

## **Privacy Policy**

Updated: July 1, 2022

This Privacy Policy (the "**Policy**") describes how Edible Brands, LLC and its family of companies, which includes subsidiaries and affiliates (collectively, "**COMPANY**," "**we**," "**us**" or "**our**") collect, use, and share personal information. It applies to information collected by or submitted to us through our websites, mobile applications, and other websites that are otherwise owned, operated, or controlled by COMPANY and where this Policy is posted (individually and collectively referred to as the "**Sites**").

For a printable version of this Policy, please click [here](#).

This Policy is subject to and made a part of the COMPANY Terms of Use ("**Terms**"), which are incorporated into this Policy by reference.

We reserve the right to modify or amend this Policy at any time and for any reason. Changes to this Policy shall be effective when posted to the Sites. In case of any material change to the Policy, we will notify you by providing prominent notice on the Sites or by using the contact information you have on file with us. You are responsible for reviewing this Policy each time you use or access the Sites. Your continued use of the Sites are an acknowledgment and consent to any terms contained in this Policy, as it may be amended from time to time.

By visiting our Sites, you acknowledge and agree that you have read this Policy and agree to the collection, use and other processing of your information in accordance with the practices described in this Policy. If you do not agree to all or any of the terms, conditions and practices set forth herein, do not access the Sites or any of its pages.

The Sites are intended for adult use only, and we do not knowingly collect any personal information from a minor. If you learn that a child has, in violation of this Policy, provided their personal information, please report it to us at [privacypolicy@edible.com](mailto:privacypolicy@edible.com). In the event that we learn that a child has provided us with personal information, we will delete it.

### **PERSONAL INFORMATION WE COLLECT, USE, AND SHARE**

We gather information about individuals when they submit comments, questions or requests for information to us on the Sites. We use information we receive to operate and improve the content of the Sites, and to provide the product(s), service(s) or information, or carry out the transaction(s) that you have requested or authorized. We may share parts of the information we gather on our Sites or otherwise maintain such information with our affiliates, franchisees, and service providers.

For purposes of this Policy, "personal information" is information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or

indirectly, with a particular individual, device, or household. Below, we describe how we will handle your personal information in accordance with this Policy and describe the information we may have collected in the past 12 months below, how it may be used, shared, and the sources.

- **Identifiers**, which may include name, address, online identifier or username, Internet Protocol address, or email address. These are sourced directly from you or indirectly from you (e.g., from observing your actions on the Sites). They are used to fulfill or meet the reason you provided the information, to contact you in relation to our Sites, to respond to an inquiry, for product and service improvement, to screen for potential risk or fraud, to provide the products and services that you have ordered or requested, to process and ship orders, to send order and shipping confirmations, to provide customer service, or marketing. For example, when you create an account, you provide your first and last name, email address, and other identifying information. Also, when you place an order, you provide contact and shipping information. We may disclose this information for business purposes to internet service providers, administrative service providers, franchisees, and payment processors.
- **Personal information categories contained in customer records**, which may include name, address, telephone number, bank account number, credit card number, debit card number, or any other payment and financial information. We source this information directly from you. We use this information to fulfill or meet the reason you provided the information, to contact you in relation to our Sites, to respond to an inquiry, to screen for potential risk or fraud, to provide the products and services that you have ordered or requested, to process and ship orders, to send order and shipping confirmations, to provide customer service, or marketing. For example, we need your payment information when you purchase products from us. We may disclose this information for business purposes to internet service providers, administrative service providers, franchisees, and payment processors.
- **Characteristics of protected classifications**, such as age or gender. We source this information directly from you. We use this information to fulfill or meet the reason you provided the information, marketing, or to provide relevant services. For example, we may use this information for targeted advertising. We disclose this information for business purposes to administrative service providers, data analytics providers, and third party service providers. Please see our COOKIES, OTHER TRACKING DEVICES AND TARGETED ADVERTISING section below for more information.
- **Commercial information**, which may include records of services purchased, obtained, considered, or other purchasing or consuming histories or tendencies. We source this information directly from you. We use this information to fulfill or meet the reason you provided the information, to contact you in relation to our Sites, to screen for potential risk or fraud, to respond to inquiries, to provide the products and services that you have ordered or requested, to process and ship orders, to send order and shipping confirmations, to provide customer service, or marketing. For example, we keep track of your purchases to create a purchase history. We may disclose this information for

business purposes to internet service providers, administrative service providers, franchisees, and payment processors.

- **Professional or employment-related information**, such as employment history or professional certifications. We source this information directly from you. We use this information to fulfill or meet the reason you provided the information or to process an employment application. For example, when you apply for a job with us or request information about becoming a franchisee, we ask for your relevant employment history. We disclose this information for business purposes to service providers, such as background check providers and human resource administrative service providers.
- **Education information**, such as level of education completed or academic performance. We source this information directly from you. We use this information to fulfill or meet the reason you provided the information or to process an employment application. For example, when you apply for a job with us or register to be a franchisee, we ask for your education information. We disclose this information for business purposes to service providers, such as background check providers and human resource administrative service providers.
- **Internet, technical or other similar network activity**, which may include usage and browsing history; IP address; device information, including device properties; search history; information on your interaction with our Sites; and error logs. We source this information directly or indirectly from you (e.g., from observing your actions on our Sites). We use this information to fulfill or meet the reason you provided the information, to screen for potential risk or fraud, or to improve our Sites. We disclose this information for business purposes to administrative service providers, data analytics providers, third party service providers, and internet service providers. Please see our COOKIES, OTHER TRACKING DEVICES AND TARGETED ADVERTISING section below for more information.
- **Geolocation information**. We get geolocation data directly from you, indirectly from you (e.g., if you allow location services), and/or from third parties like social media platforms. We use this to provide and improve the features, products and services you request; for registration, contests, promotions; to provide personalized content, information, and to send you brochures, coupons, samples, offers and other information on our products or those of our family of companies; when we perform our duty in contract with you; and/or to deliver relevant advertising. This information is shared for business purposes among affiliates of COMPANY, with administrative service providers, data analytics providers, and third party service providers.
- **Biometric information**. We collect images of you, which may be viewed as biometric information under some laws. Specifically, while photographs taken in connection with deliveries are not intended to include images of people, from time to time an individual will appear in a delivery photograph. We get this information directly from you. We may disclose this information for business purposes to administrative service providers, franchisees, and payment processors, including to confirm delivery and receipt.
- **Inferences drawn from other personal information**, which may include a profile reflecting a person's preferences, interests, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes. We source this

information directly or indirectly from you, (e.g., from observing your actions on our Sites). We use this information to fulfill or meet the reason you provided the information or for marketing. We do not disclose this information to third parties.

Your decision to provide any personal information is voluntary. However, please note that, if you do not provide certain personal information, we may not be able to accomplish some purposes outlined in this Policy and you may not be able to use or access certain services on our Sites.

We collect the following specific pieces of personal information:

- **Personal contact details.** This includes information like names, addresses, telephone numbers, or email addresses. For example, when you provide contact details during online registration, when doing business with us, or when providing purchasing products from us. Some Sites allow you to establish a username and password to set up an account.
- **Information about your transactions with us.** For example, your purchase history, and billing and shipping information, and other information about your use of our products or services.
- **Photographs.** While photographs taken in connection with deliveries are not intended to include images of people, from time to time an individual will appear in a delivery photograph.
- **Payment information.** This includes information from your credit or debit card, online payment account, or other payment options.
- **Unique customer and commercial information.** For example, usernames and other login credentials.
- **Demographic information.** For example, data such as age, gender, hobby or activities, taste or preferences.
- **Data for agreements with customers or vendors.** This includes the assessment and acceptance of a customer, franchisee or vendor. For example, we collect credit status or information publically available on sanctions or watch lists.
- **Information collected from our Sites and social media pages.** This includes information collected when you interact with us. For example, comments, photos, or other information that you post through blogs, message boards, or social networking.
- **Device information.** For example, Internet Protocol (IP) address, device identifier, device's operating system, browser type, websites visited before or after you visit our website, pages viewed and activities at our website, as well as interaction with advertisements.
- **Device Authentication/Fraud Detection.** We, or a third party acting on our behalf and at our direction, may collect information about your device to authenticate your device and to protect you and us against fraud. Specifically, we may collect your Device ID, GPS logs (which includes information about your location and movement) and device info logs (which includes information about your device's operating system, model, brand, MAC address).

- **Franchisee application information.** We collect information from potential franchisee owners through the Sites.
- **Video messaging/e-Postcards.** From time to time, we also may give you the option to send an e-Postcard to a friend, or a video message to a recipient (“**e-message**”). An e-message is a fun, easy way for you to electronically share images of a COMPANY product with someone else, or video gift message to a recipient. If you elect to send an e-message, you will be required to provide your name, your email address, the video or images, and the recipient's name and email address.
- **Third-party service and advertising partners may also collect information automatically.**
- **Other information we have collected from you with your consent.**

## **COOKIES, OTHER TRACKING DEVICES AND TARGETED ADVERTISING**

A cookie is a small piece of data sent from the Sites and stored in a user's web browser while the user is browsing Sites (“**Cookie**”). Every time the user loads Sites, the browser sends the Cookie back to the server to notify the Sites of the user's previous activity. Web beacons (also known as image tags, gif or web bugs) are small pieces of code used to collect advertising data, such as counting page views, promotion views or advertising responses (“**Web beacons**”). We also utilize pixels in connection with our email communications and in connection with the Sites. Our Sites' web server automatically collects and we may use your Cookies, Web beacons, pixels and other similar tracking technologies (collectively “**Tracking Technologies**”) to collect information as you browse our Sites. We use Tracking Technologies, web server log files and tracking code, and information we receive through the use of these Tracking Technologies to analyze trends, administer the Sites, track users' movement, and gather broad demographic information for aggregate use. Information of this type may be combined with other sources of information for these purposes. Certain pages of the Sites, and promotional email messages, or newsletters we send, may contain Tracking Technologies that allow us to count users who have visited those pages and to determine whether messages have been opened and acted upon.

Some of these Tracking Technologies may be placed by third party service providers to help determine the effectiveness of our advertising campaigns or email communications. These Tracking Technologies may be used by these service providers to place a persistent Cookie on your computer. Doing this allows the service provider to recognize your computer each time you visit certain pages or emails and compile anonymous information in relation to those page views. The use of Tracking Technologies by third party service providers is within their control and not ours. We do not control their Sites or their policies and practices regarding your information and you should be aware that different rules might apply to the collection, use or disclosure of your information by third parties in connection with their advertisements or promotions and other sites you encounter on the Internet. This Policy does not cover any use of information that a third-party service provider may directly collect from you and we do not undertake to confirm, investigate, or police their practices. For example, we work with the below:

**Google Analytics.** To help facilitate the delivery of relevant content, we use Google Analytics. Google Analytics uses Cookies to report on user interactions on our and others' websites. We use the data collected for optimizing marketing, refining advertising and/or programming strategies, and generally improving user experience. For more information about Google Analytics and how it collects and processes data, please visit: <https://policies.google.com/technologies/partner-sites>. Instructions on opting out of Google Analytics using a specific plug-in is available at the following link: <https://tools.google.com/dlpage/gaoptout>. Note that this opt-out is specific to Google activities and does not affect the activities of other ad networks or analytics providers that we may use.

**Facebook Analytics.** We also use Facebook Analytics to measure your use of our Sites, tailor our Sites to your interests, and improve our products and services. Please note, Facebook can connect this data with your Facebook account and use it for its own advertising purposes, in accordance with Facebook's Data Policy which can be found at [Facebook.com/about/privacy/](https://www.facebook.com/about/privacy/). Please click [here](#) if you would like to withdraw your consent.

The practice of collecting these Tracking Technologies is a standard practice on the Internet. If you do not want us to collect your Cookies, you can set your browsers or third-party software to reject Cookies. If you reject the Cookie, you may be unable to use portions of our Sites that require registration, some pages of the Sites might not function properly, and the Sites experience will not be capable of being tailored to you from visit to visit. Also note that even if you opt-out of interest-based advertising, these Tracking Technologies may still collect data for other purposes including analytics and you will still see ads from us, but the ads will not be targeted based on behavioral information about you and may therefore be less relevant to you and your interests. Please consult your web browser's Help documentation for more information about how to turn these Cookies on and off for your browser. The Network Advertising Initiative also offers a means to opt-out of a number of advertising Cookies. Please visit their website [here](#) to learn more and to opt-out, if desired. Additionally, the Digital Advertising Alliance provides an opt-out mobile app to control interest-based advertising on apps on your mobile device, available on the [Apple Store](#), [Google Play](#), and [Amazon's Appstore](#).

By visiting our Sites, you acknowledge, understand and hereby agree that you are giving us your consent to track your activities through use of these Tracking Technologies and that we may use Tracking Technologies in the emails we send you. You will not be subjected to a decision based solely on automated processing, including profiling.

## **PURPOSE OF DATA COLLECTION**

We use your personal information in a variety of ways, including as disclosed at the time you provide such personal information through promotions or a rewards or other program, or by submitting a Franchise Application, or by setting up an account through one of our Sites.

Specifically, we may use your personal information for the following business purposes:

- **Providing Support and Products:** Including to provide our products, including our websites, applications and online services; to communicate with you about your access to and use of our products and services; to respond to your inquiries; to provide troubleshooting, fulfill your orders and requests, process your payments and provide technical support; and for other customer service and support purposes.
- **Providing the features, products and services you request.** We may use the personal information we collect to fulfil your requests for, and enable your use of, our features, products and services. This includes payment processing for purchases, subscriptions or sales; to protect against or identify possible fraudulent transactions; processing COMPANY product orders, registrations for rewards or other programs; contacting you; improving our Sites, our products and services; tailoring your experience on our Sites; for internal business purposes; and to otherwise maintain and administer our Sites and our business.
- **Analyzing and Improving Products and Operations.** We may use this information to better understand how users access and use our products and services; to evaluate and improve our products, services and business operations; to develop new products and services; to conduct surveys and other evaluations (such as customer satisfaction surveys); and for other research and analytical purposes.
- **Personalizing Content and Experiences.** We use personal information to tailor content we send or display on our websites and other products and to otherwise personalize your experiences.
- **Securing and Protecting Our Business.** Including to protect and secure our business operations, assets, products, network and information and technology resources; to investigate, prevent, detect and take action regarding fraud, unauthorized access, situations involving potential threats to the rights or safety of any person or third party, or other unauthorized activities or misconduct.
- **Corporate Governance and Internal Operations:** Including our general business, accounting, record keeping and legal functions; legal compliance; and related to any actual or contemplated merger, acquisition, asset sale or transfer, financing, bankruptcy or restructuring of all or part of our business.
- **Advertising, Marketing and Promotional Purposes:** Including to reach you with more relevant ads and to evaluate, measure and improve the effectiveness of our ad campaigns; to send you newsletters, offers or other information we think may interest you; to contact you about our products or information we think may interest you; and to administer promotions and contests. Where required by law, we ask visitors providing email addresses to tell us if they would like more information or updates from us, such as information about products and services available from our family of companies. We also offer visitors an “opt-out” option if they wish to stop receiving information from us. Sometimes you may be asked to “opt-in” before we contact you in certain ways or before certain services become available.

- **Complying with Legal Obligations:** Including to comply with the law, our legal obligations and legal process, such as warrants, subpoenas, court orders, and regulatory or law enforcement requests.
- **Defending our Legal Rights:** Including to manage and respond to actual and potential legal disputes and claims, and to otherwise establish, defend or protect our rights or interests, including in the context of anticipated or actual litigation with third parties
- **Providing the features, products and services you request.** We may use the personal information we collect to fulfil your requests for, and enable your use of, our features, products and services. This includes payment processing for purchases, subscriptions or sales, to protect against or identify possible fraudulent transactions, processing COMPANY product orders, processing registrations for rewards or other programs, contacting you, improving our Sites, our services, and for internal business purposes, tailoring your experience on our Sites, and to otherwise maintain and administer our Sites.
- **Registration, contests and promotions.** We may use your personal information to enter you in contests, sweepstakes and other promotions if you choose to enter; to notify you of results and to register you for certain features, products and services in line with your marketing preferences.
- **When we perform our duty in a contract with you.** We may use your personal information when you work as a service provider or apply for a job with us, as needed. If you are a consumer or a user of our services, we will use your personal information to fulfil our duty in our agreement with you.
- **To assess and accept franchisees, customers or vendors.** This includes verifying the identity and credit status of some franchisees, customers or vendors, conducting due diligence, and screening against publicly available government and/or sanctions lists and other third-party data sources, the use of and participation in COMPANY's incident registers and sector warning systems and/or third party verification services. Collecting this personal information may involve a credit reference agency or other third party.
- **To improve the features, products and services that we offer through the Sites.** We may use personal information to improve our product offerings, services, as well as our Sites and features.
- **For certain automated decision-making activities.** We may use the personal information we collect for online advertising, and / or making a personality profile for you. Details of the personal information we collect, how it is used, and how you may opt out of any automated decision-making is explained above.

## SHARING INFORMATION

We may share your information with our independently owned franchisees, subsidiaries, affiliates, or other third parties to perform functions or services on our behalf, to jointly offer products and services, to fulfill product orders placed on our Sites, to process orders, and to facilitate rewards and other programs.

We may share your personal information for purposes consistent with this Policy and as set forth below:

- **With Franchisees:** We sometimes retain the services of our independently owned franchisees and other third parties to perform functions or services on our behalf.
- **With vendors or agents:** We may share your personal information with companies we have hired to provide services for us. When we share personal information with companies to provide services for us, they are required to agree to protect the personal information and keep it confidential unless you otherwise consent. As an example, we use service providers to send emails and e-messages on our behalf; and our franchisees may create and ship the COMPANY products that you order on our Sites, send birthday or holiday reminders, and access your account to redeem earned rewards.
- **Within our family of COMPANY brands and with our Affiliates.** We may share personal information among the COMPANY brands and businesses, as appropriate. Further, from time to time, we may send your information to our affiliates, including without limitation, Fruitflowers, LLC, Netsolace, LLC, Incredible Edibles, LLC, Edible Arrangements, LLC, Naranga, LLC, BerryDirect, LLC, Edible Brands Ukraine, LLC and Broad Peak Technologies (SMC-Pvt) Limited, or, if for example, we believe that they may have information about franchising or other opportunities that may be of interest to you.
- **Joint Promotions.** From time to time, we may work with third parties to provide specific services or products and/or offer promotional offers. When engaging in these joint promotions, information may be provided to both the Sites and the third parties' sites. In the event that the third party requests your information, you will be subject to that third parties' privacy policy. Please review these third party's privacy policies before providing your information.
- **Business Transfers.** As we continue to develop our business, we may share or transfer your personal information in the course of any direct or indirect reorganization process including, but not limited to, mergers, acquisitions, divestitures, bankruptcies, and sales of all or a part of our assets. Your information may be shared following completion of such transaction and/or during the assessment process pending transfer. If transferred in such a case, your information would remain subject to this Policy or a privacy policy that, at a minimum, protects your privacy to an equal degree as this Policy.
- **Protection of Site and Others.** We may preserve and have the right to disclose any information about you or your use of the Sites without your prior permission if we have a good faith belief that such action is necessary to: (i) protect and defend our rights, property or safety or that of those of our affiliates or franchisees, other users of the Sites, or the public; (ii) enforce the Terms for the Sites and Programs; or (iii) respond to claims that any content violates the rights of third parties. We may also disclose information as we deem necessary to satisfy any applicable law, regulation, legal process or governmental request.

We will share aggregated demographic information with our affiliates, franchisees, subsidiaries, and other third parties. This type of information is not linked to any personal information that can identify any individual person.

## **LAWFUL BASES**

**We rely upon the following lawful bases for processing personal information:**

- **To protect your vital interests.** We may, for example, process personal information for health and safety reasons if you are at a COMPANY facility or in the event of a recall.
- **At your direction and with your consent.**
- **For scientific research purposes.**
- **For other legitimate business purposes.** We may also rely on our legitimate interest to improve business and marketing practices. This includes but is not limited to legal compliance, research and analysis, data linkage and combining, and other purposes described above. When we rely on our legitimate interest, we'll carry out a legitimate interest assessment to ensure we consider and balance any potential impact to your rights under applicable data protection laws before we carry out any data processing. We won't use your personal information for activities where our interests are overridden by the impact on you, unless we have your consent or are otherwise required or permitted to by law.

## **CONSENT TO INTERNATIONAL TRANSFER**

If you are visiting our Sites and provide us with personal information, we may transfer that personal information to our affiliates and subsidiaries or to other third parties, in accordance with local law. We may also transfer your personal information across borders (including to the United States whose data protection law may not be the same as in your country of residence), from your country or jurisdiction to other countries or jurisdictions in accordance with legal requirements. You acknowledge you understand that by providing your personal information to us, your personal information (i) will be used for the uses identified in accordance with this Policy, and (ii) may be transferred as indicated above, in accordance with applicable law. By using the Sites, participating in any of the services, and/or providing us with this information, you acknowledge this transfer, which may not offer the same level of data protection as the country where you reside, in accordance with the terms of this Policy and you do not require separate notification of each such transfer that occurs.

## **MOBILE APPLICATION USERS**

- **Text Messages.** We distribute mobile coupons and other promotional text messages to devices of guests who have requested this information via an opt-in request. If you opt-in, you agree to receive recurring autodialed text messages from or on behalf of COMPANY about promotions, special offers, and discounts at the phone number

provided. Your consent is not required and is not a condition of any purchase. Further, we may send you transactional messages, such as shipping notifications, payment confirmation, and other informational messages, if you provide us your telephone number. Message and data rates apply. To opt out of COMPANY mobile messaging, reply "stop" to text messages. This will opt you out of all COMPANY text message campaigns.

- **Push Notifications.** You may at any time opt out from further allowing COMPANY to send you push notifications by adjusting the permissions in your mobile device.
- **Geo-Location.** You may at any time opt out from further allowing COMPANY to access location data by adjusting the permissions in your mobile device.

**Uninstall the COMPANY Mobile Application.** You can stop all further collection of information by the COMPANY mobile application by uninstalling the COMPANY mobile application. You may use the standard uninstall process available as part of your mobile device or via the mobile application marketplace or network. Note: If you uninstall the mobile application from your device, the COMPANY unique identifier associated with your device will continue to be stored. If you re-install the application on the same device, COMPANY will be able to re-associate this identifier to your previous transactions and activities.

**Mobile application users.** The following provisions apply to users of COMPANY mobile applications (each, an "Application"):

- **Device and Usage Information.** Device and usage information will be shared with Google Analytics (Google), Apple Analytics (Apple) and Crashlytics (Fabric, a Google company) for analytics and crash reporting. Device and Usage information may also be collected by Third Party SDK's when connecting or interacting with them. Please see our COOKIES, OTHER TRACKING DEVICES AND TARGETED ADVERTISING section above for more information.
- **Users of the Apple Application.** If you download and/or use our Application(s) for iPhone or iPad: These Terms & Conditions incorporate by reference the Licensed Application End User License Agreement (the "LAEULA") published by Apple, Inc. (located online at <http://www.apple.com/legal/itunes/appstore/dev/stdeula/>). For purposes of these Terms & Conditions, the Application is considered the "Licensed Application" as defined in the LAEULA and COMPANY is considered the "Application Provider" as defined in the LAEULA. If any of these Terms & Conditions conflict with the terms of the LAEULA, these Terms & Conditions shall control.
- **Mobile Service, Internet and Service Fees.** The use of the Application requires use of a mobile device and wireless mobile data service, which must be obtained from your wireless carrier, and may require Internet access, which must be obtained from your service provider; you are responsible for obtaining and paying for such additional services and obtaining a suitable device, including without limitation all usage charges related thereto. You may be required to send and receive, at your cost, electronic communications related to the Application, including without limitation, administrative messages, service announcements, diagnostic data reports and Application updates from COMPANY, your mobile carrier or third party service providers. If you do not have

an unlimited wireless mobile data plan, you may incur additional charges from your wireless service provider in connection with your use of the Application. You are solely responsible for obtaining any additional subscription or connectivity services or equipment necessary to access the Application, including but not limited to payment of all third party fees associated therewith, including fees for information sent to or through the Application.

The Application may not work with all devices or all mobile carriers. COMPANY makes no representations that the Application will be compatible with or provided by all mobile carriers. In the event that fees are charged for the Application or other third-party service providers charge a fee for the products or services they provide, you agree to pay such fee to the respective party in exchange for your continued use of such products or services. Some services may be subject to different or additional terms (including fees), which you will be required to agree to prior to your use of such services.

#### **HOW WE RESPOND TO DO NOT TRACK SIGNALS**

The “Do Not Track” (“DNT”) privacy preference is an option that may be made in some web browsers allowing you to opt-out of tracking by websites and online services. At this time, global standard DNT technology is not yet finalized and not all browsers support DNT. We therefore do not recognize DNT signals and do not respond to them.

#### **DATA RETENTION**

We will retain your information for as long as needed to provide you products and services and to comply with our accounting and legal obligations, resolve disputes, and enforce our agreements. Your personal information will be destroyed or permanently deleted as required by applicable law.

#### **SECURITY**

While no data transmission over the Internet is 100% secure from intrusion, we have reasonable and appropriate security measures in place to attempt to protect against the loss, misuse, and alteration of your personal information under our control. We have taken reasonable steps to confirm the information is retained in secured facilities and that reasonable measures have been implemented for protection from unauthorized access. However, no security system is impenetrable. We cannot guarantee the security of our Sites or databases, nor can we guarantee that information you supply will not be intercepted while being transmitted to us over the Internet. We ask that you do your part by maintaining any usernames and passwords you use to access the Internet or the Sites strictly confidential. If we learn of a security systems breach we may attempt to notify you electronically so that you can take appropriate protective steps. By using the Sites or providing personal information to us, you agree that we can communicate with you electronically regarding security, privacy and administrative issues relating to your use of the Sites. We may post a notice via our Sites if a

security breach occurs. We may also send an email to you at the email address you have provided to us in these circumstances. Depending on where you live, you may have a legal right to receive notice of a security breach in writing and we will notify you as required by applicable law. We will also notify relevant government authorities, as required by applicable law.

WE DO NOT SEND EMAILS ASKING YOU TO PROVIDE OR CONFIRM CREDIT CARD NUMBERS, SOCIAL SECURITY NUMBERS OR YOUR USERNAME AND PASSWORD! If you receive such email communication, please forward it immediately to [privacypolicy@edible.com](mailto:privacypolicy@edible.com) and then immediately delete the fraudulent email from your computer.

## **YOUR INFORMATION AND OPTING-OUT**

If you do not wish to receive periodic mailings or emails, text messages, or telephone contact concerning our Sites, our products and services, holiday, birthday and gift reminders, upcoming events, or your rewards membership, you may opt-out of receiving such marketing or promotional communications by sending us a written request to the address listed below or by following the opt-out or unsubscribe instructions in the email or text you receive from us. In addition, you may deactivate your memberships, registrations or accounts by following the instructions provided in any applicable terms and conditions or by contacting us. When you opt out of marketing or cancel any account or registration, note that we reserve the right to contact you regarding your orders, technical support and any other matter that might affect our service to you, and/or your use of the Sites, as applicable.

## **YOUR CALIFORNIA PRIVACY RIGHTS**

California law (“**CCPA**”) grants California residents rights with regard to their personal information. Our personal information collection, use and sharing practices are detailed in the **PERSONAL INFORMATION WE COLLECT, USE, AND SHARE** section above and throughout this Policy. Rights provided to you in connection with your personal information are as follows:

- **Right to Opt-out of Sale of Personal Information:** While you have the right to opt-out of the sale of your personal information if a company sells your personal information, COMPANY does not sell personal information, including personal information from California residents who we know are younger than 16 years old, as we understand that term to be defined by the CCPA and its implementing regulations.
- **Verifiable Request to Delete:** California residents have the right to request deletion of their personal information that we have collected about them and to have such personal information deleted, except where an exemption applies.
- **Verifiable Request to Know:** California residents have the right to request and, subject to certain exemptions, receive a copy of the specific pieces of personal information that we have collected about them in the prior 12 months and to have this information delivered free of charge, either (a) by mail or (b) if we hold the information in electronic format, electronically in a portable and, to the extent technically feasible, readily useable format that allows the individual to transmit this information to another entity

without hindrance. California residents also have the right to request that we provide them certain information about how we have handled their personal information in the prior 12 months, including the: categories of personal information collected; categories of sources of personal information; business and/or commercial purposes for collecting and selling their personal information; categories of third parties with whom we have disclosed or shared their personal information; categories of personal information that we have disclosed or shared with a third party for a business purpose; and categories of third parties to whom the residents' personal information has been sold and the specific categories of personal information sold to each category of third party. California residents may make Requests to Know up to twice every 12 months.

**Submitting Requests:** Requests to Know and Requests to Delete may be submitted by emailing us at [privacypolicy@edible.com](mailto:privacypolicy@edible.com), or by contacting us at 1-877 363-7848 (toll free). Whenever feasible for verification, we will match the identifying information provided by you to the personal information already maintained by us. If, however, we cannot verify your identify from the information already maintained by us, we may request additional information. You may designate an authorized agent to make a request on your behalf. Such authorized agent must have permission to submit requests on your behalf. We may deny a request from an agent that does not submit proof that they have been authorized by you to act on your behalf. We will respond to verifiable requests received from California consumers as required by law.

**Right to Non-Discrimination and Financial Incentives.** We offer various financial incentives (“**Program**”). The terms of the Program will be presented to you at the time you sign up. California residents may also subsequently opt-out of the Program by emailing us at [rewards@edible.com](mailto:rewards@edible.com) and asking for us to cancel your participation in the Program. These financial incentives are reasonably related to the value of the data you provide.

The CCPA prohibits unreasonable adverse treatment (called “**discrimination**”) of California residents for exercising their rights under the CCPA.

## **ACCESS TO, AMENDMENT, AND DEACTIVATION OF INFORMATION**

Depending on your residence, you may have rights available to you regarding your personal information. We respond to any rights request in accordance with applicable legal requirements. You may have the right to access, review, correct, update, object to processing or deactivate the personal information that we maintain about you, including any member or account information, or ask for a list of service providers handling your personal information, at any time by sending a written request to the postal or email address set out below, or following the instructions in any promotional email you receive from us. We may take a reasonable period of time to respond consistent with the timelines provided for in applicable law to which you are subject. If you request the deactivation or change of information on our system, such information may be retained in our backup systems for a period of time subject to technology restrictions, or as a precaution against systems failures. Some information may be retained for longer periods as required by law, contract or auditing requirements.

## **THIRD-PARTY LINKS AND USE OF SOCIAL MEDIA**

The Sites contain links to other sites. Please be aware that COMPANY is not responsible for the terms of use or privacy practices of such other sites unless otherwise expressly provided by COMPANY. We encourage our users to be aware when they leave our Sites and to read the privacy statements of each and every site. This Policy applies solely to information collected on the Sites.

We sometimes use third party social media content we obtain from Twitter, Instagram, Pinterest, Facebook on our Sites and our social media platforms. The privacy practices of these third-party social media sites are not part of our Policy and may differ from the privacy protections described in this Policy. Consequently, you should review the privacy policies of these third-party sites before using it and ensure that you understand how your content maybe used. You can adjust your privacy settings on your accounts with these third-party sites to match your preferences.

If you upload content related to our COMPANY products on third party social media sites, that share information with the general public, user community, and/or a third-party social media site it may be used or shared by us on our Sites or our social media platforms to promote our COMPANY products and services.

## **QUESTIONS**

If you have any questions regarding this Policy, or want to have any personal information removed, please contact the Privacy Office at:

[privacypolicy@edible.com](mailto:privacypolicy@edible.com)

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