

Vendor Code of Conduct

As a pharmaceutical company, Menlo Therapeutics Inc. and its affiliates (collectively “Menlo”) conduct a wide array of activities in the global health care marketplace, including manufacturing, research, medical and other education, marketing and sales. Also, Menlo is a US public company that interacts with governments and other third parties. These activities are subject to numerous legal and ethical standards, many of which are unique to the health care industry.

Menlo is committed to ethical and lawful behavior, and to acting professionally and fairly in all business dealings and relationships. Menlo seeks to maintain high ethical standards and to comply with all applicable laws, regulations and other legal requirements in every country in which Menlo does business. Accordingly, Menlo seeks to conduct business with third-party Vendors who share our commitment to high ethical standards and operate in a responsible and ethical manner.

This Vendor Code of Conduct is designed to detail our expectations and the responsibilities of the Vendors who work with Menlo.

General Responsibilities

Menlo relies on an innovative and competitive Vendor base to provide it with products and services that will meet its business requirements. Menlo employees are required to comply with company policies and procedures that are designed to ensure the following:

- Best total value from Vendors who are selected, which includes quality, service and cost
- Menlo intellectual capital is protected
- Vendors are treated fairly and equitably
- Vendors operate in a responsible and ethical manner, consistent with applicable legal requirements

All employees are expected to act at all times in accordance with good business judgment for the benefit of the Company and to avoid activities that could create a conflict of interest or appearance of such a conflict. Vendors in turn are required to comply with the guidance provided in this Vendor Code of Conduct to be considered a Vendor in good standing and as a condition of continuing a business relationship with Menlo.

Menlo expects integrity – of our employees, our directors and our Vendors – in all we do. This Vendor Code of Conduct incorporates the principles of lawful and ethical conduct that Menlo expects of its Vendors, and any of their subcontractors.

Vendors are encouraged and expected to seek guidance or raise concerns to Menlo related to potential violations of this Vendor Code of Conduct or applicable Menlo policies.

Menlo offers confidential web-based and telephone reporting lines to employees and third-party Vendors. Anonymity is provided to users of these reporting systems who wish to remain anonymous. Vendors who have knowledge of or suspect any misconduct should promptly report this information to Menlo:

- Call 1-844-914-0398 for US reporting; please visit foamix.ethicspoint.com for a list of international numbers.

- Use our web-based reporting at foamix.ethicspoint.com.

By accepting our business terms and agreeing to do business with Menlo, all Vendors are agreeing to comply with this Vendor Code of Conduct.

Good Manufacturing, Clinical and Laboratory Practices (GXP) Quality

Where applicable, a Vendor supplying Menlo with GXP materials and services shall comply with Menlo requirements and the GXPs as set forth in current applicable regulations, standards, and pharmacopeia. Vendors must also ensure appropriate communication mechanisms between the quality organizations of Menlo and the Vendor. A Vendor is expected to furnish all labor, supervision, machinery, equipment, materials, supplies, licenses, permits, and all other requirements necessary to provide the materials and perform the services in compliance with this Vendor Code of Conduct. That Vendor will conduct all contracted product and service-related activities in accordance with the agreed-upon quality criteria, and applicable supply agreements executed between the Vendor and Menlo.

The Vendor shall have in place a quality system to manage and control its operations in adherence to the cGXPs where applicable, as set forth in the United States Code of Federal Regulations and other applicable local laws and regulations guiding services and materials for use in the development, manufacture, testing and distribution of pharmaceutical products including European regulations, where applicable.

Business Conduct and Ethics

Menlo expects its Vendors to comply with the letter and spirit of all applicable laws, rules, and regulations in the countries and geographies in which they operate. Additionally, Menlo expects its Vendors to comply with all the principles set out in this Vendor Code of Conduct. Vendors shall conduct their business in an ethical manner and act with integrity. The ethics elements include:

Intellectual Property: Comply with the intellectual property ownership rights of Menlo including but not limited to copyrights, patents, trademarks and trade secrets; and manage the transfer of technology and know-how in a manner that protects intellectual property rights.

Trade: Comply with all applicable trade controls, as well as all applicable export, reexport, and import laws and regulations.

Antitrust/Fair Business Practices: Vendors must comply with antitrust laws – known globally as “competition laws.” Furthermore, Vendors must abide by fair business practices, including truthful and accurate advertising.

Business Records: Honestly and accurately record and report all business information and comply with all applicable laws regarding their completion and accuracy. Create, retain and dispose of business records in full compliance with all applicable legal and regulatory requirements. Demonstrate honesty and integrity in discussions with regulatory agency representatives, government officials, etc.

Menlo expects Vendors to provide honest and accurate invoices. Invoices should be itemized, include the Purchase Order number (when relevant), be supported by appropriate documentation, and comply with all other requirements as set out in the relevant contract(s). Invoices may not be split to circumvent approval requirements.

Business Integrity, Reputation and Fair Competition: Corruption, extortion and embezzlement are prohibited. Vendors shall not offer, pay or accept bribes or participate in other illegal inducements in business or government relationships.

Confidential Information, Privacy and Data Security: Vendors must sign and abide by Menlo's confidentiality disclosure agreements, which protect the proprietary information of Menlo and its clients. When Vendors handle personally identifiable information on behalf of Menlo, belonging to Menlo or its clients, the Vendor must contractually commit to apply privacy and information security safeguards. Such Vendors shall also be subject to an online information security assessment.

Vendors may not communicate externally, including in marketing presentations, about Menlo's prospects, performance or policies nor disclose Inside Information without prior written approval from Menlo. Insider Information can be defined as a nonpublic fact regarding the plans or condition of a publicly traded company that could provide a financial advantage when used to buy or sell shares of the company's stock. Vendors must safeguard Menlo's confidential or proprietary information.

Anti-Bribery and Anti-Corruption: Menlo takes a zero-tolerance approach to bribery and corruption and requires Vendors to take the same approach.

Never participate in bribes or kickbacks of any kind, whether in dealings with public officials or individuals in the private sector. Menlo is committed to observing the standards of conduct set forth in the U.S. Foreign Corrupt Practices Act ("FCPA") and the anti-corruption and anti-money laundering laws of the countries in which Menlo operates and does business. Vendors must comply with all applicable anti-corruption and anti-money laundering laws, including the FCPA, as well as laws governing lobbying, gifts, and payments to public officials, political campaign contribution laws and other related regulations.

A Vendor may not:

- Offer or allow anything of value to be given on behalf of Menlo in order to gain an improper advantage;
- Offer or allow anything of value to be given to a Menlo employee in order to gain an improper advantage; and,
- Ask for or accept anything of value which the Vendor knows or suspects is being offered in order to obtain an improper advantage.

Marketing and Promotional Practices: All marketing and promotional materials and activities must conform to high ethical, medical, and scientific standards, and comply with all applicable laws and regulations. All Vendors engaged in marketing and promotional practices are expected to know, understand and comply with all applicable legal and regulatory requirements, and comply with Company policies and procedures related to the review, use and distribution of such materials. Promotional materials and activities that mention the products or services of third parties (e.g., Menlo competitors) must fairly and accurately represent these products and services.

Privacy: Vendors shall protect the confidentiality and security of Personally Identifiable Information (PII) by ensuring implementation of appropriate safeguards. Use and disclosure of PII must be limited to those purposes for which it was received to ensure that individuals' privacy rights are protected. PII, as

used in U.S. privacy law and information security, is information that can be used on its own or with other information to identify, contact or locate a single person, or to identify an individual in context.

Where a Vendor utilizes systems that are generating, transmitting, storing, maintaining or managing electronic signatures, electronic records, or patient information, the Vendor must have validated those systems and maintain them in a state consistent with the requirements set forth in 21 CFR Part 11 and HIPAA.

Payments to Third Parties: Many countries have adopted transparency legislation or codes that require the retention and reporting of payments made to doctors and other health care providers, patient organizations, hospitals, teaching institutions and other medical organizations. Vendors who make such payments (for example, Clinical Research organizations) are expected to retain such records and provide them to Menlo in a manner that enables Menlo to meet its reporting requirements under these laws.

Tax Evasion and the Facilitation of Tax Evasion: Menlo takes a zero-tolerance approach to our Vendors committing or facilitating tax evasion. Vendors (and each of their subcontractors) are expected to have policies and procedures in place to prevent employees and other associated persons from committing or facilitating tax evasion.

Labor

Menlo expects its Vendors to share its commitment to human rights and equal opportunity in the workplace and conduct their employment practices in full compliance with all applicable laws and regulations, and to treat them with dignity and respect. Vendors should be aware that they will be subject to Menlo's due diligence process and must be in compliance prior to commencement of an engagement. Labor elements include:

Fair Treatment and Anti-Discrimination: Vendors will provide a workplace free from harsh and inhumane treatment such as sexual harassment and/or corporal punishment, and free from illegal discrimination.

Wages, Benefits and Working Hours: Vendors will comply with local applicable wage laws regarding wages, overtime hours and mandated benefits. Vendors will communicate with workers about compensation, including any overtime pay, in a timely manner.

Freely Chosen Employment: No Vendor will use any form of slave or forced labor. This includes involuntary prison labor.

Child Labor: No Vendor will use child labor. All employees shall be age 18 years old and over, unless: (1) a country's legal age for employment or age for completing compulsory education is under 18 years old; and, (2) the work is non-hazardous.

Human Rights Compliance: Vendors and their subcontractors will comply with all applicable human rights laws, statutes, regulations and codes. Vendors shall implement due diligence procedures for their own suppliers, subcontractors and other participants in their supply chains, to ensure that there are no human rights violations, including but not limited to slavery, child labor or human trafficking in their supply chain. Vendors shall notify Menlo as soon as they become aware of any breach, or potential breach, of human rights in their business or supply chain.

Freedom of Association: Vendors must respect their workers' rights to associate together regarding working conditions, and to join unions, form work councils and engage in labor negotiations, including collective bargaining. Vendors shall not intimidate or harass any worker who participates in such associations.

Environment, Health and Safety

Menlo expects Vendors to provide a healthy and safe working environment for their workers. Vendors shall operate in an environmentally responsible and efficient manner to minimize adverse impacts on the environment. Vendors are encouraged to conserve natural resources, avoid the use of hazardous materials where possible and engage in activities that reuse and recycle. The environmental elements include:

Protection of Workers: Vendors shall protect their workers, and any visitors to their facilities, from exposure to chemical, biological and physical hazards. Vendors shall monitor their workplace for any other safety hazards and provide a safe and secure environment for workers and visitors. Information and training regarding any hazardous materials – including pharmaceutical compounds and pharmaceutical intermediate materials, where applicable – will be provided by Vendors.

Environmental Compliance: Vendors shall comply with all applicable environmental regulations. All required environmental permits, licenses, registrations and restrictions shall be obtained and their operational and reporting requirements followed.

Waste and Emissions: Vendors shall have systems in place to ensure the safe and lawful handling, movement, storage, recycling, reuse, or management of waste, air emissions and wastewater discharges. Vendors are encouraged to conserve natural resources, to reuse and recycle and to avoid use of hazardous materials where possible. Any waste, wastewater or emissions with the potential to adversely impact human or environmental health shall be appropriately managed, controlled and treated prior to release into the environment.

Spills and Releases: Vendors shall have appropriate systems and processes in place to identify, prevent and mitigate any risk of chemical spill, accidental spills, releases to the environment or other event that would pose a threat to worker safety and/or to the environment. Vendors shall provide a safe and healthy working environment, including for any company-provided living quarters. These processes include emergency plans in the case of an unsafe event and response procedures should such an event occur. The Health and Safety elements include:

- **Worker Protection:** Vendors shall protect workers from over exposure to chemical, biological, physical hazards and physically demanding tasks in the work place and in any company provided living quarters.
- **Process Safety:** Vendors shall have programs in place to prevent or mitigate catastrophic releases of chemicals.
- **Emergency Preparedness and Response:** Vendors shall identify and assess emergency situations in the workplace and any company-provided living quarters and minimize their impact by implementing emergency plans and response procedures.

Hazard Information: Safety information relating to hazardous materials including pharmaceutical compounds and pharmaceutical intermediate materials shall be available to educate, train and protect workers from hazards.

Business Continuity: Vendors are responsible for the development and implementation of appropriate business continuity plans for operations supporting Menlo business. These plans should be designed and kept current to promptly recover and restore partially or completely interrupted critical functions to minimize disruption to Menlo's business and protect Menlo's reputation.

Animal Welfare

Animals should be treated respectfully, with pain and stress minimized. Animal testing should be performed after consideration to replace animals, reduce the numbers of animals used or refine procedures to minimize distress. Alternatives should be used wherever scientifically valid and acceptable to regulators.

Oversight Controls

Menlo requires all Vendors to have quality controls in place, that are designed to meet Company policy and business rule requirements, as established for each Vendor. Vendors shall use systems to facilitate continual improvement and compliance with the expectations of these principles. The system elements include:

Commitment, Accountability and Risk Management: Vendors shall demonstrate commitment to the concepts described in this document by allocating appropriate resources. Vendors shall have mechanisms to determine and manage risks in all areas addressed by this document.

Identification of Concerns: All workers should be encouraged to report concerns or illegal activities in the workplace without threat of reprisal, intimidation or harassment. Vendors shall investigate and take corrective action if needed.

Fraud Prevention and Reporting: Vendors shall implement robust fraud prevention and reporting programs. Vendors are required to report all frauds involving Menlo business, regardless of materiality.

Documentation: Vendors shall maintain documentation necessary to demonstrate conformity with these expectations and compliance with applicable regulations.

Training and Competency: Vendors shall have a training program that achieves an appropriate level of knowledge, skills and abilities in management and workers to address these expectations.

Continual Improvement: Vendors are expected to continually improve by setting performance objectives, executing implementation plans and taking necessary corrective actions for deficiencies identified by internal or external assessments, inspections, and management reviews.

Mechanism for Reporting Concerns: Vendors will maintain a system for their workers to report any concerns or illegal activities in the workplace without threat of reprisal, intimidation or harassment. If concerns are reported, Vendors will investigate and take corrective action where needed.

Menlo Principles and Policies

In addition to the principles herein, Menlo has implemented a Code of Business Conduct and Ethics (located on Menlo's webpage) that describes Menlo's policy on the fundamental standards to be followed by Menlo's directors and employees in their everyday actions on behalf of Menlo and to promote honest, legal and ethical conduct. Accordingly, Menlo's Vendors interacting with Menlo employees should understand and comply with Menlo's principles regarding conflicts of interest and acceptance of entertainment and gifts as noted below:

Conflicts of Interest: Menlo expects all of its employees to be free from actual or potential conflicts of interest. A conflict of interest occurs whenever the prospect of direct or indirect personal gain may influence or appear to influence your judgment or actions while conducting Menlo business.

Gifts & Entertainment: Conducting business may involve occasional business-related entertainment or exchanges of gifts of nominal value. Menlo employees may accept entertainment when it is: lawful and ethical, customary and reasonable in value, occasional, and in support of Menlo's business and not just for their own well-being or use.

Menlo employees may generally accept unsolicited gifts of nominal value (e.g., pens, mugs, calendars, etc.) when such gifts are infrequent and customary in a business relationship. During the normal course of business and to avoid a conflict of interest, the appearance of a conflict of interest, or the need for our employees to examine the ethics of acceptance, Menlo employees must not accept gifts from Vendors, attend any events or receive any other transfer of value that is greater than \$100. Exceptions related to gifts will need to be approved by your manager or the CEO.

Vendors should avoid any actions with Menlo employees during any Vendor selection or re-selection process that could give others the impression of favoritism or other improper advantage. Furthermore, Vendors should not offer, and Menlo employees must not accept, gifts or entertainment that might compromise, or appear to compromise, an employee's judgment or independence.

Furthermore, with respect to any interactions with Healthcare Professionals, Menlo adheres to the principles and guidance set forth within the PhRMA Code. Menlo does not offer or provide items of value unrelated to the practice of medicine to HCPs. Gifts, entertainment, or recreational activities must never be offered or provided to HCPs.

Reporting Adverse Events and Product Quality Complaints: Vendors agree that the obligation to report adverse events and product quality complaints regarding any Menlo products to Menlo is the responsibility of both Parties. Any such occurrences of an Adverse Event or Product Quality Complaint must be reported within 1 calendar day of becoming aware of them to Menlo's Pharmacovigilance department via email: pvinfos@foamix.com or phone: 844-375-3673. An Adverse Event is defined as: Any untoward or unintended medical occurrence after exposure to a medication, which is not necessarily caused by the medication. This includes but is not limited to: unintended beneficial effects, drug exposure in utero/ during pregnancy/ via breast milk/ paternal exposure during pregnancy, drug abuse/ overdose/ misuse/ medication error, Off-label use (e.g. in unapproved populations or unapproved indications), lack of efficacy, drug or food interaction, any suspicion of counterfeit product, suspected transmission of an infectious agent by a medicinal product, or occupational exposure. A Product Quality Complaint is defined as: Any expression of dissatisfaction with a product which may indicate the purity, safety, or efficacy of the product is compromised. Product Quality Complaints can pertain to the drug product, the device, or the package itself.

This Vendor Code of Conduct may be amended by Menlo from time to time, and all updates are effective immediately upon posting on Menlo's website.

Any Vendor that fails to adhere to this Vendor Code of Conduct can cause the termination of their contract with Menlo.