



## MIDWESTERN BIOAG HOLDINGS, LLC Privacy Notice

**Last Updated:** September 1, 2022

Midwestern Bio Ag Holdings, LLC and its affiliates (“MBA,” “we,” “us,” or “our”) respect your privacy. This Privacy Notice describes the processing of Personal Information (defined below) that is provided to, collected by, or shared with us, whether in person or via the sites, applications, social media pages, or other platforms that link to this Privacy Notice (collectively, the “Site”). It also describes your choices about the collection, sharing, and use of your Personal Information.

### 1. Personal Information We Collect

We may collect a range of Personal Information. “Personal Information” means information that uniquely identifies, relates to, describes, or is reasonably capable of being associated with or linked to you.

The types of Personal Information we collect may include, but is not limited to:

- **Contact Information** – If you submit an inquiry, register for an account, or otherwise provide information to us, we may collect your contact information. This may include your name, email address, demographic information, and phone number.
- **Financial Information** – If you make any purchases from us, we will collect your financial information, including your name and payment information.
- **Agricultural Information** – We may collect agricultural information, but such information is only Personal Information to the extent it is capable of being associated or linked with you. This information may include, for example, agronomic data, crop and field information, planting data, seed type, yield, disease and pest management applications, fertilizations, and prescriptions; land data, such as soil and fertility data; topographical, watershed, and drainage data, geospatial information; tillage and conservation data; machine use and performance data; and climate and weather data.
- **Location Data** – While navigating our Site your mobile device or browser may share your location data. We will collect this information based on the settings of your mobile device and browser.
- **Usage Information** – If you use our Site, our servers may automatically record information, including your Internet Protocol address (IP Address), browser type, referring URLs (e.g., the site you visited before coming to our Site), domain names associated with your internet service provider, information on your interaction with the Site, and other such information.
- **Employment Information** – If you apply for employment, we will collect your employment and work history, as well as other Personal Information related to your potential employment. This may include your education and employment history, address and contact information, demographic information, and any other information included in your resume or application.
- **Communication Information** – We may collect audio, electronic, or visual information, which includes screen sharing views, any data in any files uploaded, emailed or otherwise provided by you, the contents of your communications with us, whether via e-mail, social media, telephone or otherwise, and any inferences we may make from other Personal Information we collect.

### 2. How We Collect Your Personal Information

- **We May Collect Your Personal Information Directly From You** – For example, if you request or purchase products, services, or information from us, or if you register for an account on the Site.

- **We May Also Collect Personal Information From Third Parties** – For example, we may work with business partners, subcontractors, advertising networks, analytics providers, and search information providers, who may provide us with Personal Information about you.
- **Through Cookies and Similar Technologies** –For example, our Services, Sites, and service providers may use automatic data collection technologies to collect information about your use of the Services, such as usage and browser information. These automatic data technologies may include cookies, device identifiers, pixel tags and other similar technologies. For more information on cookies, see the “Cookies” section below.

### 3. How We Use Personal Information

To the extent permitted by applicable law, we may use Personal Information to:

- operate the Site and provide support to our business functions;
- fulfill customer requests, such as to create an account or complete customer purchases;
- protect against criminal activity, claims and other liabilities;
- send you information about our company, products, services, and promotions;
- respond to reviews, comments, or other feedback provided to us;
- support and personalize the Site and our advertising efforts;
- protect the security and integrity of the Site;
- provide customer support;
- for benchmarking, data analysis, audits, , facilitating product, services, and software development, and conducting research and analysis, including to better understand our users and customers;
- meet our contractual requirements;
- comply with applicable legal or regulatory requirements and our policies;
- respond to inquiries related to employment opportunities;
- market, advertise, and provide the Site and our services; and
- the extent necessary for any other lawful purpose for which the Personal Information is collected.

### 4. Sharing of Personal Information

We may share your Personal Information in the following circumstances:

- **For Legal Obligation or Safety Reasons** – When we have a good faith belief that access, use, preservation or disclosure of Personal Information is reasonably necessary to (a) satisfy or comply with any requirement of law, regulation, legal process, or enforceable governmental request, (b) enforce or investigate a potential violation of our terms of use, (c) detect, prevent, or otherwise respond to fraud, security or technical concerns, (d) support auditing and compliance functions, or (e) protect the rights, property, or safety of MBA, its users, or the public against harm.
- **In the Case of a Merger or Sale** – If and when we are involved in a merger, acquisition, or any form of transfer or sale of some or all of its business, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, Personal Information may be transferred along with the business. Where legally required we will give you prior notice and if you have a legal right to do so, an opportunity to object to this transfer.

- **To Service providers** – When we hire a service provider to help operate the Site or our business, we may give access to Personal Information as necessary to perform the service for MBA. This may include service providers that operate our Site, send our communications, or run our promotions.
- **To Third Party Business Partners** – We may share Personal Information with our trusted business partners. For example, we may share your Personal Information with a company when we co-sponsor a promotion or service. These partners and affiliates may use your Personal Information to, among other things, send you information or contact you about their services and products.

## 5. How Long Do We Keep Your Personal Information?

We will retain your Personal Information for as long as necessary to fulfill the purposes for which it has been collected, as outlined in this Privacy Notice, or any longer retention period required by law.

## 6. How We Protect Your Personal Information

We use our commercially reasonable efforts to protect the confidentiality and security of Personal Information we process. However, despite these efforts to store Personal Information in a secure operating environment, we cannot guarantee the security of Personal Information during its transmission or its storage on our systems. Further, while we attempt to ensure the integrity and security of Personal Information, we cannot guarantee that our security measures will prevent third parties such as hackers from illegally obtaining access to Personal Information.

## 7. Cookies

The Site uses cookies. A cookie is a small file stores information about how you use the Site, such as the pages you visit. We use cookies to make the Site work, remember which pages you have visited, and to measure how you use the Site (such as which links you click on).

We may use the following types of cookies:

- **Strictly Necessary Cookies:** These session cookies are essential for providing the Services or navigating the Sites.
- **Statistics/Analytics Cookies:** These cookies gather information on your use of the Services so that we can improve your experience.
- **Preference Cookies:** These cookies hold information on your choices to personalize the Services according to your preferences.

The Site also uses Google Analytics. You can find out more about how Google Analytics collects and processes data at <https://policies.google.com/technologies/partner-sites>.

Most internet browsers provide you the ability to block, delete, or disable cookies, and mobile devices may allow you to disable transmission of certain identifiers and/or location data. If you choose to reject cookies or identifiers, some features/functionality of the Site may be limited or unavailable. Please review the help pages of your browser or mobile device for assistance with changing your settings. We do not respond to Do Not Track (“DNT”) signals sent to us by your browser at this time. To learn more about how DNT works, please visit <http://allaboutdnt.com/>.

## **8. Your Choices and Controls**

Depending on where you live, you may have the right to exercise certain controls and choices regarding our collection, use, and sharing of your Personal Information. To opt-out of marketing communications please email us at [dataprivacy@midwesternbioag.com](mailto:dataprivacy@midwesternbioag.com) or by following the instructions included in the email or text correspondence.

Please note that, even if you unsubscribe from certain correspondence, we may still need to contact you with important transactional or administrative information, as permitted by law. Additionally, if you withdraw your consent or object to processing, or if you choose not to provide certain Personal Information, we may be unable to provide some or all of our services to you.

To exercise other rights with respect to your Personal Information, please contact us using the information in Section 13 below. If you are a resident of California, please see the information below in Section 11 (California Residents) for more information regarding your rights.

## **9. International use of the Site**

This Site is hosted in the United States. If you are visiting this Site from outside of the United States, please note that any Personal Information you provide will be transferred to, stored, collected, or processed in the United States.

## **10. Children's Privacy**

We do not knowingly collect or solicit any Personal Information from children under the age of 13. In the event that we learn that we have collected Personal Information from a child, we will promptly take steps to delete that information. If you are a parent or legal guardian and think your child has given us their Personal Information, you can email us at [dataprivacy@midwesternbioag.com](mailto:dataprivacy@midwesternbioag.com) or contact us using the information listed below.

## **11. Links to Third-party Websites**

We are not responsible for the practices employed by any websites or services linked to or from the Site, including the information or content contained within them. We encourage you to investigate and ask questions before disclosing Personal Information to third parties, since any Personal Information disclosed will be subject to the applicable third party's privacy policy.

## **12. California Residents**

***This Section applies only to the extent you are a resident of California and our processing of your Personal Information is subject to the California Consumer Privacy Act of 2018 and its implementing regulations (the "CCPA").***

When we use the term "Personal Information" in the context of the CCPA, we mean information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular California consumer or household.

If you would like to receive a copy of this Section in an alternate format (e.g., printable) or language, please contact us using the information provided in Section 13.

**A. Categories of Personal Information Collected, Used, and Shared**

In accordance with California law, we may have collected and share the following categories of Personal Information within the past 12 months:

- **Identifiers** – Information that could identify a consumer or household, such as real name, IP addresses, email address, and online identifiers.
- **Commercial Information** – Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
- **Internet or other similar network activity** – For example, information on interactions with a website, application, or advertisement.
- **Geolocation data** – For example, device location data.
- **Protected Classification Characteristics** – Which we do not intentionally collect but may be revealed in other collected data.
- **Professional or employment-related information** – For example, past job history.
- **Personal Information** – Includes items described in Cal. Civ. Code § 1798.80(e), some of which overlap with other categories, such as a name, signature, address, telephone number, driver's license or state ID number, education, employment history, or credit/debit card number.

We may share each of these categories of Personal Information with our service providers to the extent necessary for them to facilitate our business purposes. We also share this Personal Information for the purposes set forth in Section 4 above.

**B. Your California privacy rights**

If you are a resident of California, you may have the following rights:

Privacy Right	Description
Notice	The right to be notified of what categories of Personal Information will be collected at or before the point of collection and the purposes for which they will be used and shared.
Access	The right to request the categories of Personal Information that we collected in the previous twelve (12) months, the categories of sources from which the Personal Information was collected, the specific pieces of Personal Information we have collected about you, and the business purposes for which such Personal Information is collected and shared. You may also have the right to request the categories of Personal Information which were disclosed for business purposes, and the categories of third parties in the twelve (12) months preceding your request for your Personal Information.
Data Portability	The right to receive the Personal Information you have previously provided to us.
Erasure	The right to have your Personal Information deleted. However, please be aware that we may not fulfill your request for deletion if we (or our service provider(s)) are required or permitted to retain your Personal Information for one or more of the following categories of purposes: (1) to complete a transaction for which the Personal Information was collected, provide a good or service requested by you, or complete a contract between us and you; (2) to ensure our website integrity,

	security, and functionality; (3) to comply with applicable law or a legal obligation, or exercise rights under the law (including free speech rights); or (4) to otherwise use your Personal Information internally, in a lawful manner that is compatible with the context in which you provided it.
To Opt Out	The right to opt out of the sale of your Personal Information. We do not believe we have sold CCPA Personal Information in the last 12 months.
Right of Non-Discrimination	You have a right not to receive discriminatory treatment by any business when you exercise your California privacy rights, and you will not be discriminated against in any way by virtue of your exercise of these rights, which means we will not deny goods or services to you, provide a different prices or rates for goods or services to you, or provide a different level or quality of goods or services to you.

If you would like to exercise your rights listed above, please send (or have your authorized agent send) an email to [dataprivacy@midwesternbioag.com](mailto:dataprivacy@midwesternbioag.com) or call us toll-free at: 1-800-327-6012.

We must verify your identity before fulfilling your requests. If we cannot initially verify your identity, we may request additional information to complete the verification process. Any Personal Information you disclose to us for purposes of verifying your identity will solely be used for the purpose of verification. If you are an authorized agent making a request on behalf of a California consumer, we will also need to verify your identity, which may require proof of your written authorization or evidence of a power of attorney.

We may deny certain requests, or only fulfill some in part, as permitted or required by law. For example, if you request to delete Personal Information, we may retain Personal Information that we need to retain for legal purposes (*e.g.*, tax accounting). You have a right not to receive discriminatory treatment by any business when you exercise your California privacy rights.

The CCPA gives California Consumers the right to lodge a complaint with the California Attorney General’s office. The Attorney General’s office may be contacted at <https://oag.ca.gov/contact/consumer-complaint-against-business-or-company> or by telephone at: (916) 210-6276.

### 13. Changes to this Privacy Notice

Please note that we may modify or update this Privacy Notice from time to time, so please review it periodically. We may provide you with an updated Privacy Notice if material changes are made. Unless otherwise indicated, any changes to this Privacy Notice will apply immediately upon posting to the Site.

### 14. Contact us

If you have any questions about our practices or this Privacy Notice, please contact us at [dataprivacy@midwesternbioag.com](mailto:dataprivacy@midwesternbioag.com). You may also write to us at:

Midwestern BioAg Holdings, LLC  
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