

UNITED STATES OF AMERICA

# PRIVACY POLICY

Effective Date: July 4, 2018

## Introduction

Faribault Foods, Inc. (“Faribault Food Company”, “we”, “us”, or “our”) is the company proudly behind S&W® beans. This Privacy Policy is part of our Website Terms of Use and applies to information we collect from you when you use <https://www.swbeans.com/> (“Website”). By using our Website, you agree to the terms of this Privacy Policy. If you do not agree to the term of this Privacy Policy, do not use this Website.

## We May Modify This Privacy Policy

We may modify this Privacy Policy at any time, in our sole discretion. The date this Privacy Policy was last modified is identified at the top of this page as the Effective Date.

## What Information We Collect

We may collect the following information from you when you use our Website:

**Non-personal Information:** When you use our Website, we may collect non-personal information from you including the following:

- Internet connection information and device information such as you Internet protocol (IP) address, MAC address, device ID, or device type
- Software and browser information, such as your browser type, operating system, application software
- Information about your activity that is not considered personal, such as the time and date you used our Website, your search queries on the Website, the pages you access on our Website and how long you access them, the links on our Website that you click, the address of the website that directed you to our Website, and the website you access when you leave our Website, whether you open or forward emails from us, and whether you interact with certain elements in emails from us

We collect non-personal information to operate and optimize our Website, understand patterns of activity on our Website, and identify ways to improve our Website.

**Personal Information:** When you contact us through our Website (or by email to an @faribaultfoods.com email address), we may collect personal information from you including, including personally-identifiable information (“PII”). We may collect the following categories of PII:

- Full name
- Email address

- Phone number
- Physical address
- Any other identifier that permits us to contact you specifically, online or physical
- Any information concerning you that we maintain in personally identifiable form, combined with one of the proceeding elements

If you enter our sweepstakes, contests, giveaways, or promotions, participate in our surveys, or report problems to us, in addition to PII, we may collect other personal information from you, including the following:

- Date of birth
- Age
- Gender
- Ethnicity
- Marital status
- Family size
- Income level
- Other specific demographic information we request

If you sign-up for our newsletter, we collect your name and email address. If you share content from our Website with another person, we may collect the email address of the person with whom you share the content. For more information see the subsection *Send-to-a-Friend Tools* in the section *How We Share Information, Including PII*.

**Employment Information.** If you apply for employment through our Website (or by email to an @faribaultfoods.com email address), to the extent permitted by law, we may collect personal and non-personal information from you, and any information about you that appears on the employment application form and your resume, including the following:

- Your work authorization information, including visa status
- Employment history
- Academic level
- Desired salary
- Any other information you include

You may also choose to provide optional information such as race, gender, and whether you are disabled or your Veteran status. We collect employment information from you to consider you for employment.

**Other Information about Products and Services.** If you purchase a product or service of ours, we may collect other information necessary to provide the product or service to you. We may also collect information about the product or service and your experiences with it in our communications with you about the product or service. We may include third-party e-commerce services on our Website; for more information, please see the section *Third Party E-Commerce Services*.

**Location Information:** We may collect information about your location when you use our Website. We may collect information regarding your general location using your IP address. If you use our Website from a mobile device, we may collect more precise geolocation information from your mobile device. This information may be used to customize certain features of our Website and to provide you with location-based services. This information may also be used to send push notifications, which appear on the display of your mobile device in the form of a badge, alert or banner, and allow mobile applications to send information to your mobile device even when the application is not in use. For information on how to disable geolocation services and push notifications on

a mobile device, see the subsection *Tools on Mobile Devices* in the section *Your Opt-Out Choices*.

## How We Collect Information

We may collect information from you in the following ways:

We automatically collect **non-personal information** from you when you use our Website by using cookies, flash cookies, and web beacons on our Website. For information about managing your privacy online, see the section *Your Opt-Out Choices*.

- Cookies (or browser cookies). A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to use certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website. For information about managing cookies, see the section *Your Opt-Out Choices*.
- Flash Cookies and Other Local Storage Technologies. Certain features of our Website may use local stored objects (or Flash cookies) or other local storage technologies to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies and other local storage technologies are not managed by the same browser settings as are used for browser cookies. For information about managing your privacy and security settings for Flash cookies or other local storage technologies, see the section *Your Opt-Out Choices*.
- Pixel Tags. Pages of our the Website and emails may contain code (depending on the type, it may be referred to as pixels, pixel tags, web beacons, clear gifs, and single-pixel gifs) that permit us to count and track users who have visited those webpages or opened an email and generate related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

We may collect **personal information** from you when you provide it to us through the Contact Us form on our Website, by email, on forms for our sweepstakes, contests, giveaways, and promotions, and in surveys. We may also collect personal information from other businesses we engage. We may receive personal information about you and your contacts from third-party social media or social networking services if you use our Website while you are logged-in to a social media or social networking service or contact us through a social media or social networking service. We may associate automatically collected non-personal information about you with personal information we have about you.

Identifiers. We may receive an identifier for your browser device from the companies that make the software that runs your device or browser. For example, we may receive a temporary device identifier called the "Identifier for Advertisers" (or "IDFA") from your mobile device. For information about managing identifiers, see the section *Your Opt-Out Choices*.

## How We Protect Information We Collect

We have implemented measures, or rely on measures implemented by others, that are intended to secure information we collect, use, and share, including your personal information, from accidental loss and unauthorized access, use, alteration, and disclosure.

Unfortunately, the transmission of information via the internet is not completely secure and we cannot guarantee the security of your personal information transmitted to our Website. Any transmission of your personal information is at your own risk. You agree we are not responsible for circumvention of any privacy settings or security measures on our Website, and that we are not responsible for the security measures implemented by third-parties on whom we rely.

Any information you or others disclose in publicly accessible areas of our Website becomes public information. You agree that we are not responsible for information you or others disclose publicly about you.

## How We Use Information

The information we collect from you helps us improve our Website and deliver better and more personalized services to you. We may use information collected about you to do the following:

- Estimate how many people visit our Website
- Learn about how people use our Website
- Improve our Website
- Interact with you through our Website
- Recognize you when you return to our Website
- Present a customized version of our Website to you
- Improve your searches on our Website
- Inform you about our products and services, including through marketing and advertising online and by email, and personalized advertising
- Deliver products or services you request from us
- Register you for sweepstakes, contests, promotions
- Send you coupons, product samples, or other materials
- Perform and enforce contracts between you and us, for example, for billing
- Notify you about changes to our Website, this Privacy Policy, or products or services we offer or provide you
- Fulfill any other purpose for which you provide information

If you do not want us to use information we collect about you, see the section *Your Opt-Out Choices*.

## How We Share Information, Including PII

Except as described in this Privacy Policy, we will not disclose, sell, trade, transfer, or otherwise share information, including PII.

**Subsidiaries and Affiliates.** We may share information, including PII, with our subsidiaries and corporate affiliates, including future subsidiaries and affiliates.

**Service Providers and Consultants.** We may share information, including PII, with service providers and consultants in order for them to provide products or services to you or us. For example, we may use service providers and consultants to provide and advise us about the following: website hosting, support, maintenance, remedial, and repair

services, mail delivery services, order fulfillment and shipping, promotion administration and fulfillment, advertising, marketing, and promotional activities, data analytics, fraud protection and risk reduction, and payment processing and authorization.

**Joint Promotions.** If you participate in a joint promotion that we offer with another party, information, including PII, may be collected by us and the other party. Information, including PII, we collect from you will be used by us as described in this Privacy Policy, but may be used differently by the other party, according to the other party's Privacy Policy, which will be disclosed to you. We do not control the privacy policies of other parties.

**Enforcement of Rights and Security.** We may share information, including PII, (i) when we are compelled by law to do so (for example, when we have received a subpoena) or when we believe the law requires us to do so, (ii) when we believe it is necessary to protect or enforce our rights, interests, or safety or the rights, interests, or safety of others, or (iii) when we believe it is necessary to resolve disputes, troubleshoot problems, prevent fraud or enforce this Privacy Policy and the Website Terms of Use.

**Reorganization or Sale of the Company.** We may share information, including PII, if we are acquired by another organization, merge with or become part of another organization, sell all or substantially all of our assets, or are reorganized. In any of those scenarios, the information we collect from you, including PII, may be one of the assets we transfer.

**Third-Party Marketing.** We may share information with other parties for their marketing purposes and to display advertisements for others on our Website. Other parties may collect PII from you from your online activities over time and across different websites, including our Website, including by combining information other than PII with PII they have already collected about you. If you click on or interact with an advertisement on our Website, the owner of the advertisement may collect information from you, and may assume that you are within their target audience. For more information about personalized advertising, see the subsection *Personalized Advertising* in the section *Your Opt-Out Choices*.

**Send-to-a-Friend Tools.** We may include features on our Website that allow you to forward content to others. In order to forward content from our Website, you may be required by us or others to provide contact information for the person you would like to send the content to. We or others may collect, use, and share this information to operate the feature on our Website and for other purpose for which it is provided, such as for a promotion that involve rewarding you or others for referring a person to our Website or other service.

**Comments and Public Interactive Features.** We may include public interactive features on our Website or through our social media accounts where you may submit comments, reviews, or other content, including personal information, that may be publicly displayed. You may be required to be logged-in to a social media account to use such features. We may collect information, including personal information, that you submit to us through our Website or through our social media accounts. We are not responsible for the privacy or security or use of information you disclose publicly. If you publicly disclose personal information about yourself, you may receive unsolicited contact from others.

**As Otherwise Allowed by Law.** We may share information, including PII, with other parties to the extent we are expressly authorized by applicable law to do so.

## Your Opt-Out Choices

**Emails.** If you do not want to receive emails from us that promote our own or others products and services, you can opt-out by following the unsubscribe procedures provided in each email. You can also always opt-out by sending us an email stating your request to [consumerresponse@faribaultfoods.com](mailto:consumerresponse@faribaultfoods.com). If you unsubscribe from promotional emails from us, we will continue to send you non-promotional emails related to your transactions with us and we will continue to respond by email to questions we receive from you by email.

**Cookies.** Our web server installs small data files within your browser to track and enhance your use of our Website. If you do not want us to install cookies or if you want to delete cookies we may have installed, you may disable, block, restrict, or delete cookies by following the instructions provided by your browser. Disabling, blocking, restricting, or deleting cookies may prevent you from using the features of our Website that rely on them.

**Identifiers.** You may be able to “reset” identifiers on your devices through the privacy settings on your devices, resulting in a different identifier being sent to us the next time you use our Website.

**Personalized Advertising.** We advertise on our Website and the websites of others, including through digital display advertising networks, using information we and others collect to provide more relevant advertisements. This is known as personalized advertising, also called remarketing, online behavioral advertising, or interest-based online advertising. To provide personalized advertising, we use technologies such as cookies and code (depending on the type, it may be referred to as pixels, pixel tags, web beacons, clear gifs, and single-pixel gifs) to enable us and others to collect information from your use of our Website and the websites of others, and to recognize you on our Website and websites of others. These technologies allow us and others to determine which ads bring you and other users to our Website and to collect information about your online activities over time and across our Website and the websites of others, so we can manage our ads and attempt to provide you with relevant ads, including ads on our Website and the websites of others, that we think are more likely to be of interest to you. Except as described in this Privacy Policy, we do not control how others collect or use information about you to serve personalized advertising.

In addition, third-party organizations may be able to provide you with assistance with opting out from personalized advertising. Note that the opt-out processes may use cookies that inform others not to use cookies with you for personalized advertising. If you clear all cookies from your browser, your opt-out will be deleted and you must reinstate it.

**Tools on Mobile Devices.** You have tools on your mobile device that affect privacy. For example, you may be able to clear cookies, disable location-based services turn off the GPS locator or push notifications. Please consult your mobile device’s user guide for instructions on clearing cookies, disabling location services, and disabling push notifications.

**“Do Not Track” Signals.** We do not respond to “Do Not Track” signals.

## **Parents and Guardians – Not for Children Under 13**

Our Website is not intended for use by children under the age of 13. Any information that may be relevant to children under the age of 13, for example a recipe for a kid's meal, is directed to and intended for parents and guardians only. We do not knowingly collect PII from children under the age of 13. If you are a parent or legal guardian and think your child under the age of 13 has given us information, including PII, you can contact us at [consumerresponse@faribaultfoods.com](mailto:consumerresponse@faribaultfoods.com) and we will attempt to delete any such information.

## **California Residents - Your California Privacy Rights**

California Civil Code Section § 1798.83, also known as California's "Shine the Light" law, permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to others for their direct marketing purposes. To make such a request, please send an email to [consumerresponse@faribaultfoods.com](mailto:consumerresponse@faribaultfoods.com) or write us at Faribault Foods Inc., Attn: Website Privacy Policy, 3401 Park Avenue NW, Faribault, MN 55021.

Please be aware that not all information sharing is covered by the "Shine the Light" requirements and only information on covered sharing will be included in our response.

## **United States Only**

Our Website is not intended for use by persons outside the United States and we do not offer goods or services to persons outside the United States through our Website. You are not permitted to use our Website if you are outside the United States. If you use our Website, interact with us through our Website, or provide us information or allow us or others to collect information, including PII, about you while using our Website from outside the United States you consent to the transfer, processing, and storage of your information, including PII in the United States, and agree to defend, indemnify and hold us harmless for any violation of any law by you, us, or others that arises from your use of our Website from outside the United States, including the placement of any cookies or other tracking devices on your equipment outside the United States for the purpose of tracking your online activities. You also consent to having any such claims resolved exclusively in the courts of the United States and agree that all matters relating to our Website and this Privacy Policy shall be governed exclusively by the laws of the United States and/or applicable state law.

## **Third-Party E-commerce Services**

We may link to a third-party in order for that third-party to provide e-commerce services to you, so that you can purchase our products online. This Privacy Policy does not apply to any third party e-commerce website. Any information you submit to a third-party, including your credit card data when making an order, is subject to that third-party's privacy and security policies and practices. You agree we are not responsible for the privacy or security of information, including credit card information, that you submit to a third-party for e-commerce services and you provide any such information at your own risk.

## **Other Websites, Social Media and Social Networking Sites, and Digital Platforms**

Our Website may link to other websites, social media or social networking sites, or digital platforms. This Privacy Policy applies only to our Website and does not apply to any other websites, social media or social networking sites, or digital platforms, whether operated by us or others. We are not responsible for the security, content, or privacy policies of any other websites, social media or social networking sites, or digital platforms. You must read the privacy policy posted on any other websites, social media or social networking sites, or digital platforms that you visit to understand how information is collected, used, and shared through those websites or digital platforms.

## **Contact Us**

To ask questions or comment about this Privacy Policy and our privacy practices, contact us at:

[consumerresponse@faribaultfoods.com](mailto:consumerresponse@faribaultfoods.com)

Faribault Foods Inc.  
Attn: Website Privacy Policy  
3401 Park Avenue NW  
Faribault, MN 55021.