

PRIVACY POLICY

Last Updated: July 26, 2023

DERCO ASSOCIATES, INC., doing business as Derco Foods (“Derco,” “we,” or “us”) created and developed the DERCO FOODS application (the “Application”) for use by its users (“you,” “your,” or “User(s)”) on an AS-IS, WHERE-IS basis. The Application allows Users to track the progress of regional and international shipments of its orders of Derco products.

This privacy policy (“Privacy Policy”) explains how we collect, use, disclose, and otherwise process Personal Information in connection with our services. When we use the term “**Services**,” we are referring to all the services we offer through the Application, together with the content, software, services, and functionality offered on or through the Application. Please read this information carefully.

If you choose to use our Services, then you agree to the collection and use of information as provided in this Privacy Policy. The Personal Information that we collect is used for providing and improving our Services. We will not use or share your information with anyone except as described in this Privacy Policy.

The terms used in this Privacy Policy have the same meanings as in our Terms and Conditions, which is accessible on a link on the Application unless otherwise defined in this Privacy Policy.

Collection of Personal Information

When we use the term “**Personal Information**” in this Privacy Policy, we mean information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, to you. It does not include aggregated or deidentified information that is maintained in a form that is not reasonably capable of being associated with or linked to you.

In general, we collect Personal Information about you when you use our Application or interact on our platform. Sometimes we collect Personal Information automatically when you interact with our Services, and sometimes we collect the Personal Information directly from you.

Personal Information You Provide. We may collect certain Personal Information you provide or have provided in connection with the use of our Application or Services, including, without limitation, first name, last name, email address, billing and shipping address, company name, phone number email and location (including optional dba information and type of business); and optional business license, and other information that describes your business.

Personal Information Automatically Collected. We may collect certain Personal Information automatically when you use our Application or Services, including, without limitation:

- **Log File Data**, including your internet protocol (IP) address, operating system, browser type, browser id, date/time of visit, user settings, cookie identifiers, internet service provider, mobile advertising or other unique identifiers, the configuration of the app when utilizing our Service, and other statistics.
- **Analytics Data**, including the electronic path you take to our Services, through our Services and when exiting our Services, as well as your usage and activity on our Services, such as the links and objects you view, click or otherwise interact with (also known as “Clickstream Data”).
- **Location Data**, including your general geographic location based on your IP address or more precise location when accessing our Application through a mobile device.

Personal Information from Third Parties. We may also obtain Personal Information from third parties and other sources which we often combine with Personal Information we collect either automatically or directly from you.

Use of Personal Information

We use your Personal Information for a variety of business purposes, including to provide our Services, for administrative purposes, and to market our products and Services, including, but not limited to, the following: managing your information and accounts; providing access to certain areas, functionalities, and features of our Services; answering requests for user or technical support; communicating with you about your account, activities on our Services, and policy changes; pursuing our legitimate interests such as direct marketing, research and development (including marketing research), network and information security, and fraud prevention; detecting security incidents, protecting against malicious, deceptive, fraudulent or illegal activity, and prosecuting those responsible for that activity; measuring interest and engagement in our Services; short-term, transient use, such as contextual customization of ads; improving, upgrading or enhancing our Services; ensuring internal quality control and safety; authenticating and verifying individual identities, including requests to exercise your rights under this Privacy Policy; debugging to identify and repair errors with our Services; auditing relating to interactions, transactions and other compliance activities; enforcing our agreements and policies; and complying with our legal obligations.

Disclosure of Personal Information

We may disclose and transfer Personal Information in the following ways:

- **Our Service Providers.** We share Personal Information with our third-party service providers that use the data to perform business or operational services for us or on our behalf, such as Application hosting, infrastructure provisioning, IT services, user service, email delivery services, administrative services, marketing and advertising services, security, and other similar services.
- **APIs/SDKs.** We may use third-party Application Program Interfaces (“APIs”) and Software Development Kits (“SDKs”) as part of the functionality of our Application and

Services. For more information about our use of APIs and SDKs, please contact us as set forth below.

- **Ad Networks and Advertising Partners.** We may work with third-party ad networks and advertising partners to deliver advertising and personalized content on our Application, on other applications and services, and across other devices. These parties may collect information directly from your browser or device when you visit our Services through cookies or other data collection technologies. This information is used to provide and inform targeted advertising, as well as to provide advertising-related services such as reporting, attribution, analytics and market research.
- **Business Transaction or Reorganization.** We may take part in or be involved with a corporate business transaction, such as a merger, acquisition, joint venture, or financing or sale of company assets. We may disclose Personal Information to a third-party during negotiation of, in connection with or as an asset in such a corporate business transaction. Personal Information may also be disclosed in the event of insolvency, bankruptcy, or receivership.
- **Legal Obligations and Rights.** We may disclose Personal Information to third parties, such as legal advisors and law enforcement, when we, in good faith, believe doing so is required or appropriate.
- **Data Transfers.** We may transfer the Personal Information we collect about you to countries other than the country in which the information originally was collected. Those countries may not have the same data protection laws as the country in which you initially provided the information. When we transfer your Personal Information to other countries, we will protect that information as described in this Privacy Policy and in accordance with applicable law.
- **Otherwise With Consent or Direction.** We may disclose Personal Information about you to certain other third parties or publicly with your consent or direction. For example, with your consent, we may post your testimonial on our Application or service-related publications.

We may also share information with others in an aggregated or otherwise anonymized form that does not reasonably identify you directly as an individual.

Control Over Your Information

You may control your information in the following ways:

- **Device Information.** You may control the Application's access to your device information through the Application settings on your device.
- **Communication Preferences.** You can stop receiving push notifications by changing the Application notification settings on your device. From time to time, we may contact you with information about our products and services, including sending you email marketing messages and asking for your feedback on our products and services.

Cookies, Analytics and Advertising

We may use one or more third-party analytics services to evaluate your use of the Application and Services, compile reports on activity, collect demographic data, analyze performance metrics, and collect and evaluate other information relating to the Services. We may also permit third-party online advertising networks, social media companies and other third-party advertising services to collect information about your use of our Application over time so that they may play or display ads on our Application, on other devices you may use. We and our service providers may collect information using “cookies,” pixel tags, or other technologies. Cookies are small packets of data that an Application stores on your device’s hard drive so that it will “remember” information. We may use both session cookies and persistent cookies to help us collect other information and to enhance your experience using the Services.

Depending on your device and operating system, you may not be able to delete or block all cookies. In addition, if you want to reject cookies across all your browsers and devices, you will need to do so on each browser on each device you actively use.

Some of the third-party analytics and advertising partners we engage may also provide their own disclosures and opt-out mechanisms in relation to their collection of information.

You may stop or restrict the placement of cookies and similar technologies on your device or remove them by adjusting your preferences as your browser or device permits. However, if you adjust your preferences, our Services may not work properly. Please note that cookie-based opt-outs are not effective on mobile applications.

Children’s Personal Information

Our Application and Services are not directed to, and we do not intend to, or knowingly, collect or solicit Personal Information from children under the age of 18. If a child under the age of 18 has provided Personal Information to us, we encourage the child’s parent or guardian to contact us to request that we remove the Personal Information from our systems. If we learn that any Personal Information we collect has been provided by a child under the age of 18, we will promptly delete that Personal Information, unless we have a legal obligation to retain it, and delete their account if applicable.

Security of Your Information

We take steps to ensure that your information is treated securely and in accordance with this Privacy Policy. Unfortunately, no system is 100% secure, and we cannot ensure or warrant the security of any information you provide to us. As a result, you acknowledge that: (a) there are security and privacy limitations inherent to the internet which are beyond our control; and (b) the security, integrity and, privacy of any and all information and data exchanged between you and us cannot be guaranteed. We have taken appropriate safeguards to require that your Personal Information will remain protected and require our third-party service providers and partners to

have appropriate safeguards as well. To the fullest extent permitted by applicable law, we do not accept liability for unauthorized disclosure.

By using our Services or providing Personal Information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues relating to your use of our Services. If we learn of a security system's breach, we may attempt to notify you electronically by posting a notice on our Services, by mail or by sending an email to you.

International Data Transfers

All information processed by us may be transferred, processed, and stored anywhere in the world, including, but not limited to, the United States or other countries, which may have data protection laws that are different from the laws where you live. We endeavor to safeguard your information consistent with the requirements of applicable laws.

Retention of Personal Information

We store the Personal Information we collect as described in this Privacy Policy for as long as you use our Services or as necessary to fulfill the purpose(s) for which it was collected, provide our Services, resolve disputes, establish legal defenses, conduct audits, pursue legitimate business purposes, enforce our agreements, and comply with applicable laws. You can request the deletion of your personal information, including username and password, by contacting derco@dercofoods.com. Please note that we will need to close the associated Derco App account to do this, and you will not be able to access data which was previously available on the App.

Links to Third-Party Applications or Services

Our Application and online services may include links to third-party Applications, plug-ins and applications. Except where we post, link to, or expressly adopt or refer to this Privacy Policy, this Privacy Policy does not apply to, and we are not responsible for, any Personal Information practices of third-party applications and online services or the practices of other third parties. To learn about the Personal Information practices of third parties, please visit their respective privacy policies.

Updates to This Privacy Policy

We will update this Privacy Policy from time to time. When we make changes to this Privacy Policy, we will change the "**Last Updated**" date at the beginning of this Privacy Policy. If we make material changes to this Privacy Policy, we will notify you where required by applicable law, for example by sending you an email to your registered email address, by prominent posting on this Application or our online services, or through other appropriate communication channels. All changes shall be effective from the date of publication unless otherwise provided. You

understand and agree that you will be deemed to have accepted the updated Privacy Policy if you continue to use our Application or Services after the new Privacy Policy takes effect.

Supplemental Notice For California Residents

This Supplemental California Privacy Notice only applies to our processing of personal information that is subject to the California Consumer Privacy Act of 2018 (“CCPA”). The CCPA provides California residents with the right to know what categories of personal information Derco has collected about them and whether Derco disclosed that personal information for a business purpose (e.g., to a service provider) in the preceding 12 months. California residents can find this information below:

For purposes of the CCPA, Derco does not “sell” personal information, nor do we have actual knowledge of any “sale” of Personal Information of minors under 18 years of age.

Subject to certain exceptions, as a California resident, you have the right to: (i) access your Personal Information and (ii) obtain deletion of your Personal Information. To the extent permitted by applicable law, we may be required to retain some of your Personal Information, and certain Personal Information is strictly necessary in order for us to fulfill the purposes described in this Privacy Policy.

Should you wish to request the exercise of your other rights as detailed above with regard to your Personal Information, we will not discriminate against you by providing you with a different level or quality of Services, based solely upon this request.

To protect your privacy, we will take steps to verify your identity before fulfilling your request. When you make a request, we will ask you to provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative, which may include asking you to answer questions regarding your account and use of our Services.

You also have the option of designating an authorized agent to exercise your rights on your behalf. For authorized agents submitting requests on behalf of California residents, please contact us, with any evidence you have that you have been authorized by a California resident to submit a request on their behalf.

If you are a California resident and would like to exercise any of your rights under the CCPA, please contact us as set forth in “Contact Us” below. We will process such requests in accordance with applicable laws.

Supplemental Notice for Nevada Residents

If you are a resident of Nevada, you have the right to opt-out of the sale of certain Personal Information to third parties who intend to license or sell that Personal Information. You can exercise this right by contacting us at development@dercofoods.com with the subject line “Nevada Do Not Sell Request” and providing us with your name and the email address associated with your account. Please note that we do not currently sell your Personal Information as sales are defined in Nevada Revised Statutes Chapter 603A. If you have any questions, please contact us as set forth in “Contact Us” below.

Contact Us

If you have any questions or requests in connection with this Privacy Policy, wish to exercise your rights under this Notice, or have other privacy-related matters, please send an email to development@dercofoods.com.

Alternatively, inquiries may be addressed to:

Derco Associates, Inc.
2670 W. Shaw Lane
Fresno, California 93711
USA