

THE FRESH FOOD FACTORY MARKET PRIVACY POLICY

Last modified: April 2023

The Fresh Food Factory Market (“FFF” or “we” or “us”) respects your privacy and is committed to protecting it through our compliance with this policy. This Privacy Policy (our “**Privacy Policy**”) describes the information we collect, how we collect information, and the reasons we collect information. This Privacy Policy also describes the choices you have regarding the information FFF collects, including how you can manage, update, or request to delete information.

Please take a moment to review this Privacy Policy. You may scroll through this Privacy Policy or use the headings below. It is important that you understand this Privacy Policy. By using our Platform, you are agreeing to the terms of this Privacy Policy. If you have any questions or concerns about this Privacy Policy, you may contact us at any time using the [Contact Information](#) at the end of this Policy, or use the <https://www.thefreshfoodfactory.com/contact> page of our Platform.

If you do not agree with our policies and practices, your choice is not to use our Platform. By accessing or using our Platform you agree to this Privacy Policy. This Privacy Policy may change from time to time (see [Changes to Our Privacy Policy](#)). Your continued use of our Platform after we make changes is deemed to be acceptance of those changes, so please check this Privacy Policy periodically for updates.

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1. KEY TERMS & DEFINITIONS AND SCOPE OF OUR PRIVACY POLICY

It is helpful to start by explaining some of our key terms and definitions used in this Privacy Policy.

“Personal Information” or “Personal Data”: Information identifying, relating to or about an identified or identifiable individual, as described more fully in this Policy.

“Platform”: Our Website(s) and related functionality and online services, as applicable.

“Privacy Policy” or “Policy”: This privacy policy.

“Products”: Any products available for purchase on or through our Platform, or that we otherwise provide or sell to you.

“Services”: Any services provided through our Platform, which may be for purchase at a charge, or included at no charge as part of our Platform, or that we otherwise provide or sell to you.

“Website”: Our website(s) located at <https://www.thefreshfoodfactory.com/>.

“FFF,” “we,” “us”: The Fresh Food Factory Market.

Please refer to our [Glossary](#) for additional explanations of terms and phrases used in this Policy.

When does our Privacy Policy apply?

This Privacy Policy describes the types of information we may collect from you when you visit or use our Platform or any components of our Platform, and when we communicate with you electronically, such as through our Platform, email, text message and other electronic messages between FFF and you.

When does our Privacy Policy not apply?

This Privacy Policy does not apply to information (a) we collect from you through any offline or in-person or face-to-face interactions we have with you, or through an audio-only telephone conversations; (b) by any other websites or platforms operated by us, unless the website or platform is listed above or links to this Privacy Policy; (c) collected by any third-party website that we may provide a link to or that is accessible from our Platform; or (d) covered in part or in whole by a separate privacy policy provided by us (e.g., relating specifically to health information, financial information, other special information, etc.).

Terms of Use.

This Privacy Policy is incorporated into and governed by our Terms of Use, which is found at found at [{Invalid hyperlink URL}](#), incorporated herein by reference.

2. PERSONAL INFORMATION

What is Personal Information?

Personal Information is information that you provide to us which personally identifies you, such as your name, email address, or billing information, or other data that can be reasonably linked to such information by FFF, such as information we associate with your FFF account.

What types of Personal Information do we collect?

We collect and use Personal Information in order to operate and provide our Platform to you, including our Products and Services. You may provide Personal Information to us, and we may collect Personal Information from you automatically as you use and navigate through our Platform.

How do we collect your Personal Information?

Information you provide to us. You may provide Personal Information to us through our Platform. You provide Personal Information and other information to us when you contact us through our Platform.

When you purchase Products or Services. You can purchase Products or Services, or make payments to us, through our Platform. In these situations, we collect your credit card, debit card or other payment card information or bank or other financial account information. We use third-party payment processors to collect and process your payment information. We require these third parties to agree to protect your Personal Information in a manner consistent with this Privacy Policy.

Information we collect automatically as you use our Platform. We collect Personal Information and information automatically about the computers, devices, browsers and your Internet activity as you use and interact with our Platform. The information we collect typically includes Unique Identifiers, browser type and settings, device types and settings, operating system, mobile network information including carrier name and phone number, and application version number. We also collect information about the interaction of your browsers and devices with our Platform, such as IP address, device type, system activity, wireless carrier name (when you use a wireless or mobile device), and the date, time, and referrer URL of your request.

Online Activity. We collect information about your activity on our Platform, Internet, network, and other online activity information, such as browsing history, search history, and information regarding your interaction with our Platform and other websites. We use various technologies to collect and store location information, including cookies, pixels or pixel tags, local storage, such as browser web storage or application data caches, databases, session replay, and server logs.

Location. We collect information about your location when you use our Platform, which helps us provide our Platform Services, features and functionality. Your location can be determined with varying degrees of accuracy by:

- GPS

- IP address
- Sensor data from your device
- Information about things near your device, such as Wi-Fi access points, cell towers, and Bluetooth-enabled devices

The types of location data we collect depend in part on your device and account settings. For example, you can turn your mobile device's location on or off using the device's settings app. You may also be able to turn on location history if you want to create a private map of where you go with your devices.

Third-Party Sources. In some circumstances, FFF also collects information about you from publicly-accessible sources. We may collect information about you from trusted partners, such as marketing partners who provide us with information about our potential customers, and security partners who provide us with information to protect against fraud and abuse of our Platform.

3. WHY AND HOW WE USE YOUR PERSONAL INFORMATION

As described more fully below, we use information that we collect about you or that you provide to us, including any Personal Information for the following purposes:

- Provide our Platform and related services to you.
- Provide you with information, Products or Services that you request or purchase from us.
- Process your requests, purchases, transactions, and payments and prevent transactional fraud.
- Support, develop, troubleshoot, and debug our Platform, Products and Services.
- Provide you with support for the Platform and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- Personalize your Platform experience and to deliver content and product and service offerings relevant to your interests.
- Provide personalized and interest-based advertising. ([More information below.](#))
- Authenticate use, detect fraudulent use, and otherwise maintain the security of our Platform.
- Help maintain the safety, security, and integrity of our Platform, Products and Services.

- Detecting security incidents, responding to, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity.
- Debugging to identify and repair errors that impair existing intended functionality.
- Carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- To respond to law enforcement requests, court orders, and subpoenas and to carry out our legal and contractual obligations.
- Notify you about changes to our Platform or any products or services we offer or provide through them.
- In any other way we may describe when you provide the information.
- Fulfill any other purpose for which you provide it.
- For any other purpose with your consent.

Provide our Platform and Related Services. We use your Personal Information to operate, maintain, supervise, administer, improve and enhance our Platform and related Services, features and functionality. We use your contact information to communicate and interact with you, such as to send you emails and text messages about our Platform. We use the IP address assigned to your device to send you the data you request to display on your device. We use unique identifiers stored in cookies on your device to help us authenticate you as the person who should have access to certain areas and features of our Platform. We also use your information to ensure our Platform is working as intended, such as tracking outages or troubleshooting issues that you report to us. And we use your information for research and development for our business, and to make improvements to our Platform.

Analyze Use of the Platform. We use data collected from you and your devices for analytics and measurement to understand how our Platform is used. For example, we analyze data about your use of our Platform to accomplish tasks such as optimizing our Services and Product designs. We use a variety of tools to do this, such as Google Analytics and similar third-party online data analytics services.

Personal Information Provided by Third Parties. We may use Personal Information collected automatically and associate it with Personal Information we collect in other ways or receive from third parties. It helps us to improve our Platform and to deliver a better and more personalized service by enabling us to:

- estimate our audience size and usage patterns;
- store information about your preferences;

- customize our Platform according to your individual interests;
- speed up your searches; and
- recognize you when you return to our Platform.

Purchase Products or Services from Us. When you purchase Products or Services from us, you may provide us information such as your payment card or bank account information, shipping address or delivery instructions. We use this information for things such as processing, fulfilling, and delivering your order, and to provide support in connection with the Products or Services you purchase.

Security and Legal Purposes. We use your information to help improve the safety and reliability of our Platform. This includes detecting, preventing, and responding to fraud, abuse, security risks, and technical issues that could harm FFF, our users, or the public. Information may also be used in connection for legal reasons and purposes, such as to comply with applicable law, regulation, legal process, or enforceable governmental request; to enforce our Terms of Use, including investigation of potential violations; and to detect, prevent, or otherwise address fraud, security, or technical issues; and to protect against harm to the rights, property or safety of FFF, our users, or the public as required or permitted by law.

Advertising and Marketing. We may also use your information to contact you about our Products and Services that may be of interest to you. Please contact us using the [Contact Information](#) at the end of this Policy, or use the [Contact Us](#) page of our Platform if you would like to opt out or change your preferences with respect to receiving advertising and marketing communications from us.

4. WHY AND HOW WE SHARE YOUR PERSONAL INFORMATION

We share Personal Information with third parties under certain circumstances and for certain purposes described throughout this Policy, including:

- **Service providers and others to operate our Platform and Services.** We share your Personal Information with our affiliates, vendors, service providers, and business partners, including providers and vendors we use for operating and maintaining our Platform, and its features, functionality and Services. These third parties include data hosting and data storage partners, analytics, ad network, advertising (including interest-based advertising), technology services and support, and data security. We contractually require these third parties to keep Personal Information confidential and use it only for the purposes for which we disclose it to them.
- **Our business purposes.** We may share your Personal Information with our affiliates, vendors, service providers, and business partners, including providers and vendors we use for our business activities and operations generally, such as data hosting and data storage partners, analytics, ad network, advertising, technology services and support, and data security. We may

also share your Personal Information with professional advisors, such as auditors, law firms, and accounting firms.

- **Personalized and interest-based advertising.** We partner with third-party advertising networks that collect IP addresses, unique device identifiers, browser type, operating system, time zone, country, referring pages, and other information through the use of cookies, pixel tags, and server logs on our Platform. They use this information to provide you with interest-based advertisements that are customized to your particular preferences, including for companies that are not affiliated with us. You may see these interest-based advertisements on our Platform, as well as on third-party websites and apps, and across different devices you use. We may use this process to help us manage and improve the effectiveness of our marketing efforts. It also allows to display ads to our users about FFF after they leave our Platform, and to track users after they see or click on an advertisement, keep track of users who access our Platform or advertisements from different devices, and better provide advertisements to our target audiences. The data collected through these tracking technologies is also saved and processed by our advertising and marketing service provider partners.

We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can learn more about interest-based advertisements and your opt-out rights and options from members of the Network Advertising Initiative (“NAI”) on its website (www.networkadvertising.org) and from members of the Digital Advertising Alliance on its website (www.aboutads.info).

- **Affiliates.** We may share your Personal Information with our subsidiaries and affiliates.
- **Compliance with law.** We may share your Personal Information to comply with applicable law or any obligations thereunder, including cooperation with law enforcement, judicial orders, subpoenas, and regulatory inquiries.
- **To Enforce our Rights.** We may share your Personal Information to enforce our Terms of Use and any other agreement, terms and conditions relating to your use of the Platform. We also may share information as needed to ensure the safety and security of our Platform and our users, and to detect, prevent, or otherwise address fraud, security, or technical issues
- **Protect Rights, Property and Safety.** If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of FFF, our customers, or others. This may include exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.
- **Business transfers.** We may share your Personal Information to a buyer, potential buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of a bankruptcy, liquidation, or similar proceeding, in which Personal Information held by us about our users are among the assets transferred.

- **De-identified information.** We may also de-identified information, so that it cannot be reasonably used to identify any individual, with third parties for marketing, advertising, research, or similar purposes.

- **Knowledge and Consent.** With your consent, pursuant to your instructions, to fulfill a purpose for which you provide the information to us, and for any other purpose disclosed by us when you provide the information.

5. YOUR CHOICES FOR HOW WE COLLECT, USE AND SHARE YOUR PERSONAL INFORMATION

We provide you with various choices on how you can opt out of our certain uses and sharing of your Personal Information. As a general rule, you cannot opt out of our collection, use and sharing of Personal Information to the extent it is necessary to provide the Platform or related basic services, features and functionality available on or through the Platform to you.

Cookies. You can change the cookie settings that will be placed when you use our Platform by changing the settings on your Internet browser. You can also block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. Please note that internet browsers allow you to change your cookie settings. These settings are usually found in the 'options' or 'preferences' menu of your internet browser. However, if you use your browser settings to block all cookies (including strictly necessary cookies), you may not be able to access or use all or areas and aspects of our Platform.

Personalized and interest-based advertising. You can generally opt out of receiving personalized and interest-based advertisements from third-party advertisers and ad networks who are members of the Network Advertising Initiative (NAI) or who follow the Digital Advertising Alliance's Self-Regulatory Principles for Online Behavioral Advertising by visiting the opt out pages on the NAI website and DAA website. We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can also opt out of receiving targeted ads from members of the NAI on its website. You can learn more about interest-based advertisements and your opt out rights and options on the NAI website and DAA website.

Messages. If you do not wish to have your email address used by FFF to send you advertising messages and content, you can opt out at any time by clicking the unsubscribe link at the bottom of any marketing emails you receive from us. You may have other options with respect to marketing and communication preferences through our Platform.

Do Not Track Signals. We do not track you over time and across third-party websites or other online services for any purpose. Some web browsers permit you to broadcast a signal to websites and online services indicating a preference that they "do not track" your online activities.

6. ACCESSING, CORRECTING AND DELETING PERSONAL INFORMATION

Access, Corrections and Deletion. Please contact us using the [Contact Information](#) at the end of this Policy, or use the [Contact Us](#) page of our Platform if you have any questions regarding reviewing, accessing, correcting or deleting your Personal Information. Please promptly inform us of any changes or errors in any Personal Information we have about you to ensure that it is complete, accurate, and as current as possible. You may also have certain deletion rights in accordance with applicable law. We may not be able to accommodate your request if we believe it would violate any law or legal requirement or cause the information to be incorrect.

Copies and Retention of Personal Information. Please contact us using the [Contact Information](#) at the end of this Policy, or use the [Contact Us](#) page of our Platform if you have any questions about obtaining copies or the retention of your Personal Information. Please promptly inform us of any changes or errors in any Personal Information we have about you to ensure that it is complete, accurate, and as current as possible. You may also have certain deletion rights in accordance with applicable law. We may not be able to accommodate your request if we believe it would violate any law or legal requirement or cause the information to be incorrect.

Exporting Data. If you need to export or a copy of your data, please let us know and we will assist you with your request. We retain the data we collect for different periods of time depending on what it is, how we use it and applicable legal requirements. We may retain some data for longer periods of time than other data when necessary for legitimate business or legal purposes, such as security, fraud and abuse prevention, or financial record-keeping.

7. CHILDREN'S PRIVACY

Our Platform is not intended for children under 18 years of age. No one under age 18 may provide us with any Personal Information on or through the Platform. We do not knowingly collect Personal Information from children under 18. If you are under 18, do not use or provide any information on our Platform or on or through any of its features, make any purchases through the Platform, including your name, address, telephone number, email address, or any screen name or user name you may use. If we learn we have collected or received Personal Information from a child under 18 without verification of parental consent, we will delete that information. If you believe we might have any information directly from a child under 18, please contact us using the Contact Information at the end of this Policy.

8. SUPPLEMENTAL DISCLOSURES AND RIGHTS BASED ON STATE LAW

In addition to the disclosures and rights set forth elsewhere in this Policy, you and other users may have certain rights based on applicable state law, e.g., for California residents, the California's Privacy Rights Act (CPRA). Other states have passed consumer privacy laws that may be applicable to FFF and your use of this Site. These supplemental disclosures and rights apply to you and your use of our Platform to the extent applicable state law applies to FFF and your use of our Platform. Please contact us using the [Contact Information](#) at the end of this Policy, or use

the [Contact Us](#) page of our Platform if you have any questions regarding your rights under applicable state law.

9. INTERNATIONAL USERS

Our Platform is not intended for use by and is not directed to residents of the European Union. All data is stored and processed in the United States. By using and accessing our site, users who reside or are located in countries outside of the United States agree and consent to the transfer to and processing of personal information on servers located outside of the country where they reside, and that the protection of such information may be different than required under the laws of their residence or location.

10. DATA SECURITY

Security Measures. We have implemented measures designed to secure your Personal Information from accidental loss and from unauthorized access, use, alteration, and disclosure.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Platform, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of the Platform like message boards. The information you share in public areas may be viewed by any user of the Platform.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your Personal Information, we cannot guarantee the security of your Personal Information transmitted to our Platform. Any transmission of Personal Information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures deployed on the Platform.

Consent to Processing of Personal Information in the United States. In order to provide our Platform, products, and services to you, we may send and store your Personal Information outside of the country where you reside or are located, including to countries that may not or do not provide an equivalent level of protection for your Personal Information. Your Personal Information may be processed and stored in the United States and federal, state, and local governments, courts, or law enforcement or regulatory agencies in the United States may be able to obtain disclosure of your information through the laws of the United States. By using our Platform, you represent that you have read and understood the above and hereby consent to the storage and processing of Personal Information outside the country where you reside or are located, including in the United States.

Your Personal Information is transferred by FFF to another country only if it is required or permitted under applicable data protection law and provided that there are appropriate safeguards in place to protect your Personal Information. To ensure your Personal Information is

treated in accordance with this Privacy Policy when we transfer it to a third party, FFF uses Data Protection Agreements between FFF and all other recipients of your Personal Information.

11. CHANGES TO OUR PRIVACY POLICY

We may alter this Privacy Policy at any time. It is our policy to post any changes we make to our Privacy Policy on the home page or other prominent location on the Platform. If we make material changes to how we treat our users' Personal Information, we will notify you as required or permitted by applicable law. The date this Privacy Policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting our Platform and this Privacy Policy to check for any changes.

YOUR CONTINUED USE OF OUR PLATFORM FOLLOWING THE POSTING OF CHANGES CONSTITUTES YOUR ACCEPTANCE TO SUCH CHANGES.

12. CONTACT INFORMATION

If you have any questions, concerns, complaints, or suggestions regarding our Privacy Policy or the ways in which we collect and use your Personal Information described in this Privacy Policy, have any requests related to your Personal Information pursuant to applicable laws, or otherwise need to contact us, please contact us using this Contact Information, or use the [Contact Us](#) page of our Platform.

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13. GLOSSARY

Browser Web Storage enables websites to store data in a browser on a device. When used in "local storage" mode, it enables data to be stored across sessions. This makes data retrievable even after a browser has been closed and reopened. One technology that facilitates web storage is HTML 5.

A **Cookie** is a small file containing a string of characters that is sent to your computer when you visit a website. When you visit the site again, the cookie allows that site to recognize your browser. Cookies may store user preferences and other information. You can configure your browser to refuse all cookies or to indicate when a cookie is being sent. However, some website features or services may not function properly without cookies.

A **Pixel or Pixel Tag** is a type of technology placed on a website or within the body of an email for the purpose of tracking certain activity, such as views of a website or when an email is opened. Pixel tags are often used in combination with cookies.

An **Application Data Cache** is a data repository on a device. It can, for example, enable a web application to run without an internet connection and improve the performance of the application by enabling faster loading of content.

Interest-based Advertising is sometimes referred to as personalized or targeted ads. Interest-based ads are used to display features, products, and services that might be of interest to the user.

To serve interest-based ads, we may use information such as your interactions with our Platform, Services and related content. We do not use information which on its own identifies you, such as name or e-mail address, to serve interest-based ads. As is common in the advertising industry, we use cookies, pixels, and other technologies which enable us to understand the effectiveness of the interest-based ads we show you by measuring what ads are clicked or viewed, and to provide you with more useful and relevant ads. For example, if we know what ads are shown to your browser, we can be careful not to show the same ads repeatedly. We work with third parties, such as advertisers, publishers, social media networks, search engines, ad serving companies, and advertising companies working on their behalf, to improve the relevance of ads we serve.

Advertisers and other third parties may assume or infer that users who interact with or click on an interest-based ad or content are part of the group that the ad or content is directed towards (for example, users in a particular geographical area or users who purchased or browsed for classical music). Third-party advertisers or advertising companies working on their behalf sometimes use cookies in the process of delivering content, including ads, directly to your browser or device, and they may automatically receive an IP address when this happens. They may also use cookies to measure the effectiveness of their ads, show you more relevant advertising content, and perform services on behalf of FFF.

Server Logs. Like most websites, our servers automatically record the page requests made when you visit our sites. These “server logs” typically include your web request, Internet Protocol address, browser type, browser language, the date and time of your request, and one or more cookies that may uniquely identify your browser.

Session Replay provides the ability to replay a visitor's journey on a web site or within a mobile application or web application. Replay can include the user's view (browser or screen output), user input (keyboard and mouse inputs), and logs of network events or console logs. Session replay is used to help improve customer experience, analyze usability and help identify obstacles in conversion processes on websites. It can also be used to study a website's usability, customer behavior, interests, and the handling of customer service questions as the customer journey, with all interactions, can be replayed. It can also be used to analyze fraudulent behavior on websites.

A **Unique Identifier** is a string of letters, numbers and characters that can be used to uniquely identify a computer, device, personal device, browser or app.

Different identifiers vary in how permanent they are, whether they can be reset by users, and how they can be accessed. Unique Identifiers can be used for various purposes, including security and fraud detection, syncing data from your device(s) to our Platform, remembering your preferences, and providing personalized advertising. You can configure your browser to refuse all cookies or to indicate when a cookie is being sent. See your browser documentation for additional information.

On other platforms besides browsers (e.g., personal devices), Unique Identifiers are used to recognize a specific device or app on that device. For example, a Unique Identifier can be used to provide relevant advertising on mobile devices and can be managed in your device's settings. Unique identifiers may also be incorporated into a device by its manufacturer (sometimes called a universally unique ID or UUID), such as the IMEI-number of a mobile phone. For example, a device's unique identifier can be used to customize our Platform and Services to your device or analyze device issues related to our Platform and Services.