



MERZ, INCORPORATED

EBSA/PUBLIC DISCLOSURE

2012 JUL 16 PM 3:11

July 9, 2012

Certified Mail – Return Receipt Requested

Top Hat Plan Exemption
 Employee Benefits Security Administration
 Room N-1513
 U.S. Department of Labor
 200 Constitution Avenue NW
 Washington, DC 20210

Re: Merz, Inc. Nonqualified Deferred Compensation Plan

Dear Secretary:

Pursuant to Section 2520.104-23 of the Department of Labor's Regulations, this letter will serve as notice that, with respect to the Merz, Inc. Nonqualified Deferred Compensation Plan (the "Plan"), the undersigned intends to use the alternative form of compliance with the reporting and disclosure requirements of Part 1 of Title I of the Employee Retirement Income Security Act of 1974 (ERISA).

Pursuant to Regulations Section 2520.104-23(b), the following information is provided:

1. Name and Address of Employer: Merz, Incorporated, 4215 Tudor Lane, Greensboro, NC 27410
2. Employer's Employer Identification Number: 56-1540459
3. The Employer hereby declares that it maintains the Plan primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees of the Employer and other entities in the controlled group with the Employer.
4. The Employer hereby declares that the total number of plans it maintains primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees is one (1), the Plan.
5. The Employer hereby declares that the number of participants in the Plan is one (1), though other participants may be added from time to time.

PO Box 18806 Greensboro, NC 27419
4215 Tudor Lane Greensboro, NC 27410
ph: 336.856.2003
fax: 336.856.0107



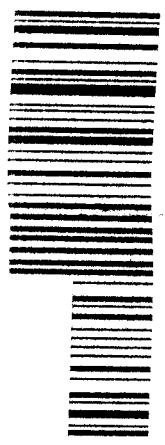
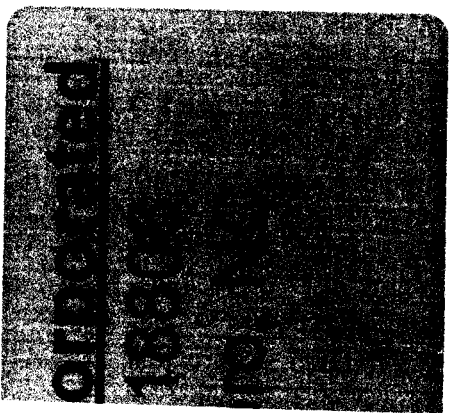
Pursuant to Regulations Section 2520.104-23(b)(2), the Employer will provide the Plan(s) to the Secretary of Labor upon request as required by Section 104(a)(6) of ERISA.

Sincerely,

Merz, Incorporated

By: Robert W. Dwyer
CFO & VP of Administration

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