

# SUGAR PRIVACY POLICY

**Last Modified: February 1, 2019**

Recognizing the importance of online privacy and security, SUGAR Growers and Refiners, Inc. (“SUGAR,” “we,” “us,” or “our”) provides this Privacy Policy to inform Members using the Services (“you,” “your,” and collectively, the “Users”) about the information that is processed and maintained on the SUGAR web services, including any other online interaction between you and us, and you and any other User (collectively, the “Services”).

Please review this Privacy Policy carefully. When you submit information to or through the Services, you consent to the collection and processing of your Personal Information, as described in this Privacy Policy. A separate agreement also governs the delivery, access, and use of the Services (the “Acceptable Use Terms”), including the processing of files, Member Records, or other content submitted through the Services, whether such information is submitted by you, SUGAR, or by other Users.

## **1. Scope of Privacy Policy**

This Privacy Policy applies to information we collect in connection with the use of the Services. By registering for the Services, you signify your consent to the collection, use, and disclosure of Personal Information, Member Records, and Usage Information, as defined below, in accordance with the terms and conditions of this Privacy Policy. If you do not consent to the collection, use, and disclosure of such information in accordance with this Privacy Policy, please do not access or use the Services and contact us at [support@sugar-coop.com](mailto:support@sugar-coop.com) for the termination of your account.

This Privacy Policy does not apply to information collected through third-party websites or services that you may access through the Services. We have no control over, and no responsibility or liability for, any third party’s collection, use, disclosure, or retention of any Personal Information that is provided to them, and that collection, use, disclosure, and retention is not subject to this Privacy Policy. Third party providers that help us operate our Services must adhere to privacy and security obligations in a manner consistent with, or exceeding, the obligations established in this Privacy Policy.

As of the date of this Privacy Policy, the Services are provided for Users within the United States. Your use of the Services outside of the United States is at your own risk and volition.

## **2. Types of Information We Collect**

We collect various kinds of information that you and other Users provide to us through the use of the Services or through your being a Member of SUGAR. Some of the types of information that we collect include:

- **Account Information.** This information may include: the information you insert in your account profile (the “Account Profile Information”), and other personal

information such as your Member Name, Member Identification Number, the name of any entity associated with your membership in SUGAR, email address, location, account details, password, or any other information used to provide the Services; information from actions you take while using the Services; and records associated with your membership in SUGAR, including, without limitation, your membership status, your Historical Annual Sugar Production, the number of Growing Units (“GU(s)”) owned by you, whether temporary or permanent, and the amount of patronage or funds you have received from SUGAR (the “Member Records,” and collectively, with the Account Profile Information, the “Account Information”).

- **Tax Identification Information.** This information is the information you include in your completion of the IRS Form W-9 during the registration of your account (the “Tax Identification Information”).
- **Service Content.** This information may include content you submit through your use of the GU Exchange (the “User Content”); The Services also contain records uploaded or submitted by you or SUGAR associated with your membership in SUGAR, including, without limitation, your membership status, your membership equity balance, your Historical Annual Sugar Production, the number of Growing Units (“GU(s)”) owned by you, whether temporary or permanent, and the amount of patronage or funds you have received from SUGAR (the “Member Records,” and collectively, with the User Content, the “Service Content”).
- **Location Data.** Information collected about the location of a mobile device or computer, including: the location of the device used to access the Services, the IP address of the device, and other information made available by a User, such as through Service Content or Account Profile Information, that indicates the current location of the User (collectively, the “Location Data”).
- **Usage Data.** Information about an individual's online activity that, by itself, does not identify the individual, such as browser type, device ID, device type, operating system, service provider, IP address, webpages visited, metadata (information related to items made available through the Services, such as the date and time of Service Content upload), and other statistics (collectively, the “Usage Data”).

Collectively, the Account Information, Service Content, Location Data, and Usage Data (to the extent the information collected is associated with an identified or identifiable person) may be hereinafter referred to as the “Personal Information”. Information that is aggregated or de-identified so it is no longer reasonably associated with an identified or identifiable natural person, may be used by SUGAR for any business purpose.

### 3. How We Collect Information

Whether we collect certain types of information and how we process it depends on how you use and access the Services. We collect information about you in the following ways:

- **From You.** We collect information from you when you create an account and register to use the Services, contact us for help, upload or submit Service Content, submit Account Profile Information, submit Tax Identification Information or when you otherwise voluntarily provide your information. We also automatically collect Usage Data when you interact with the Services.
- **From Our Service Providers.** Third parties that assist us with the Services may also collect information about you through the Services and share it with us for statistical analysis or other purposes.
- **From cookies and similar technologies.** We, along with the service providers that help us provide the Services, may use small text files called cookies, which are small files sent to or accessed from your web browser that contain information about your device, such as user settings, and activities conducted while using the Services. We use cookies and other similar technologies to collect information from the device used to access the Services; such information may include operating system type, browser type, domain and other system settings. Additionally, as with most services delivered over the internet, our servers automatically collect information when you access or use the Services and record it in data log files. This log data may include metadata that provides additional information about the way you use the Services, including the date and time of your use of the Services, the features, content and links you interact with, and the types of Service Content you submit or review. This information helps us analyze the performance of the Services, understand user activity and site usage, detect and prevent misuse of the Services, customize users' experience, and maintain and improve the quality of the Services.

### 4. How We Use Information About You

As a general matter, we use your information to provide the Services, experiences, or information you request. We may also use the information we collect for any of the following purposes:

- Provide, personalize, and improve the Services;
- As required by applicable law, legal process or regulation;

- Help protect the safety of our Users and to investigate misuse, security issues, and abuse;
- Provide customer service;
- Communicate with Users;
- For account management and other administrative matters;
- Monitor and analyze trends, usage, and activities in connection with the Services;
- Develop, deliver, and improve our products, services, and other offerings and events; and
- Provide Users with information regarding our products, services, offers, and events.

## 5. How We Share and Disclose Information About You

We do our best to protect the information that you provide in your use of the Services and make sure that our information handling, retention, and disclosure are performed in a responsible manner and in accordance with this Privacy Policy. We do not rent or sell your Personal Information to anyone, including for any third-party advertising or marketing services. Any sharing or use of your Personal Information by us will be in accordance with the following:

- **When you consent.** We may share information with third parties if you have given us your consent to do so.
- **To perform services.** We may disclose information to third parties in order to perform services requested or functions initiated by Users. In addition, we may disclose information in order to identify a User in connection with communications sent through the Services.
- **With third-party service providers performing services on our behalf.** We share information with our service providers to perform the functions for which we engage them (such as hosting, data analyses, record keeping, and administrative services for SUGAR). Specifically, SUGAR has hired Postlethwaite & Netterville to administer and operate the Services, pursuant to which, Postlethwaite & Netterville is provided full access to all content of the Services. Postlethwaite & Netterville's use of your Personal Information shall be in accordance with this Privacy Policy. We may share information as needed to operate other related services.
- **For legal purposes.** We will disclose information as we deem necessary to respond to a subpoena, regulation, binding order of a data protection agency, governmental request or other legal or regulatory process.

- **In aggregated form.** We may share information about you in an aggregated or anonymized form—that is, in a statistical or summary form that does not include any personal identifiers—with third parties in order to discover and reveal trends about how Users interact with the Services.
- **During corporate changes.** We reserve the right to transfer information about our Users in the event we sell or transfer all or substantially all our business or assets, or in other transactions involving us.

In addition, when you use the Services, certain information may be shared with other Users. For example, your Member Name, address, email address and phone number may be available within the application to identify you for other Users. However, your Tax Identification Information and certain of your Member Records, including the funds received by you from SUGAR, will not be made available to other Users or be made publicly available. Otherwise, any information you provide in your use of the Services should be considered as available to the public.

## **6. Information Storage and Security**

We store information for as long as we reasonably need it to fulfill the purposes for which it was collected. For example, upon your account registration, we will store your information for as long as needed to maintain your account, provide the Services, enforce any applicable terms that govern your use of the Services, and maintain appropriate records to reflect our delivery of Services to you. We also may retain certain information for legitimate business purposes or as required by law.

We employ industry-standard security measures designed to protect the security of all information submitted through the Services. However, the security of information transmitted through the internet can never be guaranteed. We are not responsible for any interception or interruption of any communications through the internet or for changes to or losses of information. Your information is accessible when you log into the Services; you need to keep your login credentials and password confidential and secure so that your information is protected.

We apply additional security measures to protect your Social Security Number and/or Tax Identification Number as submitted with your Tax Identification Information. This information is salted and encrypted to prevent the unwanted release or distribution of such information.

As a user of the Services, you provide all information voluntarily and at your own risk and you are solely responsible for all security, loss prevention, and protection of any confidential

information, Personal Information, and any other information entered by you in your use of the Services. You agree to immediately notify us of any security breach of your account and represent that your account login information will be safeguarded and protected to secure your information.

## 7. User Eligibility

We do not knowingly solicit, collect, or store any personally identifiable information from anyone under the age of 18. Persons under the age of 18, are not allowed to create an account, or otherwise use the Services. If you believe that we have inadvertently permitted a person under the age of 18, to create a User account, please contact us immediately at [support@sugar-coop.com](mailto:support@sugar-coop.com).

## 8. Your Choices

- **Account modifications.** Users may review and adjust their account details, Account Profile Information, and privacy preferences through their account settings on the Services. Users may request the deletion of their account at any time by contacting us at [support@sugar-coop.com](mailto:support@sugar-coop.com). However, please note that the Service Content attributed to such User may remain available on the Services, except to the extent you are able to delete the content prior to having your account deleted. To reactivate a closed or deleted account, you must contact us at [support@sugar-coop.com](mailto:support@sugar-coop.com).
- **Content.** Users may remove, or request the removal of, Service Content or other information attributed to their Portal or Member account on the Services. The request can be made by contacting us at [support@sugar-coop.com](mailto:support@sugar-coop.com). Please note that residual copies of content or information that has been deleted may remain on our backup servers, which are hosted by a third-party provider and create snapshots of all information associated with the Services, and cannot be modified. We are not required to remove posted content or information if it has been rendered reasonably deidentifiable, anonymous or if we are required by law to retain it. Additionally, we have no control over other Users who may have copied or reposted the content or information. Users may delete, or request removal of their Service Content or Personal Information posted by them at any time; however, even though removed from the Services, such information will remain saved in the backup server unless otherwise required by regulation or law.
- **Cookies.** Users can control the use of cookies at the individual browser level. If you reject cookies, you may still use the Services, but your ability to use some features may be limited. If you do not want the Services to collect information through the use

of cookies you can disable cookies in your web browser on your device; however, this may affect your browsing of other websites and your use of other applications.

- **Location information.** In the future, we may use a third party service provider to collect anonymous location data and information regarding the device used to access the Services. You may manage the use and collection of such information by changing the preferences on your mobile device.

## **9. Links To Other Sites And Services; Third-Party Practices**

The Services may contain links to third-party websites and services (“Third-Party Services”). If you decide to visit a Third Party-Service, you are subject to its privacy policy, terms of use and practices and not this Privacy Policy.

## **10. Privacy Policy Updates**

We may change this Privacy Policy from time to time. If we do, we will let you know by revising the date at the top of the policy. We encourage you to review the Privacy Policy whenever you access or use our Services or otherwise interact with us to stay informed about our information practices and the ways you can help protect your privacy. By continuing to use our Services after Privacy Policy changes go into effect, you agree to be bound by the revised policy.

## **11. Contact Us**

If you have any questions, comments, complaints, or requests related to this Privacy Policy, please contact us at [support@sugar-coop.com](mailto:support@sugar-coop.com). Please include your name, contact information, and the nature of your request so that we can appropriately respond to your communication.