

PRIVACY POLICY – ALAMO BOTANICALS

LAST MODIFIED ON: JANUARY 15, 2020

ALAMO BOTANICALS (the “**Company**” “**us**” or “**we**”) is committed to maintaining robust privacy protections for individuals accessing the Company’s website(s) (each, a “**Site**”) or utilizing its services, whether online or otherwise (“**Services**”). This Privacy Policy (“**Privacy Policy**”) is designed to assist you as you access the Site and utilize the Services in understanding how the Company collects, uses, and safeguards information obtained by, from, or through you. It is also designed to help you in making informed decisions when accessing the Site and utilizing the Services.

YOU SHOULD READ THIS PRIVACY POLICY CAREFULLY PRIOR TO ACCESSING THE SITE OR USING THE SERVICES. By accessing the Site or using the Services, you will be deemed to have accepted the Privacy Policy along with its Terms and Conditions, copy of which can be at the following link: www.alamobotanicals.com. You will also be deemed to have consented to the Company’s collection, storage, use and disclosure of your Personal Information and Non-Personal Information (each as defined below) in accordance with the additional terms described in this Privacy Policy. Your acceptance of the Privacy Policy and Terms and Conditions creates binding, legal agreements between you and us. **IF YOU DO NOT AGREE TO THIS PRIVACY POLICY, YOU SHOULD NOT USE THE COMPANY’S SITE OR ITS SERVICES.**

This Privacy Policy is intended to comply with, to the extent practical, the General Data Protection Regulation (“**GDPR**”) as adopted and implemented by the European Union, as of April of 2016. You should note that any deviation or relaxation of any standard or principle set forth in the GDPR, even if material in its impact, shall not expose us to any liability or give rise to a potential right of action from you. The Privacy Policy sets forth the general manner in which confidential or private user information is protected, including, but not limited to, the following: (i) what information the Company collects; (ii) how that information is collected; (iii) with whom the Company may share the information; (iv) how any such information can be corrected or removed; (v) how the information is stored and secured; (vi) how the Company protects the privacy of information related to minors; (vii) information regarding the use of the Site or Services; (viii) how revisions to the Privacy Policy are communicated to you; and (ix) how you may contact the Company.

1. INFORMATION COLLECTED BY THE COMPANY. The Company collects Personal Information and Non-Personal Information from you. “**Personal information**” is any information that the Company could use to identify an individual. It does not include personal information that is encoded or anonymized, or publicly available information that has not been combined with non-public information. Examples of Personal Information that may be collected includes, but is not limited to: (i) your name, address, social security number, date of birth, telephone/mobile phone number and e-mail address; (ii) your credit and debit card account information or other information obtained from your credit reports; (iii) miscellaneous information about you, such as city of birth and mother’s maiden name, used to verify your identity in the event that you forget your login information; (iv) information provided by you through customer service correspondence and general feedback; and (v) media content submitted to the Company by you, such as commentary about the Company’s Services, testimonials, or other similar content shared by you through video. “**Non-Personal Information**” is information that does not, on its own, permit direct association with any specific individual. The Company may collect, use, transfer, and disclose

non-personal information for any purpose. Examples of Non-Personal Information that may be collected includes, but is not limited to:

(a) **Server Log Files.** An Internet Protocol (“**IP**”) address is a number that is automatically assigned to the computer that you are using by your Internet Service Provider. This number is identified and logged automatically in the Company’s server log files whenever you visit the Site, along with the dates time(s) of such visit(s) and the page(s) visited. The Company may use your IP address for purposes such as calculating Site usage levels, helping diagnose problems with the Site’s servers, and administering the Site. Collecting IP addresses is standard practice on the Internet and is done automatically by many Sites.

(b) **Cookies and Similar Technologies.** The Company and its service providers, and/or non-affiliated third-parties, may use “cookies” or similar technologies on the Site. “**Cookies**” are data that a web server transfers to an individual’s computer for recordkeeping purposes. Cookies are an industry standard used by many websites and can facilitate a user’s ongoing access to and use of a particular site; cookies do not cause damage to a computer systems or files. If you do not want information collected through the use of Cookies, there is a simple procedure in most browsers that allows you to automatically decline Cookies, or to be given the choice of declining or accepting the transfer of a particular Cookie, or Cookies from a particular website, to your computer. Additionally, please see the “User Choices” section below for instructions on how to opt-out of sharing certain information related to the use of Cookies.

(c) **Environmental Variables.** The Company and its service providers may also collect certain environmental variables, such as computer type (e.g. Windows or Macintosh), screen resolution, operating system version, Internet browser, and Internet browser version. These environmental variables are collected by most browsers and can be used to optimize your experience on the Site.

(d) **Pixel Tags.** The Company, its service providers, and/or non-affiliated third-parties, may also use so-called “pixel tags,” “web beacons,” “clear GIFs” or similar means (collectively, “**Pixel Tags**”) in connection with some Site pages and HTML-formatted e-mail messages to, among other things, compile aggregate statistics about Site usage and response rates. A Pixel Tag is an electronic image, often a single pixel (1×1), that is ordinarily not visible to Site visitors and may be associated with Cookies on the visitors’ hard drives. Pixel Tags allow the Company to count the number of users who have visited certain pages of the Site, to deliver branded services, to provide online advertising, and to help determine the effectiveness of promotional or advertising campaigns. When used in HTML-formatted e-mail messages, Pixel Tags can tell the sender whether and when the e-mail has been opened.

PLEASE NOTE THAT IF THE COMPANY COMBINES ANY NON-PERSONAL INFORMATION WITH PERSONAL INFORMATION, THE COMBINED INFORMATION WILL BE TREATED BY THE COMPANY AS PERSONAL INFORMATION AS LONG AS IT IS SO COMBINED.

2. **METHOD OF COLLECTION.** We collect Personal Information and Non-Personal Information through the Site. While you may use the Site without creating an account, even without an account, the Company may collect Personal Information about your use of the Site. This may include information about any IP address you use to access the Site and/or your activity or patterns of activity using the Site. You authorize the Company to use Cookies, or other small text files stored on its computer, server log files, environmental variables (such as computer type), Pixel Tags, and other Non-Personal Information voluntarily provided (such as geographic location) to store data about visits and authorizes the Company to access such data. Personal Information shall be: (i) processed lawfully, fairly and in a transparent manner in relation to the data subject; (ii) collected for specified, explicit and legitimate purposes and

not further processed in a manner that is incompatible with those purposes; (iii) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed; (iv) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that Personal Information that is inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (v) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the Personal Information is processed; Personal Information may be stored for longer periods insofar as the Personal Information will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes; and (vi) processed in a manner that ensures appropriate security of the Personal Information, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures.

PLEASE NOTE THAT BY SUBSCRIBING TO/OPTING-INTO THE COMPANY'S SMS (TEXT) MESSAGING NOTIFICATIONS, YOU ARE PROVIDING US WITH PERSONALLY IDENTIFIABLE INFORMATION, AND YOU CONSENT TO OUR USE OF SUCH INFORMATION AS DESCRIBED IN THIS PRIVACY POLICY. YOU MAY OPT OUT OF RECEIVING SMS (TEXT) MESSAGING NOTIFICATIONS AT ANY TIME BY REPLYING "STOP" TO COMPANY'S TEXT MESSAGE.

3. **DISCLOSURE OF PERSONAL INFORMATION.** The Company intends to share your Personal Information with its strategic partners in order to increase the quality and comprehensive nature of the Services. Personal Information may be transmitted to such strategic partners who work on behalf of or with the Company to provide you with some of the services and features of the Site and to help the Company communicate with you (including in connection with payments), including without limitation any of the Company's subsidiaries. The Company will NEVER sell your Personal Information for a fee to non-affiliated third-parties. Except as otherwise stated in this Privacy Policy, we do not disclose to or share your Personal Information with third parties, unless requested or authorized by you. THE COMPANY IS NOT RESPONSIBLE FOR ANY OF ANY THIRD-PARTY PROVIDER'S ACTIONS OR INACTIONS.

The Company may disclose Personal or Non-Personal Information of yours if such disclosure is necessary to (a) comply with relevant laws or to respond to subpoenas or warrants served on the Company; (b) to enforce any agreement the Company may have entered into with you and to enforce the Privacy Policy; or (c) to protect and defend the rights or property of the Company, other users, or third parties.

4. **DISCLOSURE OF NON-PERSONAL INFORMATION.** The Company will share your Non-Personal Information with its strategic partners in order to increase the quality and comprehensive nature of the Services. The Company may also share Non-Personal Information that cannot identify you with any third parties. For example, the Company may disclose the number of visitors to the Site or the number of users of the Services.

PLEASE NOTE THAT THIS POLICY DOES NOT ADDRESS THE PRIVACY OR INFORMATION PRACTICES OF ANY THIRD PARTIES TO WHOM PERSONAL OR NON-PERSONAL INFORMATION MAY BE DISCLOSED HEREUNDER.

In the event the Company is involved in a business transition such as a merger, acquisition by another company, or sale of all or a portion of its assets, Personal Information will likely be among the assets transferred. You acknowledge that such transfers may occur, and that any acquirer of the Company or its assets may continue to use such Personal Information as set forth in this Privacy Policy.

5. REMOVAL OR ALTERATION OF YOUR PERSONAL INFORMATION. If you provide the Company written notice of a request to remove your Personal Information from the Company's records, the Company will endeavor to remove it as quickly as possible. You understand that any such removal is only intended to result in the removal of its Personal Information from the Company's own records, but will not result in, nor will such request create an expectation of, any removal of any information about you from other available sources. If you are a California resident and have an established business relationship with us, you can request a notice disclosing the categories of personal information we have shared with third parties, for the third parties' direct marketing purposes, during the preceding calendar year. To request a notice, please submit your request to **info@alamobotanicals.com**.

Corrections or updates to Personal Information, including an email address, phone number, mailing address, credit card information or password reminder phrase may be made by calling one of the Company's representatives and authorizing an update to the information within your account. For the protection of all users, the Company's representatives may request supporting and/or authentication documentation or information before making any changes or updates to such Personal Information.

6. SECURITY MEASURES. The Company has and maintains administrative, technical, and physical safeguards to help protect against the loss, misuse and alteration of Personal or Non-Personal Information under the control of the Company. When the Company collects or transmits sensitive information such as a credit or debit card number, it uses industry standard methods to protect that information. Unfortunately, no data transmission over the Internet or data storage system can be guaranteed to be completely secure. If you have reason to believe that your interaction with the Company are no longer secure, you agree to notify the Company of the problem within seven (7) days from your discovery of a security issue. Any delay by you to notify us of a potential security breach will result in your waiver any and all claims against us in relation to such breach.

7. RETENTION PERIOD. The Company will retain Personal and Non-Personal Information for the period necessary to fulfill the purposes outlined in this Privacy Policy unless a longer retention period is required or permitted by law. Please note that the Company has a variety of obligations to retain user-provided data, including to ensure that transactions can be appropriately processed, settled, refunded or charged-back, to help identify fraud and to comply with anti-money laundering and other laws and rules that apply to the Company. Accordingly, even if you close your account, the Company will retain certain data to meet its obligations. There may also be residual data that will remain within the Company's databases and other records, which will not be removed.

8. PRIVACY OF MINORS. The Site and the Services are directed to individuals that have attained the age of eighteen (18). The Company does not intentionally collect Personal Information from anyone under the age of eighteen (18). YOU ARE ONLY AUTHORIZED TO USE THE SITE AND THE SERVICE, OR TO PROVIDE THE COMPANY YOUR INFORMATION YOU ARE AT LEAST EIGHTEEN (18) YEARS OLD.

If you are aware that the Company has collected Personal Information from someone under the age of eighteen (18), you agree to notify the Company via the contact information found on the Site within fourteen (14) days from its discovery of such collection of Personal Information, and the Personal Information will be removed from the Company's system as soon as reasonably possible. If the Company determines upon collection of Personal Information of a user that such user is under the required age, the Company will not use or maintain his or her Personal Information without the consent of the minor's parent/guardian. If the Company becomes aware that it has unknowingly collected Personal Information

from a child under the age of eighteen (18), it will make reasonable efforts to delete such information from its records.

9. USING THE SITE OR SERVICES. In addition to the information above, you should be aware of the following:

(a) *Links – Company Disclaimers.* The Site may contain links to third-party webpages or websites. These linked sites are not under the control of the Company and the Company shall not be responsible for the privacy practices or the contents of any such linked site, or any link contained in any linked website. You expressly waive any right to pursue any claim of action against the Company with respect to the actions or failures to act of any third-party whose link may be included on the Site. The Company provides such links only as a convenience, and the inclusion of a link on the Site does not imply endorsement of the linked website by the Company. If you provide any Personal Information through any such third-party website or webpage, such transaction will occur on the third party's website and the Personal Information provided by you will be collected by, and controlled in accordance with the privacy policy of that third-party.

(b) *Cookies.* You have the ability to prohibit being served an advertisement based on Cookie technology from certain companies. The Company may utilize reputable third-party vendors to serve advertisements. If, however, you are not comfortable with Cookies, you can adjust the settings within your Internet browser to prevent being served a Cookie. You should familiarize yourself with your Internet browser's instructions in order to be able to perform this task. Additionally, the Network Advertising Initiative ("**NAI**") has developed an opt-out tool with the express purpose of allowing consumers to "opt-out" of the targeted advertising delivered by its member networks. The Company may share anonymous or de-identified Non-Personal Information with such member networks for the purposes of delivering targeted advertising; however, you may visit the NAI opt-out page and opt-out of this cookie tracking if you do not wish to receive targeted advertising.

(c) *Company Emails.* By using the Company's Site or Services, you may be enrolled to receive emails containing announcements, promotions, or offers from the Company. If you prefer not to receive these emails from the Company, please unsubscribe via the unsubscribe link in any such email, or contact the Company.

10. CHANGES TO THIS PRIVACY POLICY. The Company may change this Privacy Policy from time to time in its discretion. We will not reduce your rights under this Privacy Policy without explicit consent. Privacy Policy changes will be posted on the Site and become effective as of the time of change.

11. CONTACTING THE COMPANY. If you have any questions regarding this Privacy Policy, please email us at **info@alamobotanicals.com**.

THE COMPANY CONTROLS AND OPERATES THE SITE FROM THE UNITED STATES, AND THE SITE IS NOT INTENDED TO SUBJECT THE COMPANY TO THE LAWS OR JURISDICTION OF ANY STATE, COUNTRY OR TERRITORY OTHER THAN THAT OF THE UNITED STATES. THE COMPANY DOES NOT REPRESENT OR WARRANT THAT THE SITE, OR ANY PART THEREOF, IS APPROPRIATE OR AVAILABLE FOR USE IN ANY PARTICULAR JURISDICTION. THOSE WHO CHOOSE TO ACCESS THE SITE DO SO ON THEIR OWN INITIATIVE AND AT THEIR OWN RISK, AND ARE RESPONSIBLE FOR COMPLYING WITH ALL LOCAL LAWS, RULES AND REGULATIONS. THE COMPANY MAY LIMIT THE SITE'S AVAILABILITY, IN WHOLE OR IN PART, TO ANY PERSON, GEOGRAPHIC AREA OR JURISDICTION IT CHOOSES, AT ANY TIME AND IN ITS SOLE DISCRETION.