

PRIVACY POLICY
Last modified August 2022

ATTENTION: PLEASE READ CAREFULLY THIS COMPANY PRIVACY POLICY (“PRIVACY POLICY”), WHICH IS PART OF THE UPI Energy FS, a division of GROWMARK, Inc. TERMS OF USE BEFORE YOU ACCESS, DOWNLOAD, OR OTHERWISE USE THE www.upienergyfs.com WEBSITE OR ANY SOFTWARE, FUNCTIONS, SERVICES OR CONTENT AVAILABLE IN, FROM OR VIA ANY SUCH WEBSITE (collectively the “Website”)

The Website is operated by UPI Energy FS, a division of GROWMARK, Inc., 105 Silvercreek Parkway North, Suite 200, Guelph, ON N1H 8M1 (“We”, “Us”, “Our”, “UPI Energy”, “GROWMARK”, or “COMPANY”). This Privacy Policy is between Us and you (“You” or “Your”). If You are entering this Privacy Policy on behalf of a company or other organization, You hereby represent and warrant to Us that you have full rights and authority to bind such company or organization to this Privacy Policy.

This Privacy Policy describes the information collected through Your use of the Website you access and use, how We use it, how We share it, how We protect it, and the choices You can make about Your information. For clarity, references herein to: (i) “the Website” shall include, individually and collectively, each Website that you access and utilize; and (ii) “the COMPANY”, “Us”, “We” or “Our” shall include, UPI Energy FS a division of GROWMARK, Inc. which owns the Website that you access and utilize, as applicable.

ATTENTION: PLEASE READ OUR PRIVACY POLICY CAREFULLY BEFORE USING THE WEBSITE. USING THE WEBSITE INDICATES THAT YOU ACCEPT AND AGREE TO BE BOUND BY THIS PRIVACY POLICY IN FULL. IF YOU DO NOT ACCEPT THIS PRIVACY POLICY, DO NOT USE THE WEBSITE. You acknowledge (a) that You have read and understood this Privacy Policy; and (b) this Privacy Policy shall have the same force and effect as a signed agreement.

Unless explicitly stated otherwise, any new features that augment or enhance the current Website shall be subject to this Privacy Policy.

This Privacy Policy is part of the COMPANY [Terms of Use](#) (“TOU”). Any terms defined in the applicable TOU shall have the same meaning in this Privacy Policy.

If We have Your email address, We may notify You of material changes to this Privacy Policy via email, at the COMPANY’S sole discretion. We will update this page to reflect any changes to this Privacy Policy. Please review the Privacy Policy each time You use the Website. BY USING THE WEBSITE, YOU AGREE TO BE BOUND BY THE MOST RECENT VERSION OF THE PRIVACY POLICY.

I. Information We Collect

We collect information from You when You use the Website, contact or interact with us, sign up for Our newsletter or other mailing list, use Our services, such as the MyFS software and web applications (“MyFS Platform”), and voluntarily provide us with Your comments and other content in connection with using the Website.

The information we collect from You may include Personal Information and other information that is not Personal Information. For the purposes of this Privacy Policy, the term “Personal Information” means

any information that is defined to be personal information under applicable privacy laws. Usually, this refers to any information about an identifiable individual or any information that can be used to identify an individual. Personal Information may include, for example, your name and home address, your date of birth and gender, health information, your occupation, medical conditions or other health information, your personal financial records or credit information, or any personal identification numbers. In most circumstances, Personal Information does not include the business contact information of a representative of an organization, such as the representative's name, position or title, business address, business telephone number or business fax number. Publicly available information, such as information in a public directory, is not Personal Information under this Privacy Policy.

When You access and use the Website, We may collect from You: Your name, contact information, including email address, telephone number, and physical address, and any other information You voluntarily provide to Us.

When You access and use the Website, We automatically collect: information regarding You and Your device, including Your device's Internet Protocol address, the domain name of Your Internet service provider, the domain from which You came, Your location, Your mobile device information (e.g., device model and operating system version), Your page visits, the Website features You use and the time of Your use, Your social sharing activity, and aggregated information that cannot be used to specifically identify You. Additional information collected is described in the Analytics and Cookies sections below.

When You access and use the Website, We may collect information about You from third-party sources, such as Our partners, affiliates, members, or service providers acting on Our behalf. The Website may provide links to Our Facebook, LinkedIn, Twitter, and YouTube pages. If You connect with these websites through the Website, We may receive personal information about You, and information about Your visit to Our Website may be shared with these third parties (see the information sharing section below for more information).

When You contact us, We may collect: Your name, contact information, including email address, company name, telephone number, street address (province and postal code), and any other information that You voluntarily provide to us.

When You apply for a job, We may collect information related to Your resume, cover letter, and any other documents You voluntarily submit, Your name, address, phone number, email address, information related to Your work experience and previous employment (including employment dates, type of business, title, company name, and responsibilities), information related to Your education (including the dates of Your enrollment, school, major, degree, GPA, and highest level earned), information related to Your certifications/licenses (including the name of the certification/license, description, institution, effective date, and expiration date), information related to Your geographic mobility (including Your willingness to relocate and the location desired), information related to Your professional memberships (including the name of the organization, Your position/role, and the dates of Your membership), information related to Your professional references (including the name of Your reference, the relationship of that reference to You, the number of years You have known the reference, and the reference's email address and work phone/cell phone number), job-specific information (including information related to how You heard about the position, the name of Your employee referral (if applicable), Your current job type, desired job type, the date on which You will be available, years of relevant work experience, minimum salary requirements, whether You are currently or have ever worked for the GROWMARK system, whether You will require sponsorship to work in the country in

which the position is located at any time, whether You are currently 18 years of age or older, and whether You are a current employee of a GROWMARK System Member Cooperative (and, if so, the name of the GROWMARK System Member Cooperative for which You currently work)), and signature. The process is run by a third-party service provider; information on third-party service providers is described in the **How Information is Disclosed** section below.

When You use the MyFS Platform, We may collect from You, or We may receive from a third party partner, affiliate, member, or service provider, information about Your identity, including Your first/last name, username, password, name or the names of property owners, rights holders, or other interested parties; contact information including Your email address, phone number, mailing address, asset information, including, grain contracts, field locations, soil test results, and GIS information, and other material relating to assets in which a relevant party retains an interest, commercial data, including invoices and documentation generated in connection with transactions conducted through, or documented in, the MyFS Platform and patronage information. We may also automatically collect certain device/network information such as device identifiers, IP address, and similar browsing, device, or network metadata.

Note: We may combine all of the information We collect from or about You and use it in the manner described in this Privacy Policy.

Consent: Some privacy laws require the COMPANY to obtain the consent of an individual to the collection, use or disclosure of Personal Information in many circumstances. You hereby agree that We may collect, use and disclose Your Personal Information in accordance with this Privacy Policy, and as otherwise permitted or required by law, and that We may access, process, store and transfer Your Personal Information in Canada or in, or to, another jurisdiction (whereby such Personal Information will be subject to the laws applicable in the jurisdiction where such information is accessed, processed, stored and/or transferred). For clarity, the consent You are providing to Us includes authorization to: (i) use Your Personal Information for the purposes in this Privacy Policy; (ii) deal with Your Personal Information in a reasonable manner; (iii) receive and provide Your Personal Information to and from third parties, including but not limited to third-party service providers, as set out in this Privacy Policy; (iv) use, store and share Your Personal Information as set out in this Privacy Policy; and (v) transfer Your Personal Information outside of Canada (whereby Your Personal Information will be treated in accordance with applicable foreign laws) for the purpose of storage, processing and use of Your Personal Information by the COMPANY or third parties as set out in this Privacy Policy.

If You need to provide Us with Personal Information about other individuals, You represent and warrant to Us that: (i) where required by law and prior to Your disclosure to Us, You will obtain the consent of each individual to the collection, use and disclosure by Us for the specific purpose(s) that the disclosure is made by You; and (ii) You have all rights to grant all assignments and other authorizations and use rights as set out in this Privacy Policy and any other agreement or terms you enter with the COMPANY. If We sell our organization or merge with another party, or engage in corporate restructuring or other corporate functions, Your consent is hereby provided, and will be otherwise implied, to transfer Your information to Our successor or such other parties with which we merge, restructure or engage in corporate functions, for the same purposes as set out in this Privacy Policy.

Consent Exceptions: There are legal exceptions where We will not need to obtain consent or explain the purposes for the collection, use or disclosure of Personal Information. Some examples of situations where consent is not required include an emergency that threatens the life, health or security of an

individual, or if We must comply with a court order or governmental order. We use may use Personal Information without Your knowledge or consent in limited circumstances whereby We are required to provide Personal Information to third parties for legal or regulatory purposes. For example, under certain exceptional circumstance We may have a legal duty or right to disclose Personal Information without Your knowledge or consent. Various government agencies and law enforcement may have the authority to review Our files and interview Our staff when deemed necessary. These agencies have their own privacy obligations.

Withdrawal of Consent: You may, at any time, withdraw your consent to the COMPANY's collection, use and disclosure of Your Personal Information, subject to reasonable notice and any legal and/or contractual restrictions. Should You choose to withdraw Your consent, Company may be unable to provide, or continue to provide, the Website, or portions thereof, that can only be provided if We receive appropriate and required Personal Information.

II. How We Use Your Information

We use the information that We collect for several purposes, including:

- The purposes for which You provided it;
- To provide information and services to You, including requested quotes;
- To view and manage Your invoices, payments, contracts, and other accounts (e.g. via the MyFS Platform);
- To process and respond to Your inquiries and comments;
- To help You locate dealers;
- To interface with scholarship recipients, and sweepstakes and essay contest winners;
- To contact You for market research purposes and to use this information to customize the Website according to Your interests;
- To display relevant advertising across websites, and to tailor messages to You based on products or services You previously viewed on Our Website, or those of Our members;
- To administer, operate, and improve the Website or to further Our mission;
- To personalize and enhance Your experience using the Website;
- To send periodic emails. If You choose, the email address You provide may be used to send You occasional news, updates, related product or service information, etc. Note: If at any time You would like to unsubscribe from receiving future emails, We include detailed unsubscribe instructions at the bottom of each email;
- To generate and review reports and data about Our user base and Website usage patterns;
- To analyze the accuracy, effectiveness, usability, or popularity of the Website;
- To compile aggregate data for internal and external business purposes;
- To prevent fraud and abuse of the Website and to otherwise protect users and visitors and Our business;
- To assist law enforcement and respond to subpoenas; and
- To perform other business activities as needed, or as described elsewhere in this Privacy Policy.

- As explained elsewhere in this Privacy Policy, personal information We collect may be processed by Our partners in providing services related to the Website (such as administration services, technical services relating to the maintenance, servicing, and upgrading of software, hosting services, customer service, data migration services, payment processing services, and analytical services, among others).
- If You are located outside the United States, You should be aware that information We collect may be transferred to and processed in the United States and other countries in which Our service providers have operations. Although We require Personal Information being handled by Our service providers to be protected, the privacy laws in these other jurisdictions may not be as comprehensive as or equivalent to those in the United States.

III. How Your Information is Disclosed

Information may be disclosed to third parties, including Our members and product and service providers, in accordance with this Privacy Policy. Please note that You may choose not to share certain information as described in the Analytics section below.

A. Third Party Service Providers and Business Partners. We may use third-party service providers and business partners to perform functions in connection with the Website, such as email marketing, site analytics, social sharing, relationship management, functions related to analyzing and improving the Website usefulness, reliability, user experience, and operation, data storage, employment application collection and processing, and as otherwise described in this Privacy Policy. We also may share Your personal information with these providers and partners for their direct marketing and promotional purposes, and so they can provide services to You. The following are examples of third-party service software that We use in, or with, the Website:

- **AddThis.** AddThis allows users to share content across different Internet platforms. We use AddThis to enable users to share via social channels, and to help us understand how many people share content from our Service and what content is more likely to be shared. You may use AddThis when You access or use the Website. AddThis may collect information such as Your IP address, device type, browser type and language, unique IDs (such as a cookie ID), operating system, information related to apps, screen resolution, preferred language, date and time of Your engagement with the Website, information related to the referring URL and the web search by which You arrived at the Website, Your email address, geographic location data derived from Your IP address, information related to Your social media accounts, information related to the contents of the emails You send when You choose to share content through email (as well as sender and recipient email address), and interest and online behavior information. AddThis may use the Personal Information and other personal data it collects for facilitating the functionality of AddThis tools, facilitating marketing of products and services to You by AddThis Publishers and Oracle Marketing & Data Cloud customers and partners, enabling online behavioral advertising, personalizing messages and recommendations, linking browsers and apps across devices, developing, analyzing, and improving AddThis Tools and Oracle products, and syncing unique identifiers, among other purposes. For more information on the information that AddThis collects, please visit the AddThis privacy policy at <https://www.oracle.com/legal/privacy/addthis-privacy-policy.html#section4>. For information on how to opt out of the collection and use of Your

personal information, please visit <http://www.aboutads.info/choices/>, or <http://optout.networkadvertising.org>.

- **Adobe Fonts.** Adobe Fonts hosts the fonts We use on the Website. Adobe Fonts may collect information related to the fonts served, Web Project ID, Web Project JavaScript version, Web Project type, embed type, Account ID, service providing the fonts, server serving the fonts, hostname of page loading the fonts, the time it takes the web browser to download the fonts, the time from when the web browser downloads the fonts until the fonts are applied, whether an ad blocker is installed and whether the presence of that ad blocker affects pageview tracking, and operating system and browser version. For more information, please visit the Adobe Fonts privacy policy at: <https://www.adobe.com/privacy/policies/adobe-fonts.html>.

- **Campaign Monitor.** We use Campaign Monitor to disseminate electronic marketing materials. Campaign Monitor may collect information from You if You subscribe to the COMPANY's newsletters and otherwise receive the COMPANY's promotional emails, including mobile phone number, email address, email client type, IP address, Internet service provider domain name, device information (e.g., device model, operating system, and web browser version, language, and time zone), device location, and information about Your interaction with an email. For more information, please visit Campaign Monitor's privacy policy, <https://www.campaignmonitor.com/policies/#privacy-policy>.

- **Constant Contact.** We use Constant Contact to disseminate electronic marketing materials. Constant Contact may collect information from You if You subscribe to the COMPANY's newsletters and otherwise receive the COMPANY's promotional emails, including mobile phone number, email address, email client type, IP address, Internet service provider domain name, device information (e.g., device model, operating system, and web browser version, language, and time zone), device location, and information about Your interaction with an email. For more information, please visit Constant Contact's privacy policy, <https://endurance.clarip.com/privacycenter/?brand=ctct>.

- **DocuSign.** We use DocuSign to validate identity and obtain electronic signatures for agreements, applications, and other forms requiring acceptance by authorized individuals. DocuSign may collect information from users subscribing to the COMPANY's services or otherwise interacting with the COMPANY requiring electronic signature, including name, email address, mailing address, phone number, electronic signature, billing information, products or services purchased, physical location, and other transactional data. For more information, please visit DocuSign's privacy policy, <https://www.docusign.com/company/privacy-policy>.

- **Facebook.** By clicking on the Facebook button on the Website, You will be automatically transported to the official Facebook Page for the COMPANY.

- **Facebook Connect.** We use Facebook Connect to facilitate single sign on for our users. By using Facebook Connect, We may be able to retrieve Your full name, pictures, wall posts, friend information, and other available Facebook content. For more information on what information may be available from or collected by Facebook, please visit the Facebook data policy: <https://www.facebook.com/policy.php>.

- **Facebook Custom Audience.** We use the Facebook Pixel to analyze user activity on the Website for remarketing and behavioral targeting. The Facebook Pixel collects information when You perform certain activities on the Website, and aids us in displaying Facebook ads to users who have

visited the Website, or Facebook users who share certain characteristics with visitors to the Website. Facebook and other third parties may use cookies, web beacons, and other storage technologies to collect information from the Website and from other Internet websites, and use that information for the purposes of targeting ads and providing measurement services. Facebook may track Your activity over time and across the Websites and/or other websites. For more information about the data Facebook collects, please visit Facebook's data policy at: <https://www.facebook.com/policy.php>. For specific information about Facebook Pixel, please visit: <https://www.facebook.com/business/help/742478679120153?id=1205376682832142>. If You are logged into Facebook, You can opt out of the collection and use of Your information for targeted advertising by visiting: <https://www.facebook.com/settings?tab=ads>. You can also visit <http://optout.aboutads.info/?c=2&lang=EN> for more information about ad targeting and exercising Your choice to opt out of the collection of information for ad targeting.

- **Google Maps.** Google Maps is integrated with the Website, and Google may receive personal information in connection with use of the Website, including search terms, IP address, and latitude/longitude coordinates. Use of Google Maps features and content is subject to the current versions of the Google Maps/Google Earth Additional Terms of Service at https://maps.google.com/help/terms_maps.html. For more information, please see Google's privacy policy at: <https://policies.google.com/privacy>.
- **Google ReCaptcha.** We use Google ReCaptcha to identify and block potentially malicious or undesirable automated activity on portions of our Website. When you use the ReCaptcha functionality, Google may collect and process certain device and network information, as well as data collected from cookies and similar technologies to perform validation activities and otherwise operate the service. For more information, please visit Google's Privacy Policy at <https://policies.google.com/privacy>.
- **Google Tag Manager.** We use Google Tag Manager to deploy marketing tags. Google Tag Manager may collect information related to tag firing, information contained in standard HTTP requests logs, and information related to online identifiers, such as cookie identifiers and IP addresses. For more information, please visit Google's privacy policy at: <https://policies.google.com/privacy>.
- **LinkedIn.** By clicking on the LinkedIn button on the Website, You will be automatically transported to the official LinkedIn Page for the COMPANY.
- **Snapchat.** By clicking on the Snapchat button on the Website, You will automatically be transported to the official Snapchat Page of the COMPANY.
- **Twitter.** By clicking on the Twitter button on the Website, You will automatically be transported to the official Twitter Feed of the COMPANY.
- **Twitter Ads.** We use Twitter Ads, which allows Twitter to collect and process certain device, interest, and browsing information via a pixel tag or cookie. Twitter collects this information to analyze user activity on the Website, for remarketing and behavioral targeting, and in connection with ad measurement and analytics. Twitter ads collects information when You access and use the Website, and aids us in displaying ads to Twitter users who have visited the Website, who share certain characteristics with visitors to the Website. Twitter may track Your activity over time and across the Websites and/or other websites. For more information about the data Twitter collects, and for

information regarding how to opt-out, please visit Twitter's "How Twitter Ads Work" page at <https://business.twitter.com/en/help/troubleshooting/how-twitter-ads-work.html>; for specific information about Your Twitter privacy choices, please visit: <https://help.twitter.com/en/safety-and-security/privacy-controls-for-tailored-ads>; for Twitter's privacy policy, please visit: <https://twitter.com/en/privacy>.

- **Vimeo.** By clicking on the Vimeo button on the Website, You will automatically be transported to the official Vimeo Page of the COMPANY.

- **YouTube.** By clicking on the YouTube button on the Website, You will automatically be transported to the official YouTube Page of the COMPANY.

B. Job Openings. We use a third-party service provider, SuccessFactors, to collect information on the Careers Page.

If You are interested in pursuing career opportunities, You can review and apply for job openings listed in an online job board. If You elect to proceed, You will be seamlessly linked to a website maintained by SuccessFactors. We encourage You to read the SuccessFactors privacy policy, available at <https://www.sap.com/about/legal/privacy.html>, before providing any personal information.

When You submit an application for employment, SuccessFactors may collect information related to Your resume, cover letter, and any other documents You voluntarily submit, Your name, address, phone number, email address, information related to Your work experience and previous employment (including employment dates, type of business, title, company name, and responsibilities), information related to Your education (including the dates of Your enrollment, school, major, degree, GPA, and highest level earned), information related to Your certifications/licenses (including the name of the certification/license, description, institution, effective date, and expiration date), information related to Your geographic mobility (including Your willingness to relocate and the location desired), information related to Your professional memberships (including the name of the organization, Your position/role, and the dates of Your membership), information related to Your professional references (including the name of Your reference, the relationship of that reference to You, the number of years You have known the reference, and the reference's email address and work phone/cell phone number), job-specific information (including information related to how You heard about the position, the name of Your employee referral (if applicable), Your current job type, desired job type, the date on which You will be available, years of relevant work experience, minimum salary requirements, whether You are currently or have ever worked for the COMPANY system, whether You will require sponsorship to work in the country in which the position is located at any time, whether You are currently 18 years of age or older, and whether You are a current employee of a COMPANY System Member Cooperative (and, if so, the name of the COMPANY System Member Cooperative for which You currently work)), and signature. SuccessFactors may also collect information related to the website You came from prior to submitting an application.

The Personal Information that You submit to SuccessFactors while online may be accessed and downloaded by the COMPANY professionals located in the U.S. or Canada, and used for evaluating Your qualifications for the job for which You have applied and other jobs that may suit Your experience and qualifications.

C. MyFS Platform. The MyFS Platform is operated by GROWMARK on behalf of itself, its subsidiaries, and its GROWMARK System Member Cooperatives. As part of the MyFS Platform, any information described in the [When You use the MyFS Platform](#) in Section I above may be shared with GROWMARK automatically via integrations with a GROWMARK System Member Cooperative website or otherwise provided by a GROWMARK System Member Cooperative. GROWMARK may share such information, or information derived from it via the MyFS Platform, with a GROWMARK System Member Cooperative to the extent such information was processed in the MyFS Platform on behalf of the GROWMARK System Member Cooperative. **Note:** this Privacy Policy applies only to the processing of information via the MyFS Platform. This Privacy Policy does not apply to a GROWMARK System Member Cooperative's own processing of information that may be collected from or processed through the MyFS Platform; please see the GROWMARK System Member Cooperative's privacy policy for more information regarding the processing of such information outside of the context of the MyFS Platform.

D. Business Changes. If We become involved in a merger, acquisition, sale of assets, joint venture, securities offering, bankruptcy, reorganization, liquidation, dissolution, or other transaction, or if the ownership of all or substantially all of Our business otherwise changes, We may transfer Your information to a third party or parties in connection therewith.

E. Subsidiaries, Affiliates, and member cooperatives. We may also share Your information with Our subsidiaries, affiliates, and member cooperatives for purposes consistent with this Privacy Policy. Our subsidiaries, affiliates and member cooperatives will be required to maintain that information in accordance with this Privacy Policy.

F. Investigations and Law. We may disclose information about You to third parties if We believe that such disclosure is necessary to:

- Comply with the law or guidance and cooperate with government or law enforcement officials or private parties;
- Investigate, prevent, or take action regarding suspected illegal activities, suspected fraud, the rights, reputation, safety, and property of us, users or others, or violations of Our policies or other agreements with us;
- Respond to claims and legal process (for example, subpoenas); and/or
- Protect against legal liability.

G. Aggregated & Anonymized Information. We may create and share aggregated information relating to users of the Website with affiliated or unaffiliated third parties. This aggregated information does not contain Personal Information about any user. We may create and share anonymized information relating to users of the Website with affiliated or unaffiliated third parties. This anonymized information, which may also be aggregated in some instances, does not contain identifiable Personal Information and will be generated in accordance with applicable laws.

H. Analytics. We use third-party analytics tools to better understand who is using the Website and how people are using it. These tools may use cookies and other technologies to collect information about Your use of the Website and Your preferences and activities. These tools collect information sent by Your device or the Website and other information that assists us in improving the Website. This information may be used to analyze and track data, determine the popularity of certain content, and better understand Your online activity, among other things.

We use SharpSpring to help us understand how users engage with the Website. SharpSpring uses cookies to collect information such as email address, IP address, device type and manufacturer, operating system version and name, geographic location, screen resolution, and browsing information, including the pages viewed, time spent on each page, and clickstream data, among other historical traffic records. We use this information to improve the Website performance, availability, and usability, and as otherwise described in this Privacy Policy. Please see <https://sharpspring.com/legal/privacy/> for information about how SharpSpring uses this information, and visit <https://sharpspring.com/legal/sharpspring-cookie-policy/> for information about how to manage Your browser cookies.

We use Google Analytics to better understand who is using the Website and how people are using it. Google Analytics uses cookies to collect and store information such as Website pages visited, places where users click, time spent on each Website page, Internet Protocol address, type of operating system used, located-based data, device ID, search history, gender, age, and phone number. We use this information to improve the Website and as otherwise described in this Privacy Policy. Please see <https://policies.google.com/technologies/partner-sites> for information about how Google Analytics uses this information, and visit <https://tools.google.com/dlpage/gaoptout> for information about the Google Analytics Opt-out Browser Add-on. Google may track Your activity over time and across websites.

I. Cookies and Other Tracking Technologies

We, along with third parties, use cookies, local storage objects, Web beacons, and other technologies. These technologies are used for tracking, analytics, and personalization and optimization of the Website.

Cookies are small files that are transferred to and stored on Your computer through Your Web browser (if You allow it) that enable the website's or service provider's system to recognize Your browser and capture and remember certain information. You can instruct Your browser to stop accepting cookies. But, if You do not accept cookies, You may not be able to use all portions or all functionality of the Website. Additionally, note that clearing cookies from Your browser will remove opt-outs because they are stored in cookies.

- Persistent cookies remain on the visitor's computer after the browser has been closed.
- Session cookies exist only during a visitor's online session and disappear from the visitor's computer when he/she closes the browser software.

Web beacons are small strings of code that provide a method for delivering a graphic image on a Web page or in an email message for the purpose of transferring data. You can disable the ability of Web beacons to capture information by blocking cookies.

We use cookies and other tracking technologies on the website to help us understand and save Your preferences and interests, so We can personalize Your future visits and compile aggregate data about website traffic and website interaction to offer better website experiences and tools in the future.

Some of Our business partners, such as Our analytics providers, advertising networks, and social media connections, also use cookies and other tracking technologies on Our website, some of which may track users across websites and over time.

IV. Security

We implement a variety of security measures to protect the safety of Your Personal Information when You enter, submit, or access Your personal information.

While We take reasonable measures to protect the information You submit via the Website against loss, theft, and unauthorized use, disclosure, or modification, We cannot guarantee its absolute security. No Internet, email, or mobile application transmission is ever fully secure or error free. Email or other messages sent through the Website may not be secure. You should use caution whenever submitting information through the Website, and take special care in deciding with which information You provide us.

We may engage third party external servers as well as other external services, including cloud services, cloud compatible servers, and/or payment processing services, and We do not control such external servers or services.

We cannot guarantee that transmissions of Your personal information will be fully secure or that third parties will never be able to defeat Our security measures or the security measures of Our partners. **WE ASSUME NO LIABILITY FOR DISCLOSURE OF YOUR INFORMATION DUE TO TRANSMISSION ERRORS, THIRD PARTY ACCESS, OR CAUSES BEYOND OUR CONTROL. THE COMPANY WILL NOT BE RESPONSIBLE WHATSOEVER FOR THE INADVERTENT DISCLOSURE OF YOUR PERSONAL INFORMATION OR THEFT OF YOUR PERSONAL INFORMATION. CONSEQUENTLY, COMPANY, ITS AFFILIATES, RELATED COMPANIES AND ARM'S LENGTH COMPANIES AND ANY DIRECTORS, OFFICERS, EMPLOYEES AND AGENTS THEREOF, DO NOT PROVIDE ANY REPRESENTATION, WARRANTY OR GUARANTEE THAT YOUR PERSONAL INFORMATION WILL BE PROTECTED AGAINST MISUSE, LOSS OR MODIFICATION. WE DO NOT ACCEPT AND DO NOT BEAR ANY LIABILITY FOR THE SECURITY OF YOUR, OR ANY OTHER USER'S, PERSONAL INFORMATION.**

V. Data Retention Policy, Managing Your Information

We will retain Your information for as long as You use the Website and for a reasonable time thereafter. We may maintain anonymized or aggregated data, including usage data, for analytics purposes. We may retain and use Your information as necessary to comply with Our legal obligations, resolve disputes, and/or for the period required by laws in applicable jurisdictions. Please note that some or all of the information We have collected may be required for the Website to function properly.

When Personal Information is no longer required by Us or by law, We will either convert it into an anonymized form or an aggregated non-identifying form, or We will appropriately destroy or erase the Personal Information in a manner that is in accordance with Our then-current policies and procedures.

VI. Links to Other Websites or Applications

This Privacy Policy applies only to the Website. The Website may contain links to other websites or apps, or may forward users to other websites or apps, that We may not own or operate, and to which this Privacy Policy does not apply. The links from the Website do not imply that We endorse or have reviewed these websites or apps. The policies and procedures We describe here do not apply to these websites or apps. We neither can control nor are responsible for the privacy practices or content of these websites or apps. We suggest contacting these websites or app providers directly for information

on their privacy policies. Nonetheless, We seek to protect the integrity of Our Website, and welcome any feedback about these linked websites and mobile applications.

VII. Your Choices Regarding Your Information & Accuracy

You have choices regarding the use of information by the Website.

- **Changing Your Information** – To change Your information, please log-in to Your account, if applicable, or contact us at WebsitePrivacy@FSsystem.com.

We recognize that You may have the right to access Your Personal Information in accordance with applicable laws. In some situations, We may not be able to provide access to certain Personal Information as the right to access Personal Information is not absolute. If We do not provide You with the requested information, We will notify You in writing and explain Our reason(s) for not fulfilling Your request.

When the COMPANY collects Your Personal Information, it does so with the understanding that any such information You supply is accurate. It is important to Us that Your Personal Information held by Us is accurate and complete. You can help Us keep Personal Information up-to-date by keeping Us informed of any changes, such as a change of address, telephone number or any other circumstances. We will bear no responsibility for any action or omission as a result of Our lack of accurate contact information or other or Personal Information for You.

VIII. Information Collected From Other Websites and Mobile Applications and Do Not Track Policy

Your browser or device may offer You a “Do Not Track” option, which allows You to signal to operators of websites, web applications, mobile applications, and services (including behavioral advertising services) that You do not wish such operators to track certain of Your online activities over time and/or across different websites or applications. Our Website does not support Do Not Track requests at this time, which means that We, or Our analytics providers or other third parties with which We are working, may collect information about Your online activity both during and after Your use of the Website.

IX. Children

Our Website is not intended for children under 16 years of age. We do not knowingly collect personal information from an individual under age 16. If You are under the age of 16, please do not submit any personal information through the Website. If You have reason to believe that We may have accidentally received personal information from an individual under age 16, please contact us immediately by emailing us at WebsitePrivacy@FSsystem.com.

X. Changes to Privacy Policy

We reserve the right to update or modify this Privacy Policy at any time and from time to time without prior notice. Please review this Privacy Policy periodically, and especially before You provide any information. This Privacy Policy was made effective on the date indicated above.

XI. How to Contact Us

Please feel free to contact Us by emailing Us at WebsitePrivacy@FSsystem.com, or by writing to Us at GROWMARK, Inc., 1701 Towanda Avenue, Attn: Privacy Officer, Bloomington, Illinois 61701 if You have any questions about this Privacy Policy or the handling practices of the COMPANY for Personal Information.

XII. Your California Privacy Rights

Section 1798.83 of the California Civil Code permits California residents to request from a business, with whom the California resident has an established business relationship, certain information about the types of Personal Information the business has shared with third parties for those third parties' direct marketing purposes, and the names and addresses of the third parties with whom the business has shared such information during the immediately preceding calendar year. You may make one request each year by emailing us at WebsitePrivacy@FSsystem.com, or by writing us at GROWMARK, Inc., 1701 Towanda Ave., Attn: Privacy Officer, Bloomington, Illinois 61701.

XIII. Your Nevada Privacy Rights

The Nevada Revised Statutes (NRS 603A.300 et seq.) permit a Nevada consumer to direct an operator of an Internet website or online service to refrain from making any sale of any covered information the operator has collected or will collect about that consumer. You may submit a request pursuant to this directive by emailing us at WebsitePrivacy@FSsystem.com. We will provide further information about how We verify the authenticity of the request and Your identity.

XIV. Successors and Assigns

The successors and assigns of the COMPANY may collect, use and disclose your Personal Information for substantially similar purposes as described in this Privacy Policy.

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