

# Healthy Foods, LLC Privacy Policy

Date Last Modified: December 10, 2014

Healthy Foods, LLC ("Healthy Foods" "We" "Us" or "Our") respect and are committed to protecting your privacy ("You" or "Your"). This Privacy Policy describes the types of information We may collect from You or that You may provide when You visit a Healthy Foods' website, when You interact with Healthy Foods through electronic communications, including e-mail and text, and when You interact with Healthy Food's advertising and applications on third-party web pages and services (collectively referred to herein as the "Website") and Our practices for collecting, maintaining, using, and disclosing that information.

## 1. ACCEPTANCE OF PRIVACY POLICY

By accessing the Website, You consent to the terms of this Privacy Policy. If You do not agree to the terms of this Privacy Policy, do not use the Website. Please review this Privacy Policy frequently as We reserve the right to change the policy at any time. For more information, please refer to the section entitled "Changes to this Privacy Policy" detailed below. If You believe We have not adhered to this Privacy Policy or if You have any other questions regarding this Privacy Policy, please contact Us at [privacyinfo@yonanas.com](mailto:privacyinfo@yonanas.com).

## 2. SCOPE OF PRIVACY POLICY

Please be advised that the practices described in this Privacy Policy apply to information collected by Healthy Foods through Your direct and indirect electronic communications with Us. This Privacy Policy does not apply to information collected by Healthy Foods offline, through any other means, or by any third party, including through any application or content that may link to, or be accessible from or on, the Website.

If You access the Website from a third party platform, including, without limitation, a Social Networking Site ("SNS"), You may be required to also read and accept the terms and conditions and privacy policy of that third party. Healthy Foods is not responsible for the privacy practices of any third parties, and You should contact such third parties directly to determine their respective privacy policies.

The Website is operated from and in accordance with the laws of the United States. If You are located outside of the United States and You access or use the Website, You acknowledge that: (i) the laws of the United States may differ from those of Your country of residence and (ii) Your use of the Website is at Your own risk and initiative. By accessing or using the Website and/or providing Us with Your Personal Information (defined below), You further: (i) consent to the transfers and processing of any information You provide to the Website; (ii) acknowledge that the laws of the United States may provide a lower standard of protection for Personal Information than the laws of other countries; and (iii) understand that the Website will collect, maintain, use, and disclose Your Personal Information in accordance with this Privacy Policy and United States law. You hereby waive any claims that may arise under the laws and regulations that apply to You in any other country or jurisdiction.

## 3. CHILDREN UNDER THE AGE OF 13

The Website is not intended for children under thirteen (13) years of age and We do not knowingly collect Personal Information from children under thirteen (13); no one under (13) may provide any information to or on the Website. If You are under thirteen (13), do not use or provide any information on this Website or on or through any of its features, make any

purchases through the Website, use any of the interactive or public comment features of the Website, or provide any information about Yourself to Us. In the event We discover that anyone under thirteen (13) has provided Personal Information to Healthy Foods, in accordance with Healthy Food's policies and the Children's Online Privacy Protection Act, We will delete that person's Personal Information from Our files to the extent technologically possible. If You believe We might have any information from or about a person under thirteen (13), please contact Us at [privacyinfo@yonanas.com](mailto:privacyinfo@yonanas.com).

#### **4. INFORMATION WE COLLECT ABOUT YOU AND HOW WE COLLECT IT**

In order to operate the Website and provide You with access to certain content and services, We may collect the following types of information from You:

- Personal information by which You may be identified ("Personal Information") as well as information that may not be personally identifiable standing alone (for example, Your age), but which may become personally identifiable when combined with Personal Information (for example, Your age combined with Your name); and
- Information about You and Your activities on the Website that does not identify You personally ("General Information"), such as Your domain server, device type, web browser, the operating system or platform You use, referrer data identifying the web pages You visited prior to and after accessing the Website, and Your movement and activity within the Website.

Any information or content posted to the Website is considered published content, not Personal Information, and therefore is not subject to this Privacy Policy. This includes, without limitation, comments, reviews, recipes, videos, and pictures posted on the Website.

##### **A. PERSONAL INFORMATION**

###### **Personal Information about You Collected Directly from You**

We may collect Your Personal Information when You interact with Us directly through the Website, such as when You access various content or features, contact Us directly, or through other methods in which You interact with the Website. We collect Personal Information that is necessary for purposes identified in this Privacy Policy or for which purposes Your consent has been obtained. The Personal Information We may collect and maintain about You includes:

- Contact information, such as name, e-mail address, telephone numbers, and postal address, including city, state/province/region, postal code and country;
- Age and date of birth;
- Gender;
- Company name;
- Location coordinates (longitude, latitude, and radius) if You use Your mobile phone or a GPS equipped device to access the Website;
- Unique identifiers, such as an Internet Protocol (IP) address, a processor or device serial number or other unique device identifiers, that are combined with Personal Information; and

- Payment and identity verification information, such as credit card number, social security number, driver's license, or comparable national identifiers, where needed for payment or to verify identity.

### **Personal Information about You Received from other Sources**

Where permitted by applicable law, We may collect Personal Information about You from other sources, such as interactive applications, Our business partners, data aggregators, public databases, and when You access the Website through a SNS. Such Personal Information may include:

- Contact information, such as name, e-mail address, telephone numbers, and postal address, including city, state/province/region, postal code and country;
- Age and date of birth;
- Gender;
- Company name;
- Location coordinates (longitude, latitude, and radius) if You use Your mobile phone or a GPS equipped device to access the Website;
- Unique identifiers, such as an Internet Protocol (IP) address, a processor or device serial number or other unique device identifiers, that are combined with Personal Information; and
- Your username and password for those services and other information available about or collected from You by those sources.

The information You allow Us to access varies by source and it is affected by the privacy settings established by those third parties. This Privacy Policy does not cover the practices of third parties, including those that may disclose information to Us. For more information about how those third parties handle Your Personal Information, please refer to their respective privacy policies.

### **B. GENERAL INFORMATION**

In addition to collecting Personal Information from You, We may use a variety of technologies that automatically collect General Information. General Information is information about You or Your use of the Website that does not identify You personally and is not otherwise combined with Your Personal Information. This includes information about Your Internet connection, the equipment You use to access the Website, Your usage details, referrer data identifying the web pages You visited prior to and after visiting the Website and Your movement and activity within the Website.

- **Cookies.** The Website may place files called "cookies" onto Your computer. Cookies are data text files that websites write onto computer hard drives for record keeping purposes when You visit them. The cookie file then identifies You as a unique user. Cookies make Your use of the Website more efficient by "personalizing" Your experience and gathering statistical data, such as which parts of the Website You have previously visited, Your Internet provider's domain name and country, and the addresses of the web pages You visited immediately before and after visiting the Website. Cookies enable Healthy Foods to tailor the information You receive and to assist Us and third parties in providing services on Our behalf. While some cookies are deleted when You

close Your browser, others remain even after You terminate Your browsing session. Most web browsers automatically accept cookies unless You have configured Your Browser not to accept them. You can program Your browser not to accept cookies, but if You do, You may not be able to use certain portions of the Website and We may not be able to customize certain features according to Your preferences.

The Website may also use Flash cookies, also known as local shared objects or persistent identification elements, to collect and store information, including information about Your use of and preferences on the Website. Flash cookies are managed by separate browser settings and can be controlled by visiting the Adobe® Flash® Player website at: [http://www.macromedia.com/support/documentation/en/flashplayer/help/settings\\_manager.html](http://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager.html).

- **Log Files.** The Website automatically records certain information that Your web browser sends when You visit a web page. This information is recorded in server logs and contain such things as the requests You make through Your web browser, Your Internet Protocol (IP) address, browser type, browser language, referring and exit websites and URLs, platform type, clickstream data, domain names, landing pages, web pages viewed, the amount of time spent on particular web page, the time and date of any request You make through Your web browser, and any cookies used to uniquely identify Your web browser.
- **Web Beacons.** Small graphic images or web programming code called web beacons (also known as “pixel tags” or “clear GIFs”) may be included on the Website and in e-mail messages sent to You. Web beacons or other similar technologies may be used for a number of purposes, such as to count visitors to the Website, monitor how You navigate the Website, or to count how many links posted on the Website were actually viewed.
- **Mobile Device Identifiers.** Certain mobile service providers uniquely identify mobile devices and Healthy Foods and/or third parties providing services on Our behalf may receive such device information if You access the Website through a mobile device. Certain features on the Website may require collection of mobile phone numbers and We may associate that phone number with mobile device identification information. Additionally, some mobile service providers operate systems that pinpoint the physical location of devices that use their services. Depending on the provider, Healthy Foods and/or third parties providing services on Our behalf may receive this information.
- **Embedded Scripts.** An embedded script is programming code designed to collect information about Your use of the Website, such as the links You click on. The code is temporarily downloaded to Your computer from the Website’s server or a third party provider, is active only while You are connected to the Website, and is deactivated or deleted once You leave the Website.
- **Google Analytics.** We use a tool called “Google Analytics” to collect general information about Your use of the Website. Google Analytics collects information such as how often You visit the Website, what pages You visit when You do so, and what other websites You used prior to visiting the Website. We use information from Google Analytics only to measure and improve the

effectiveness of the Website. Google Analytics collects only the IP address assigned to You on the date You visit the Website, rather than Your name or other identifying information. We do not combine the information collected through the use of Google Analytics with personally identifiable information. Although Google Analytics plants a permanent cookie on Your web browser to identify You as a unique user the next time You visit the Website, the cookie cannot be used by anyone but Google. Google's ability to use and share information collected by Google Analytics about Your visits to the Website is restricted by the Google Analytics Terms of Use and the Google Privacy Policy. You can prevent Google Analytics from recognizing You on return visits to the Website by disabling cookies on Your browser.

We also may use these technologies to collect information about Your online activities over time and across third-party web pages or other online services (behavioral tracking). Please refer to the section below entitled "Do Not Track" for information on how We respond to web browser signals and other mechanisms that enable consumers to exercise choice about behavioral tracking.

## **5. DO NOT TRACK**

Some web browsers may give You the ability to enable a "Do Not Track" setting that is an HTTP header field indicating Your preferences regarding tracking or cross-site user tracking. This is different from disabling certain forms of tracking by declining cookies in Your browser settings, as browsers with the "Do Not Track" setting enabled still have the ability to accept cookies. We do not recognize web browser "Do Not Track" signals at this time. Instead, information collection and disclosure practices and the choices that We provide You will continue to operate as described in this Privacy Policy, whether or not a "Do Not Track" signal is received. For more information about "Do Not Track" signals, please visit <http://donottrack.us/>.

## **6. THIRD-PARTY USE OF COOKIES AND OTHER TRACKING TECHNOLOGIES**

We may work with third parties such as advertisers, ad networks and servers, content providers, and application providers that use tracking technologies on the Website, including in order to provide tailored advertisements on Our behalf and on behalf of other advertisers across the Internet. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about You when You use the Website. Such third parties may collect information, including Personal Information, about Your online activities over time and across different websites and other online services. We do not control these third parties' tracking technologies or how they may be used. For more information about this practice and to understand Your options, please visit <http://www.networkadvertising.org/> or <http://www.aboutads.info>. If You have any questions about an advertisement or other targeted content, You should contact the responsible provider directly.

## **7. HOW WE USE YOUR INFORMATION**

We only use information that We collect about You or that You provide to Us, including any Personal Information:

- To present the Website and its contents to You;
- To provide You with information, products, or services that You request from Us;
- To carry out Our obligations and enforce Our rights arising from any contracts entered into between You and Us, including for billing and collection;

- To notify You about changes to the Website or any products or services We offer or provide through it;
- To allow You to participate in interactive features on the Website;
- In any other way We may describe when You provide the information; and
- To fulfill any other purpose for which You provide it.

## 8. HOW WE SHARE YOUR INFORMATION

We are committed to maintaining Your trust and We want You to understand when and with whom We share information collected about You. We do not share, sell, rent or trade information We receive from You to any third party unless: (i) We have Your permission to share that information, e.g., a specific program that You can opt into or out of at any time; (ii) We have given You prior notice that the information will be shared, and with whom (such as in this Privacy Policy); or (iii) the information is General Information, e.g., aggregate information or other information that does not identify You. We may use and disclose General Information without limitation.

Healthy Foods may share Your Personal Information as set forth in the following circumstances:

- **Third Party Service Providers.** In some cases, We may employ third party service providers to facilitate or outsource one or more aspects of the operation of Our Website or services We offer, such as third party payment processors to perform certain services on Our behalf, including, without limitation: (i) processing and fulfilling Your orders; (ii) providing customer service; (iii) shipping; (iv) sending postal mail and e-mail; (v) analyzing, updating, and correcting information We receive on or through the Website; (vi) performing business analysis, data processing, and/or quality control; (vii) providing marketing assistance, search results, and links (including, without limitation, paid listings and links); (viii) processing credit card and debit card payments; (ix) hosting Our databases; and (x) providing You with information You request. Consequently, We may share Your Personal Information with these third party service providers if they need it to perform services on Our behalf. These third party service providers are not permitted to use the information for any purpose other than to facilitate the specific outsourced related operation, unless You have explicitly agreed or given Your prior permission to them for additional uses.
- **Contests and Promotions.** From time to time, We may offer contests and other promotions that may require registration. If You choose to enter a contest or promotion, Your Personal Information may be disclosed to third parties in connection with the administration of such offering, such as in connection with winner selection, prize fulfillment, and as required by law, such as on a winners list. By entering a contest or promotion, You are agreeing to the official rules that govern that offering, which may contain specific requirements of You, including, except where prohibited by law, allowing Us and/or other parties to use Your name, voice, and/or likeness in advertising or marketing materials.
- **Disclosure of Personal Information for Legal and Administrative Reasons.** If We believe in good faith that it is necessary and appropriate, We may disclose Your Personal Information without notice: (i) when required by law or to comply with a court order, subpoena, search warrant or other legal process; (ii) to cooperate in investigations of fraud, intellectual property infringement, or any other activity that is illegal or may expose Us or You to legal liability; (iii) to comply with legal, regulatory or administrative

requirements of governmental authorities (including, without limitation, requests from governmental agency authorities to view Your Personal Information); (iv) to protect and defend Our rights, property, and safety and that of Our affiliates, subsidiaries, Website users, business partners, and any of their officers, directors, employees, attorneys, agents, contractors, and business partners; (v) to verify the identity of the Website's users; (vi) to protect the security and integrity of the Website; and (vii) to enforce the Website's legal notice(s) and other agreements, including for billing and collection purposes.

- **Business Transfers.** Your Personal Information may be transferred, sold, or otherwise conveyed ("Conveyed") to a third party where We: (i) merge with or are acquired by another business entity; (ii) sell all or substantially all of Our assets; (iii) are adjudicated bankrupt; or (iv) are liquidated or otherwise reorganized. You consent to any and all such Conveyances of Your Personal Information.

## **9. PERSONAL CHOICE IN THE DISCLOSURE OF YOUR INFORMATION**

Your Personal Information will not be sold to advertisers or spammers. If You do not want Us to share Your Personal Information beyond that which is required to use the Website, process transactions initiated by You, or participate Healthy Foods' contests or promotions, or if You do not want to receive certain communications and offers from Healthy Foods, You can "opt-out" of such sharing, communications, and offers by clicking the "Unsubscribe" feature on a promotional e-mail You receive from Us, contacting customer service at [info@yonanas.com](mailto:info@yonanas.com), or writing Us at:

Healthy Foods, LLC  
30339 Diamond Parkway, Suite 105  
Cleveland, OH 44139

Please note that opting-out of or unsubscribing from Our promotional offers or other marketing messages does not affect communications from Us regarding a product purchase, warranty registration, product service experience, or other transaction and We still may need to share Your Personal Information or send communications relating to Your use of the Website, such as to process a transaction initiated by You or for other legitimate non-marketing reasons.

## **10. HOW WE PROTECT YOUR INFORMATION**

We conduct Our business with great respect for the confidential nature of the information being provided and have security standards and procedures in place designed to prevent unauthorized access to Your Personal Information, to ensure that Your Personal Information is kept confidential, and that it is used only for the purposes for which it was collected. Consistent with industry standards and practices, We maintain physical, electronic, and procedural safeguards, which We review, refine, and upgrade as We deem appropriate based on new tools becoming available, to protect Your Personal Information. The safety and security of Your Personal Information also depends on You. Where We have given You (or where You have chosen) a password for access to certain features of the Website, You are responsible for keeping this password confidential. We ask You not to share Your password with anyone.

Unfortunately, the transmission of information via the Internet is not completely secure. Although We do Our best to protect Your Personal Information, We do not guarantee, and You should not expect, the security of Your Personal Information or private communications transmitted to the Website. Any transmission of Personal Information is at Your own risk. We

are not responsible for circumvention of any privacy settings or security measures contained on the Website.

Please be careful whenever sending Personal Information to Us via e-mail. E-mail is generally not a secure means of transferring information. We therefore cannot guarantee that this information will not be lost or used in a fraudulent manner and We encourage the use of e-mail encryption to communicate with Us.

#### **11. ACCESSING AND UPDATING YOUR INFORMATION**

You are responsible for the accuracy and completeness of Your Personal Information. If You would like to: (i) review Your Personal Information; (ii) update Your Personal Information, if You believe that any of Your information is incorrect or has changed; or (iii) request that We delete Personal Information stored in the databases We actively use, please contact Us at [privacyinfo@yonanas.com](mailto:privacyinfo@yonanas.com).

Unless restricted by law, We will take all reasonable steps to functionally delete Your Personal Information from Our database(s) upon request, although We may keep a copy for archival purposes for as long as necessary in Our opinion, in compliance with applicable laws. We will respond to Your request to review, update or delete Your Personal Information within sixty (60) business days. Before We are able to provide You with any information, correct any inaccuracies or delete any information, however, We may ask You to verify Your identity and to provide other details (in a secure manner) to help Us to respond to Your request.

#### **12. HOW LONG USER INFORMATION IS KEPT**

We generally keep user data on Our servers or in Our archives for as long as We reasonably need it. We may alter this practice according to changing requirements. For example, We may delete some data if needed to free up storage space. We may keep other data for longer periods if applicable law requires it. In addition, information posted in a public forum could stay in the public domain indefinitely.

#### **13. PUBLIC FORUMS**

We may offer blogs, message boards, bulletin boards, or similar public forums where You and other users of the Website can communicate. Unless otherwise required by applicable law or regulation, the protections described in this Privacy Policy do not apply to information (including Personal Information) that You post to these public forums. Any information You share in a public forum is public information and may be seen or collected by anyone, including third parties that do not adhere to Our Privacy Policy. You must exercise caution and discretion before posting any of Your Personal Information as We cannot prevent such information from being used in a manner that may violate this Privacy Policy, the law, or Your personal privacy and safety. We are not responsible for events arising from the distribution of any information You choose to publicly post or share.

#### **14. OTHER WEBSITES/LINKS/SNS APPLICATIONS**

We are not responsible for the privacy policies or the content of applications and web pages to which We link, including any SNS, and have no control of the use or protection of information provided by You or collected by those applications or websites. Links to any third party websites or applications do not constitute or imply an endorsement or recommendation by Us of the linked websites or applications. You agree that We shall not be responsible or liable for any loss or damage of any sort incurred by You as a result of Your dealings with any third party.

#### **15. CALIFORNIA PRIVACY RIGHTS**



California Civil Code Section 1798.83 permits residents of the State of California to request from certain businesses with whom the California resident has an established business relationship a list of all third parties to which the business, during the immediately preceding calendar year, has disclosed certain personally identifiable information for direct marketing purposes. We are only required to respond to a customer request once during any calendar year. To make such a request You should send (i) an e-mail to [privacyinfo@yonanas.com](mailto:privacyinfo@yonanas.com) with the subject heading "California Privacy Rights," or (ii) a letter to Healthy Foods, LLC, 30339 Diamond Parkway, Suite 105, Cleveland, OH 44139. In Your request, please attest to the fact that You are a California resident and provide a current California address for Our response. Please be aware that not all information sharing is covered by the California privacy rights requirements and only information on covered sharing will be included in Our response. We reserve the right not to respond to requests submitted to addresses other than the addresses specified in this paragraph.

#### **16. CANADIAN RESIDENTS PRIVACY RIGHTS**

For Canadian Residents: We will take all steps reasonably necessary to ensure that Your Personal Information is treated securely and in accordance with this Privacy Policy and Canadian law. Healthy Foods complies with this Privacy Policy as well as applicable Canadian private sector data protection laws such as the *Personal Information Protection and Electronic Documents Act* and substantially similar provincial laws pertaining to the collection, use and disclosure of Personal Information.

#### **17. CHANGES TO THIS POLICY**

This Privacy Policy may be revised and updated over time. If We modify this Privacy Policy, We will update the "Date Last Modified" and such changes will be effective upon posting. If We make what We determine to be material changes to this Privacy Policy, We will notify You by prominently posting a notice on the Website. Your continued use of the Website following such material changes constitutes Your assent to the changes. If You do not agree to the changes, Your sole remedy is to cease using the Website. You are responsible for periodically visiting the Website and this Privacy Policy to check for any changes.

#### **18. SEVERABILITY**

If any part of this Privacy Policy is held invalid or unenforceable, that portion shall be interpreted in a manner consistent with applicable law to reflect, as nearly as possible, Our original intentions, and the remaining portions shall remain in full force and effect.

#### **19. HOW TO CONTACT US**

If You would like to contact Us for any reason about this Privacy Policy or Our privacy procedures and practices, please send an e-mail to: [privacyinfo@yonanas.com](mailto:privacyinfo@yonanas.com) or write Healthy Foods at:

Healthy Foods, LLC  
Attn: Privacy Info  
30339 Diamond Parkway, Suite 105  
Cleveland, OH 44139

We are committed to working with You to obtain a fair resolution of any privacy concern in compliance with applicable law. When We receive formal written complaints, We will contact the person who made the complaint to follow up.