Pernod Ricard USA
CREATORS OF CONVIVIALITY

Pernod Ricard USA, LLC
Domestic Partner Benefits Policy

Effective January 1, 2009, Pernod Ricard USA, LLC ("PRUSA") will cover eligible domestic partners of PRUSA and affiliated companies' employees and their eligible children (as defined in plan documents) under the PRUSA medical, dental and vision plans to the extent permitted by the third party plan administrators and insurance providers. COBRA coverage will not be provided domestic partners or their dependents.

<u>Who is a Domestic Partner Under This Policy</u>

A Domestic Partner is a person of the same or opposite sex who:

1. Resides with the employee in the same permanent residence
2. Is the employee's sole domestic partner and intends to be so indefinitely.
3. Has resided in the same household for at least 6 months
4. Is at least 18 years of age and mentally competent to consent to a contract.
5. Is financially interdependent and the interdependence is demonstrated by at least three of the following:
    - Common ownership of real property or common leasehold interest in property
    - Common ownership of a motor vehicle
    - A joint bank account or joint credit account
    - Drivers licenses listing a common address
    - Assignment of a durable property power of attorney or healthcare power of attorney.
    - Proof of designation as the primary beneficiary for life insurance or retirement benefits or primary beneficiary designation under a partner's will.
6. Is not a blood relative any closer than would prohibit legal marriage in the State in which the employee legally resides.
7. Is not currently married to or legally separated from anyone else, nor has had another domestic partner within six months prior to being designated as a domestic partner
8. Is not in the relationship solely for the purpose of obtaining benefits coverage.

Required Documentation

In order to qualify for benefits for the domestic partner, the employee must furnish to the Director of Employee Benefits the following documentation:

1. An Affidavit of Domestic Partnership signed by the employee and the domestic partner and notarized. This Affidavit must be updated and furnished annually prior to Open Enrollment. If the employee and domestic partner have registered as Domestic Partners or entered into a civil union or marriage recognized under the law of their state of residence, a copy of the registration or civil union certificate or marriage certificate may be substituted for this Affidavit.
2. Acceptable documentation of the three items showing the financial interdependence of the employee and domestic partner. (See item 5 above under "**Who is a Domestic Partner Under This Policy**".**)** This documentation must be provided only once at the time the employee initially requests benefits coverage for the domestic partner. However, if there is a change, e.g., if employee and domestic partner move to another location, the employee should provide updated documentation.

Termination of the Domestic Partnership

In the event the partnership, civil union or marriage ends or is terminated or the domestic partner no longer meets the requirements of this policy, the domestic partner and the dependents of the domestic partner who are not dependents of the employee are no longer eligible for coverage under PRUSA benefit plans, and the domestic partner and the dependents of the domestic partner who are not dependents of the employee shall not be eligible for COBRA coverage.

The employee shall, within 30 days after the partnership, civil union or marriage ends or is terminated or the domestic partner no longer meets the requirements of this policy, furnish to the Director of Employee Benefits a Statement of Termination of Domestic Partnership on a form available from the Director of Employee Benefits. Failure to provide this form on a timely basis may result in financial or disciplinary sanctions for the employee.

Income Tax Implications

All benefits provided to domestic partners and dependents of domestic partners who are not dependents of the employee shall be provided on an after-tax basis. This means that payroll deductions for the domestic partner and such dependents shall be on an after-tax basis. It also means that the full cost paid by the company for the coverage for the domestic partner and any such dependents shall be taxable income to the employee, and will be subject to withholding taxes and reported on the employee's annual W-2.