

Proliant Dairy, LLC. Private Policy

Updated April 01, 2024

Thank you for visiting our website (the “Website”). Proliant Dairy, LLC (“Proliant”, “We” or “Our”) value and respect your privacy, and this privacy policy (the “Privacy Policy”) is designed to assist you in understanding how we collect, use, and protect any information you may provide to us. We do not sell, rent or market your Personal Information to third parties and have no intention of doing so in the future. Your use of the Website, and continued use of the Website following any changes to the Privacy Policy, signifies your consent to be legally bound by both the terms and conditions of this Privacy Policy. If you do not agree to the terms of the Privacy Policy, please do not use the Website or provide any information to us.

The Information We Collect

Except as otherwise provided in this Privacy Policy, Proliant will not collect any Personal Information about you (e.g., your name, postal address, date of birth, phone numbers, credit card numbers or email address, the latter of which, along with your domain name, may be automatically recognized when you visit our Website) through our Website unless you provide it to us voluntarily. If you do not want your Personal Information collected and used as identified in this Privacy Policy, do not submit it to us.

Personal information that you provide through the Website will be used to operate the Website, deliver the services you have requested, and inform you of other products or services from Proliant and its affiliates that may be of interest to you. Proliant may also contact you to conduct surveys or research regarding your opinion of current services or of potential new services. We only ask for as much Personal Information as is necessary to complete the activity you are requesting. As such, if you choose not to provide the Personal Information that we ask for, it is possible that you may not be able to participate in that activity or fully benefit from the functions of the Website.

Opting In and Opting Out

You will usually be asked to agree to receive communications about special offers or programs from Proliant or our affiliated brands or divisions at the time you provide your email address to us. In the event that you provide your email address via a channel that does not include a mechanism for you to affirmatively Opt-In, such as by email, you agree that by providing your email address, you are choosing to Opt-In and that you will be responsible for opting-out of receiving future communications regarding special offers or programs.

Usage Information

We may also use standard web measurement and tracking technologies such as “cookies,” web server logs, or other statistics programs to collect Usage Information and track and record how you use the Website, which means that when you view the Proliant Website, we may store some information on the hard disk of your computer. The purpose of a cookie is to tell the Web server that you have returned to a specific page. For example, if you register with the Proliant Website, a cookie helps the Website recall your specific information on subsequent visits so you can more easily use the Proliant Website. Usage Information helps us measure the success of the Website and its features or pages and to improve your online experience. Your browser may have an option that allows you to accept or reject cookies, or to receive notification when a cookie is sent. However, please note that the use of such restrictive browser settings may limit your use of the Website.

In addition, we may use web beacons (also known as “action tags” or “one pixel .gif files”) to recognize you when you visit the Website. We do not use spyware, adware or any other similarly intrusive software. We may also use other technology, such as clear GIFs, to provide us with other important anonymous information, such as when an e-mail has been opened.

Use of Information Collected

We use your information for only the following business purposes:

- to provide the services you request;
- to respond to inquiries we receive from you or in connection with a transaction you initiate;
- to analyze, manage and improve the Website;
- to notify you of special offers and other services that we believe may be of interest to you or to send you current mailings (only if you have provided an Opt-In);
- to notify you that you have been selected as a winner of a contest or sweepstakes;
- to help us diagnose problems with our server or other technical issues relating to the performance of the Website; or
- for any other specific business purpose stated at the time you provide your information.

In compliance with applicable laws, it is our policy to require only the Personal Information necessary to complete the specific transaction that you request. We do not condition your participation in any specific activity on our Website on the disclosure of more Personal Information than is reasonably necessary to complete that activity. Information such as traffic patterns and the number of page visits help us to further develop and improve the Website layout to better meet your needs. You expressly authorize us to share your personal information with certain third parties retained by Proliant, who also abide by the terms of this Privacy Policy, to the extent necessary to perform any of the business purposes listed above. Please also note that in connection with certain requests, you could be transferred to a different web site, which has a different privacy policy, so please review its privacy policy before using that website. If you do not want to be contacted for these purposes or if you would like to obtain a copy of the personal information gathered by this Web site or correct or delete such information from our database, you can always contact our data protection officer with your concern, question or complaint. The data protection officer's name and contact information are as follows: Daniel Landero, Proliant Dairy, LLC. 2425 SE Oak Tree Court, Ankeny, IA 50021, dairyingredients@proliantinc.com, 515-289-7600.

Your personal data is stored by Proliant on its servers, and the servers of cloud-based database management services Proliant engages, located in the United States. Proliant retains data for the duration of your relationship with the Proliant and for a period of time thereafter to use account information for future transactions, to analyze the data for Proliant's own operations, and for historical and archiving purposes associated with Proliant's business. For more information on where and how long your personal data is stored, and for more information on your rights of erasure and portability, please contact Proliant's data protection officer at dairyingredients@proliantinc.com.

Disclosure of Your Information

We may disclose the information we collect from and about you: (a) when we have reason to believe that such disclosure is necessary to identify, contact or bring legal action against someone who may be causing (whether intentionally or unintentionally) injury to or interference with our rights or property, customers or other users of the Website, or anyone else who could be harmed by such activities, or is appropriate or necessary to take precautions against liability, investigate and defend against any third-party claims or allegations, and/or protect the security or integrity of the Website; (b) to respond to judicial process and provide information to law enforcement agencies, as permitted or required by law, or in the good-faith belief that such action is necessary to comply with state and federal laws; (c) to our business partners for research, analytical and marketing purposes, and/or to our subsidiaries, affiliated companies, or other businesses or persons for the purpose of processing any request on your behalf, who will also

abide by the terms of this Privacy Policy; or (d) with your consent. We may sell or buy other businesses or entities. In such event, we may transfer or assign the information we have collected as part of such merger, acquisition, sale, or other change of control. In such transactions, your Personal Information may be included in the transferred business assets. Except as explained above, we will not share any of your personal information with any third party, unless we have received your express permission to do so.

Linked Sites

Our Website may contain links to other websites, including social media sites, which may have privacy policies that differ from our own. We are not responsible for the collection, use or disclosure of information collected through third-party websites and expressly disclaim any liability related to such collection, use or disclosure. We are also not responsible for any information or content contained on such sites. Links to other websites are provided solely as a convenience. Your browsing, use and interaction on any other websites, including websites which have a link to the Website, are subject to that website's own rules and policies. Accordingly, we recommend that you review the privacy policy posted on any website that you may access through, or which links to the Website. Please note that if you provide information to us via a social media site or participate in a social media site linked to the Website, you consent to our use of your information for any reason as if it were submitted to us directly via the Website.

Security Procedures

We take commercially reasonable precautions and have implemented commercially reasonable technical measures intended to protect against the risks of unauthorized access to, erroneous disclosure of, and unlawful interception of Personal Information submitted via the Website. However, your email transmissions and/or other communications containing Personal Information may be unlawfully intercepted or accessed by third parties and/or the Website may be subject to hostile network attacks or administrative errors. We cannot and do not guarantee the security of any information transmitted over the Internet. Once we receive your Personal Information, we take steps that we believe are commercially reasonable to limit access to your Personal Information to only those employees and service providers whom we determine need access to the Personal Information to provide the requested products, services, offers or opportunities that may be of interest to you. However, even after we receive your Personal Information, we cannot guarantee that your Personal Information may not be accessed, disclosed, altered, or destroyed as a result of a breach of our commercially reasonable efforts or as a result of any other event beyond our reasonable control. Accordingly, we cannot and do not guarantee that your Personal Information is completely secure and safe from such risks. For the avoidance of doubt, WE expressly disclaim any representation or warranty, whether express or implied, with respect to ensuring, guaranteeing or otherwise offering any definitive promise of security in connection with your Personal Information or Usage Information.

Special Note to United States Users

State consumer privacy laws may provide their residents with additional rights regarding use of their Personal Information that may apply to our Website. Residents of certain states, including Colorado, Connecticut, Virginia, and Utah, provide their residents with rights to: confirm whether we process their Personal Information; access and delete certain Personal Information; data portability; and opt-out of personal data processing for targeted advertising and sales. Residents of certain states, including Colorado, Connecticut, and Virginia, also provide their residents with rights to: correct inaccuracies in their Personal Information, taking into account the information's nature processing purpose; and the ability to opt-out of profiling in furtherance of decisions that produce legal or similarly significant effects. To exercise any of these rights, please contact Proliant's data protection officer at dairyingredients@proliantinc.com.

For California residents, our Website has collected the following categories of Personal Information from consumers within the last twelve (12) months: identifiers such as real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, or account name; personal information, such as name, signature, address, or telephone number; and internet or other similar network activity related to your interaction with the Website. In the twelve months prior to the effective date of this Privacy Policy, Proliant has not sold any Personal Information of consumers, as those terms are defined under the California Consumer Privacy Act ("CCPA").

The CCPA provides California residents with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights. You have the right to request that we disclose certain information to you about our collection and use of your Personal Information over the past 12 months (the "right to know"). Once we receive your request and confirm your identity, we will disclose to you: the categories of Personal Information we collected about you, the categories of sources for the Personal Information we collected about you, our business or commercial purpose for collecting that Personal Information, the categories of third parties with whom we share that Personal Information, and the specific pieces of Personal Information we collected about you. You have the right to request that we delete any of your Personal Information that we collected from you and retained, subject to certain exceptions. Once we receive your request and confirm your identity, we will review your request to see if an exception allowing us to retain the information applies. We may deny your deletion request if retaining the information is necessary to: (1) Complete the transaction for which we collected the Personal Information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you; (2) detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities; (3) debug products to identify and repair errors that impair existing intended functionality; (4) exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law; (5) comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.); (6) engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent; (7) enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us; (8) comply with a legal obligation; or (9) make other internal and lawful uses of that information that are compatible with the context in which you provided it. We will delete or deidentify Personal Information not subject to one of these exceptions from our records and will direct our service providers to take similar action. To exercise your rights described above, please submit a request by either: Calling us at 800-513-8755 or emailing us at dairyingredients@proliantinc.com. You may only submit a request to know twice within a 12-month period. Your request to know or delete must provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative, and describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it. We will confirm receipt of your request within ten (10) business days. If you do not receive confirmation within the 10-day timeframe, please contact dairyingredients@proliantinc.com. We endeavor to substantively respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to another 45 days), we will inform you of the reason and extension period in writing. We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded.

Special Note to International Users

By using the Website, you agree and acknowledge that the Website is hosted in the United States. If you are attempting to access the Website from a physical location within the European Union, Asia, or any other region with laws or regulations governing personal data collection, use, and disclosure that differ from United States laws, please be advised that through your continued use of the Website, which is governed by U.S. law, and the Privacy Notice, you are transferring your Personal Information to the United States and, except as may be required by other applicable rules, regulations, case law, and/or

international treaties resulting in the application of the laws of a jurisdiction other than the United States or the State of Iowa, you consent to (i) such transfer, (ii) the application of the laws of the United States and/or the State of Iowa with respect to any dispute arising from or related to the Privacy Policy and/or your use of the Website and (iii) the exclusive jurisdiction of the courts of the State of Iowa and the federal courts sitting in Des Moines, Iowa. Any claim or dispute between you and us that arises in whole or in part from your use of the Website or in connection with the Privacy Policy shall be decided exclusively by a court of competent jurisdiction located in Des Moines, Iowa, U.S.A. Each party hereby agrees that such court shall have personal jurisdiction and venue with respect to such party, and each party hereby submits to the personal jurisdiction and venue of such courts and waives any objection based on inconvenient forum.

For China and Thailand residents:

LEGAL NOTICE: Any communications through this Website may contain confidential information subject to professional secrecy. No reproduction or distribution of this communication is permitted without the express written permission of Proliant. If you are not the intended recipient, please delete and inform us at dairyingredients@proliantinc.com.

DATA PROTECTION: According to the Personal Data Protect Acts in China and Thailand, we inform you that your Personal Information and email address, obtained from the data subject or public sources, will be part of a file of Proliant, with the finality of Proliant sending communications about our products and services and will be preserved while there is mutual interest to do so. The data will not be communicated to third parties, except to comply with legal obligations, or as otherwise described in this Privacy Policy. If you wish, you may exercise your rights of access, rectification, portability and delete data and limitation and opposition to their treatment by contacting the address Proliant Dairy, LLC., 2425 SE OAK TREE COURT, ANKENY, IA 50021 or by sending an email to dairyingredients@proliantinc.com.

ADVERTISING: In compliance with the applicable laws in China and Thailand, if you do not wish to receive further information about our products and/or services, you may unsubscribe by sending an email to dairyingredients@proliantinc.com, indicating in the subject "UNSUBSCRIBE".

For European Union residents:

Information we collect from you will be processed in the United States. The United States has not sought nor received a finding of "adequacy" from the European Union under Article 45 of the GDPR. We rely on derogations for specific situations as set forth in Article 49 of the GDPR. In particular, we collect and transfer to the U.S. personal data only with your consent, to perform a contract with you, or to fulfill a compelling legitimate interest of Proliant in a manner that does not outweigh your rights and freedoms. Proliant endeavors to apply suitable safeguards to protect the privacy and security of your personal data and to use it only consistent with your relationship with Proliant and the practices described in this Privacy Policy. In accordance with the provisions of the General Data Protection Regulation, Proliant Dairy, LLC. is the data controller processing your personal data in connection with this Website, and may take the actions described in this Privacy Policy, including sending you marketing emails about our products and services whereby you have given your consent for this processing. You may revoke your consent at any time by sending a request to dairyingredients@proliantinc.com. If you wish to confirm that Proliant is processing your personal data, or to have access to the personal data Proliant may have about you, please contact us at dairyingredients@proliantinc.com. You may also request information about: the purpose of the processing; the categories of personal data concerned; who else outside Proliant might have received the data from Proliant; what the source of the information was (if you didn't provide it directly to Proliant); and how long it will be stored. You have a right to correct (rectify) the record of your personal data maintained by Proliant if it is inaccurate. You may request that Proliant erase that data or cease processing it, subject to certain exceptions. In many countries, you have a right to lodge a complaint with the appropriate data protection authority if you have concerns about how Proliant processes your personal data. When technically feasible, Proliant will, upon your request, provide your personal data to you or transmit it directly to another controller. For questions or complaints concerning the processing of your personal data, you can email Proliant's data protection officer at to

dairyingredients@proliantinc.com. Alternatively, you can also have recourse to the European Data Protection Supervisor or with your nation's data protection authority.

Changes & Updates to the Privacy Policy

From time to time, we may revise the Privacy Policy to reflect company policy and customer feedback. We encourage you to periodically review this Privacy Policy to stay current on how we are protecting this information. To help you stay current of any changes, we will note the date the Privacy Policy was last updated but will not provide any direct notice to you. Your use of the Website following the posting of any revised Privacy Policy shall be deemed acceptance of the revised policy, so we strongly recommend that you check back the Privacy Policy periodically.

If you disagree with the terms of any Privacy Policy at any time, your sole remedy is to terminate your use of the Website and inform us of such termination as described in Privacy Policy. Continued use of the Website constitutes your agreement to any Privacy Policy as in effect.

Miscellaneous

If any part of the Privacy Policy is determined to be invalid or unenforceable pursuant to applicable law, then the invalid or unenforceable provision will be deemed superseded by a valid, enforceable provision that most closely matches the intent of the original provision and the remainder of the Privacy Policy shall continue in force and effect.

Proliant operates manufacturing locations in the United States. For more information about our operations, contact the data protection officer listed in this document.