake sales for those shops that pursue cake sales.

Note 13: 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 14: 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 15: 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 802-992-2291, the Federal Trade Commission, and the appropriate state regulatory agencies.

Note 16: 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 (A)
Systemwide Scoop Shops Outlet Summary
For Years 2022 to 2024

Outlet Type	Year	Outlets at the Start of the Year	Outlets at the End of the Year	Net Change
Franchised	2022	161	155	-6
	2023	155	149	-6
	2024	149	152	+3
Company-Owned	2022	2	2	0
	2023	2	2	0
	2024	2	2	0
Total Outlets	2022	163	157	-6
	2023	157	151	-6
	2024	151	154	+3

Notes:

- 1) All numbers are 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.
- 4) As described in Item 1, we previously franchised “Featuring Scoop Shops.” We no longer offer these franchises.
- 5) As of December 31, 2024, we had a total of 17 franchised Special Venue Scoop Shops, which include Shops operated at Institutional Facilities; this franchise program is described in a separate Disclosure Document.

Table No. 1(B)
Systemwide Satellite Scoop Shops Outlet Summary
For Years 2022 to 2024

Outlet Type	Year	Outlets at the Start of the Year	Outlets at the End of the Year	Net Change
Franchised	2022	14	14	0
	2023	14	14	0