

PRIVACY POLICY

FOX Agronomy, LLC

Last update: June 8, 2024

Welcome to FOX Agronomy, LLC (“FOX”, “we”, “us”, or “our”), your premier partner in revolutionizing agricultural practices. This Privacy Policy is designed to inform you about how we collect, use, and share your personal information through our website, mobile application, and other digital platforms (**collectively, the “Services”**) that you might interact with. Our commitment to your privacy is paramount, and we endeavor to maintain the highest standards of data protection while delivering unparalleled services to improve your farming and agricultural business operations. By accessing or using the Services, you agree to the practices described in this Privacy Policy. We appreciate the trust you place in us and assure you that your information is handled with care and respect.

1. **Information Collection and Use.** User registration is required to access and utilize the full features of the Services, including ordering agricultural inputs, real-time tracking, and communication with local retailers. The Services are likely to collect, automatically in some instances, the following types of digital information or data:
 - A. *User Registration Information*: When you register on the Services, we collect personal information that you voluntarily provide. This information may include, but is not limited to, your name, contact information (such as email addresses and phone numbers), and addresses. This information is used to create and manage your account, provide customer support, and communicate important information and updates about the Services.
 - B. *Financial and Transaction Data*: While Fox Agronomy does not directly collect financial information or credit card details, we facilitate transactions through third-party affiliate partners. We may collect limited transaction details such as the date, time, and specifics of products purchased. This information helps us to track purchases, manage orders, and improve our service offerings.
 - C. *Geolocation Data*: For tracking deliveries and enhancing the Services, we may collect precise, real-time information about the location of your device. This data allows us to optimize delivery routes and provide you with location-based services.
 - D. *User Communication*: The Services enable communication between users, such as farmers and retailers. We collect data from these interactions, including email or text messages and information exchanged, to facilitate these communications and enhance the Services.
 - E. *User Preferences and Activity*: We collect information about your preferences and activities on the Services, such as browsing history, product searches, and purchases. This data helps us to understand your needs better, personalize your experience, and recommend relevant products and services.

- F. *Device and Usage Data*: Information about the device used to access the Services, including the device model, operating system, unique device identifiers, IP address, and mobile network information, is collected. We also gather data on how you interact with the Services, such as pages viewed, , time spent on the app, features used, and other similar usage patterns. This information assists us in improving site functionality and user experience.
- G. *Advertising Data*: We collect data related to advertisements viewed or clicked within the Services to measure the effectiveness of our advertising campaigns and to tailor the advertising content to your interests.
- H. *AI Technology*: FOX, through its Services, employs Artificial Intelligence (AI) technologies to enhance the user experience by providing personalized recommendations and facilitating a more efficient, tailored browsing and shopping experience for our users. These AI-driven features are designed to understand and anticipate the needs of our users, offering suggestions for products and services that are most relevant to their agricultural practices and preferences. In utilizing AI technology, FOX is committed to maintaining the highest standards of data privacy and security. The collection, use, and sharing of personal data through AI technologies are conducted in strict adherence to our Privacy Policy, ensuring that users' information is handled responsibly, transparently, and with the utmost care.
- I. *Cookies and Tracking Technologies*. We use cookies, web beacons, and other tracking technologies to enhance your experience on the Platform. Cookies are small text files stored on your device by your web browser. These technologies help us understand user behavior, improve the Services, and customize content and advertisements. You can manage your cookie preferences through your browser settings. For more information on how to control cookies and other tracking technologies, please visit our [\[Cookie Policy\]](#) below].

We will use the information you provide to us to contact you for important updates, required notices, and marketing promotions related to the Application.

- 2. **Data Usage and Sharing.** We use your data to improve the Services, communicate with you, and provide personalized experiences. We share data with trusted service providers and partners who adhere to our privacy standards. Shared data may be aggregated and anonymized, ensuring no personally identifying information is included. Data with identifying elements is shared only when necessary for service delivery or legal compliance. We will share your information with third parties only in the ways that are described in this privacy statement. We may disclose user-provided and automatically collected Information:
 - A. As required by law, such as to comply with a subpoena or similar legal process;
 - B. When we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request;

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- C. With our trusted service providers who work on our behalf, do not have an independent use of the information we disclose to them, and have agreed to adhere to the rules outlined in this privacy statement; or
- D. If FOX is involved in a merger, acquisition, or sale of all or a portion of its assets, you will be notified via email and/or a prominent notice on the Services of any change in ownership or uses of this information, as well as any choices you may have regarding this information.

For a complete list of our data sharing practices, please visit our [\[Data Sharing Practices below\]](#) page.

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- 3. **Other Services; Links.** The Services may link to or contain links to other third-party web Services that we do not control or maintain, such as in connection with purchasing products referenced on the Services and banner advertisements. We are not responsible for the privacy practices employed by any third-party Website. We encourage you to note when you leave the Services and to read the privacy statements of all third-party web Services before submitting any personally identifiable or sensitive information.
- 4. **Public Forums.** We may offer chat rooms, message boards, bulletin boards, or similar public forums where you and other users of the Services can communicate. Please be aware that the protections described in this Privacy Policy do not apply when you provide information (including personal information) in these public forums. Information shared in public forums is public information and may be seen or collected by anyone, including third parties not bound by our Privacy Policy. We advise you to exercise caution when sharing personal information in these areas. We are not responsible for any events arising from the distribution of information you choose to publicly post or share through the Services.
- 5. **Security.** We are committed to protecting the security of personal information collected through our website and mobile applications. We comply with applicable data protection and privacy laws and regulations, including the California Consumer Privacy Act (CCPA).
 - A. **Security Measures.** We implement appropriate technical and organizational measures designed to protect personal information from accidental or unlawful destruction, loss, alteration, unauthorized disclosure, or access. Such measures include:
 - (1) Encryption of personal information in transit and at rest;
 - (2) Access controls and role-based authorization to limit access on a need-to-know basis;
 - (3) Network security measures such as firewalls and intrusion detection systems;
 - (4) Regular security monitoring, testing, and audits;

- (5) Staff training on data security; and
 - (6) Physical security controls at our facilities.
- B. **Data Breach.** In the event of a data breach involving personal information, we will promptly notify affected individuals and applicable regulators in accordance with data protection laws. Our response plan includes:
- (1) An investigation into the breach and remediation of any vulnerabilities;
 - (2) Measures to mitigate the effects of the breach; and
 - (3) Determination of necessary notifications to individuals, regulators, and others.

We regularly review and update our security policies and procedures to address new threats and comply with changes to the legal and regulatory framework for data protection. If you have any questions about the security of your personal information, please contact us directly.

6. User Control and Opt-out Rights.

- A. **Opt-out Rights.** You have two (2) options to stop the collection of future information by the Services:
- (1) Uninstalling the Application, though data collected prior to uninstallation will be retained according to our data retention policy. You can utilize the standard uninstall processes available on your mobile device or through the mobile application marketplace or network.
 - (2) Alternatively, you can request to opt-out via email at admin@FarmersFox.com.
- B. **User Options to Control Data Collection and Dissemination.** You have the right to manage the data we collect and share. You can:
- (1) Adjust your browser settings to block cookies;
 - (2) Opt-out of data sharing with third parties by contacting us at admin@FarmersFox.com.

7. **User Rights to Access, Modify, and Update Data.** You have the right to access, modify, update, or delete your personal data at any time. To manage your data, please log into your account or contact us at admin@FarmersFox.com. Upon your request, we will delete your personal data unless we are required to retain it for legal reasons. We will use commercially reasonable efforts to process such requests in a timely manner. You should be aware, however, that it is not always possible to completely remove or modify information from our subscription databases. You cannot opt out of receiving transactional e-mails related to the Services (e.g., requests for support).

We may also deliver notifications to your mobile device (e.g., push notifications). You can disable these notifications by deleting the relevant service or by changing the

settings on your mobile device.

8. **Data Retention and Information Management.** We will retain User-Provided Data for as long as you use the Application and for a reasonable time thereafter. We retain your personal data only as long as necessary to fulfill the purposes for which it was collected, including for satisfying any legal, accounting, or reporting requirements. The specific retention period depends on the type of data and the purpose for which we collected it. Once the retention period expires, we will securely delete or anonymize your data. Please note that all the User-Provided Data is essential for the Application to function properly and provide a personalized user experience.
9. **Children.** We do not use the Application to knowingly solicit data from or market to children under the age of 13. Our online platforms comply with the requirements of the Children's Online Privacy Protection Act (COPPA) and, therefore, restricts individuals under thirteen (13) years of age from registering or providing personal information. If you become aware that your child has provided us with information without your consent, please contact us at admin@FarmersFox.com and we will delete such information from our files within a reasonable time.
10. **Compliance with Specific Laws.** We adhere to all relevant laws and regulations pertaining to the collection, use, disclosure, and storage of user information obtained through the Services. This includes, but is not limited to, privacy, data security, consumer protection, and e-commerce laws. The Company is not governed by the Health Insurance Portability and Accountability Act (HIPAA), the Gramm-Leach-Bliley Act (GLBA), or the Fair Credit Reporting Act (FCRA). However, the Company will comply with other federal laws such as the Children's Online Privacy Protection Act (COPPA) and the CAN-SPAM Act. The Company will also abide by all other state and local laws and regulations in jurisdictions where it operates or where its users reside, including state data security breach notification laws. If any law or regulation is amended or enacted necessitating changes to this Privacy Policy, the Company will make the necessary modifications and notify users.
11. **Changes.** This privacy policy is effective as of **June 8, 2024**. We may update this policy periodically for any reason. We will notify you of any changes to our Privacy Policy by updating the effective date at the top of this policy and, if the changes are significant, by providing a prominent notice on the Services. You are advised to consult this Privacy Policy regularly for any changes to stay informed about how we protect your information, as continued use is deemed approval of all changes.
12. **Sole Statement.** This Privacy Policy as posted on the Services is the sole statement of our privacy policy with respect to the Services, and no summary, modification, restatement, or other version thereof, or other privacy statement or policy, in any form, is valid unless we post a new or revised policy to the Services.
13. **Contact us.** If you have any questions regarding privacy while using the Services, or have questions about our practices, please contact us via email at

admin@FarmersFox.com.

14. **Dispute Resolution.** If you have any disputes regarding our privacy practices, please contact us at admin@FarmersFox.com. We are committed to resolving disputes in a fair and timely manner. If we cannot resolve the issue, we agree to binding arbitration in accordance with the rules of the American Arbitration Association.
15. **Your Consent.** By using the Application, you are consenting to our processing of your information as outlined in this Privacy Policy now and as amended by us. Processing means using cookies on a computer/handheld device or using or touching information in any way, including, but not limited to, collecting, storing, deleting, using, combining, and disclosing information, all of which activities will take place in the United States. If you reside outside the United States your information will be transferred, processed, and stored there under United States privacy standards.

Cookies Policy

Updated: June 6, 2024

1. Introduction.

This Cookies Policy explains how FOX Agronomy, LLC (“FOX”, “we”, “us”, or “our”) uses cookies and similar technologies to recognize you when you visit our multi-vendor online marketplace website and mobile application (“Platform”). It explains what these technologies are, why we use them, and your rights to control our use of them.

2. What Are Cookies?

Cookies are small text files that are placed on your device when you visit a website. They are widely used to make websites work more efficiently, as well as to provide information to the owners of the site. Cookies can be “*persistent*” or “*session*” cookies. Persistent cookies remain on your device for a set period or until you delete them, while session cookies expire when you close your browser.

Cookies set by the website owner (in this case, FOX Agronomy, LLC) are called “first-party cookies.” Cookies set by parties other than the website owner are called “third-party cookies.” Third-party cookies enable third-party features or functionality to be provided on or through the website (e.g., advertising, interactive content, and analytics). The parties that set these third-party cookies can recognize your computer both when it visits the website in question and also when it visits certain other websites.

3. Why Do We Use Cookies?

We use first-party and third-party cookies for several reasons. Some cookies are required for technical reasons for our Platform to operate, and we refer to these as “essential” or “strictly necessary” cookies. Other cookies also enable us to track and target the interests of our users to enhance the experience on our Platform. Third parties serve cookies through our Platform for advertising, analytics, and other purposes.

4. Types of Cookies We Use

The specific types of first- and third-party cookies served through our Platform and the purposes they perform are described below:

- a) *Essential Cookies*: These cookies are strictly necessary for enabling core website functionality and features. These cookies do not collect any information that could be used to identify website visitors. They are set only in response to user actions such as language selection or login credentials to provide a customized and secure user experience.
- b) *Performance and Functionality Cookies*: These cookies are used to enhance site performance and customize site functionality. They remember user choices such as preferred language, location, customized site settings, and login credentials to

provide a faster, more personalized user experience. They may also enable requested services like video viewing or blog commenting. These cookies do not collect any information that could identify visitors. All information collected is anonymous and cannot track browsing activity on external sites. However, without these cookies, certain functionality may become unavailable.

- c) *Analytics and Customization Cookies*: These cookies help understand how our website is used and enhance the user experience. They collect information on pages visited most often or if error messages occur on pages. This helps tailor site content and features to user needs and measure effectiveness of site optimization efforts and our marketing campaigns. These cookies do not collect identifying information from visitors. All information collected is aggregated and anonymous.
- d) *Targeting/Advertising Cookies*: These cookies are used to make advertising messages more relevant to user interests and limit ad frequency. They remember that a user has visited the website and share this information with ad partners. This enables the display of ads tailored to user interests on this and other websites. Often, ad cookies will be linked to site features provided by ad partners. They do not collect any information that identifies a visitor. They perform functions like preventing the same ad from continuously reappearing, ensuring that ads are properly displayed for advertisers, and in some cases selecting advertisements that are based on your interests.
- e) *Social Networking Cookies*: These cookies are small data files placed on a user's device by social media platforms like Facebook, Twitter, and Instagram when the user visits a website utilizing social media plugins. These cookies enable social media platforms to track the user's online activities and connect their social media account with their browsing on our marketplace, allowing for seamless sharing and liking of product listings and vendor storefronts. For instance, clicking the Facebook "Like" button on a product page places a cookie on the user's device, enabling Facebook to post about this activity to their newsfeed. Users can manage these cookies through their browser settings and social media privacy controls, though disabling them may limit social features on our marketplace. We do not control these third-party cookies; refer to each social media platform's privacy policy for more information. These cookies may also be used for advertising purposes.

5. How Can You Control Cookies?

You have the right to decide whether to accept or reject cookies. You can exercise your cookie rights by setting your preferences in the Cookie Consent Manager. The Cookie Consent Manager allows you to select which categories of cookies you accept or reject. Essential cookies cannot be rejected as they are strictly necessary to provide you with services.

Most web browsers allow you to control cookies through their settings preferences. If you choose to reject cookies, you may still use our Platform, though your access to some functionality and areas of our Platform may be restricted. You may also set or amend your web browser controls to accept or refuse cookies. As the means by which you can

refuse cookies through your web browser controls vary from browser to browser, you should visit your browser's help menu for more information.

6. Third-Party Cookies

In addition to our own cookies, we may also use various third parties' cookies to report usage statistics of the Platform, deliver advertisements on and through the Platform, and so on. These third parties may collect information about your activities on the Platform and other websites to provide you with targeted advertising based on your interests.

7. Updates to This Cookies Policy

We may update this Cookies Policy from time to time in order to reflect, for example, changes to the cookies we use or for other operational, legal, or regulatory reasons. Please re-visit this Cookies Policy regularly to stay informed about our use of cookies and related technologies.

The date at the top of this Cookies Policy indicates when it was last updated.

8. More Information

If you have any questions about our use of cookies or other technologies, please email us at admin@FarmersFOX.com or by post to:

FOX Agronomy, LLC
d/b/a Farmers FOX
4138 13th Street NW
Garrison, ND 58540

Data Sharing Practices Policy

Purpose and Scope

This Data Sharing Practices Policy governs the collection, use, sharing, retention, and deletion of personal data and other customer information by FOX in connection with the operation of its multi-vendor online marketplace website and mobile applications (**the "Platform"**).

This Policy applies to all vendors, partners, and other third parties that provide products, services, content, tools, advertisements, or functionality on or through the Platform (**"Vendors"**), as well as all users of the Platform (**"Customers"**).

Definitions

"Personal Data" means any information relating to an identified or identifiable natural person.

"Other Customer Information" means any non-Personal Data provided by Customers or collected by the Platform about Customers, including device identifiers, usage data, and aggregated data.

Collection and Use of Customer Information

The Platform collects Personal Data and Other Customer Information directly from Customers and automatically through their use of the Platform. The types of information collected are described in our Privacy Policy.

FOX uses Customer Information as necessary to provide, maintain, and improve the Platform and related services; complete transactions; communicate with Customers; comply with legal obligations; and for other purposes as disclosed at the time of collection and set forth in our Privacy Policy.

Sharing of Customer Information

FOX does not sell Personal Data to third parties for monetary consideration.

FOX shares Personal Data and Other Customer Information with Vendors and service providers as necessary for them to provide and improve their products, services, content, tools, advertisements, and functionality on the Platform.

Vendors may only use shared Personal Data and Other Customer Information for the limited purposes specified by FOX and consistent with Customers' expectations based on their use of the Platform and the Vendors' offerings. Vendors shall not use such data for unrelated purposes or share it with unauthorized third parties.

FOX discloses Personal Data and Other Customer Information to third parties for legal, regulatory, or merger/acquisition purposes as described in our Privacy Policy.

Customer Rights of Access, Correction, and Deletion

Customers have the right to access, correct, and delete their Personal Data, to object to certain processing, and to exercise other rights under applicable privacy laws. Instructions for submitting access, correction, deletion, and other data rights requests are provided in our Privacy Policy.

Upon receipt of a verifiable request from a Customer, FOX and our Vendors will promptly take steps to delete the Customer's Personal Data in accordance with applicable laws. Other Customer Information may be retained as reasonably needed for auditing, fraud prevention, warranty, product recall, or other permitted business purposes.

Data Retention and Deletion

FOX and Vendors will retain Customer Information only for as long as necessary to fulfill the purposes for which it was collected, including to meet legal, regulatory, or fraud prevention requirements, provide the Platform and related services, complete transactions, and enforce contracts and applicable policies.

When Customer Information is no longer needed, FOX and Vendors will securely delete or anonymize it in accordance with applicable laws and industry best practices.

Data Retention Criteria

The retention period for Customer Information is determined based on a variety of factors, including the nature and sensitivity of the information, the purposes for which it is used, and the applicable legal, regulatory, and contractual requirements.

FOX and Vendors will regularly review and update retention periods to ensure they remain appropriate and lawful.

When determining appropriate retention periods, FOX and Vendors will consider factors such as:

1. The length of time necessary to fulfill the purposes for which the information was collected, including to complete transactions, provide the Platform and related services, and enforce contracts and applicable policies.
2. The need to retain information for auditing, fraud prevention, warranty, product recall, or other permitted business purposes.
3. The requirements of applicable laws and regulations, including data protection and privacy laws, and industry best practices.
4. The risks, costs, and potential liabilities associated with retaining or deleting the information.
5. The ability to ensure the confidentiality and security of the information during the retention period.

Data Security

FOX and Vendors will maintain reasonable administrative, physical, and technical safeguards to protect the confidentiality and security of Customer Information. In the event of a breach, Customers will be promptly notified in accordance with applicable laws.

Policy Updates

FOX may modify this Policy from time to time to reflect changes in legal requirements, our information practices, the Platform's functionality, or for other reasons. We will post the updated Policy on our website and mobile applications. Material changes will also be communicated through the Platform or direct communication.

Contact Information

Please direct any questions or concerns about this Policy or our privacy practices to: admin@FarmersFOX.com.

Auditing and Oversight of Vendors

FOX reserves the right to audit Vendors to ensure compliance with this Data Sharing Practices Policy and all applicable laws and regulations.

Audits may include, but are not limited to, reviewing Vendors' data handling and privacy practices, security measures, and compliance documentation.

Vendors are required to cooperate fully with any audits and to promptly correct any identified compliance issues.

Effective Date

This Policy is effective as of June 10, 2024.