

CALIFORNIA PRIVACY NOTICE

Effective Date: 05.12.2021

1. SCOPE OF DISCLOSURES

This California Privacy Notice (the “**CA Notice**”) applies to information that Atlantic Food Waste Partners, LLC, a subsidiary of Choco Communications GmbH, and their respective subsidiaries and affiliates (“**CHOCO**”, “**we**”, “**us**”, or “**our**”) collects in connection with its websites, mobile applications, products and services (collectively, the “**Services**”). This CA Notice supplements the information contained in our [Privacy Notice](#) and applies solely to individual residents of the State of California (“**consumers**” or “**you**”).

This CA Notice provides additional information about how we collect, use, disclose, and otherwise process Personal Information of individual residents of the State of California, either online or offline, within the scope of the California Consumer Privacy Act of 2018 (“**CCPA**”).

Unless otherwise expressly stated, all terms in this CA Notice have the same meaning as defined in our [Privacy Notice](#) or as otherwise defined in the CCPA.

2. PERSONAL INFORMATION DISCLOSURES

When we use the term “Personal Information” in this CA Notice, we mean information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household.

For the purposes of this CA Notice, Personal Information does not include:

- Publicly available information from government records.
- Deidentified, aggregated or anonymized information that is maintained in a form that is not capable of being associated with or linked to you.
- Information excluded from the CCPA's scope, such as:
 - Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
 - Information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.
 - Information relating to our job applicants, employees, contractors and other personnel.
 - Information about employees and other representatives of third-party customers or entities we may interact with.

COLLECTION AND USE OF PERSONAL INFORMATION

In the last 12 months, we have collected the following categories of Personal Information from the categories of sources and for the purposes set forth below, which reference the Personal Information, sources and purposes described in our [Privacy Notice](#):

Category of Personal Information	Collected
Identifiers, such as your name, mailing address, email address, zip code, telephone number, or other similar identifiers.	✓
California Customer Records (Cal. Civ. Code § 1798.80(e)), such as username and password, company name, job title, business email address, and department.	✓
Protected Classification Characteristics, such as age and gender.	X
Commercial Information, such as information about products or services purchases, obtained or considered.	✓
Biometric Information, such as physiological and behavioral characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as voice prints or fingerprints.	X
Internet/Network Information, such as your browsing history, log and analytics data, information about the device(s) used to access the Services, domain server, search history and information regarding your interaction with our websites or Services and other Usage Data.	✓
Geolocation Data, such as information about your physical location collected from geolocation features on your device, including your IP address.	✓
Sensory Information, such as pictures you provide or upload in connection with our Services, and the content and audio recordings of phone calls between you and us that we record where permitted by law.	✓
Profession/Employment Information, such as current employer.	✓
Non-Public Education Information (20 U.S.C. § 1232g, 34 C.F.R. Part 99), such as information about your academic record.	X
Other Personal Information, such as Personal Information you provide to us in relation to a survey, comment, question, request or inquiry, or information you provide in conversations via the message service.	✓
Inferences, including information generated from your use of our Services reflecting predictions about your preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities and	✓

SOURCES OF PERSONAL INFORMATION

We collect Personal Information about you from one or more of the following sources:

- Directly from you, including via information we receive about you through signing up for an account.
- Indirectly from you, such as through information we collect from you in the course of providing our Services to you.
- Other CHOCO affiliates.
- Service providers.
- Third parties you direct to share information with us.
- Your browser or device.

Please note: In addition to the categories of sources identified above, we may collect information from publicly available sources and other third-party information providers in order to supplement the information we have otherwise collected.

PURPOSES FOR COLLECTING PERSONAL INFORMATION

We may collect, use, sell or disclose Personal Information about you for one or more of the purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to ask a question about our products or Services, we will use that Personal Information to respond to your inquiry.
- To communicate with you, including via email, text message, push notification and/or telephone calls.
- To operate, maintain, and provide to you the features and functionality of the Services.
- To market to you, including through email, direct mail, phone or text message.
- To personalize your experience and to deliver custom content and product and service offerings relevant to your interests, including but not limited to targeted offers and ads through our website, email, social media channels, third-party sites, or on other devices you may use.
- To better understand the demographics of our visitors and measure traffic and analytics on our Services.
- To provide our products and Services to you.
- For our internal business purposes, such as data analysis, market research insight development, customer research, audits, fraud prevention, developing new products and/or features, enhancing the Services, and improving the Services and identifying usage trends.
- To recognize you and remember your information when you return to our websites and Services.
- To help maintain the safety, security, and integrity of the Services, technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our products and Services.
- To troubleshoot and resolve technical issues.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- To evaluate, negotiate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of CHOCO's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by CHOCO about consumers is among the assets transferred or is otherwise relevant to the evaluation, negotiation or conduct of the transaction.

RECIPIENTS OF PERSONAL INFORMATION

As described in our [Privacy Notice](#), we share Personal Information with third parties for business purposes or we may sell your Personal Information to third parties, subject to your right to opt out of those sales (see The Right to Opt-Out of Personal Information Sales below).

We may disclose your Personal Information to the following categories of third parties:

- **Within CHOCO:** We may disclose Personal Information between and among CHOCO and its current and future parents, affiliates, subsidiaries, and other companies under common control or ownership.
- **Service providers:** We may share Personal Information with third-party service providers that perform business or operational services for us or on our behalf, such as website hosting, infrastructure provisioning, IT services, customer service, email delivery services, marketing and advertising services, and other similar services, subject to contractual terms restricting the collection, use and disclosure of your Personal Information for any other commercial purpose.
- **Online advertising partners:** We also may share Personal Information with advertising networks or permit these partners to collect information from you directly on our websites to facilitate online advertising, such as search engines and social network advertising providers to serve targeted ads to you or to groups of other users who share similar traits, such as likely commercial interests and demographics, or third-party platforms.
- **Third parties at your request:** We may share your Personal Information with third parties whom you authorize to disclose your Personal Information in connection with products and services we provide to you.
- **Security providers:** We may share your Personal Information with third-party security providers, for example, to detect, prevent, or otherwise address actual or suspected fraud, harassment, security or technical issues, violations of any law, rule, regulation or the policies of CHOCO.
- **Business partners:** We may disclose Personal Information to third parties with whom we partner to provide contests, joint promotional activities or co-branded services, and such disclosure is necessary to fulfill your request.
- **Other third parties:** From time to time, we may disclose your Personal Information to third parties who use this information to market to you, to perform analytics and conduct research, or for other purposes, in accordance with their own privacy policies and terms.
- **Analytics providers:** We work with third party analytics providers to better understand the demographics of our users and visitors, and to personalize, enhance and improve our Services.
- **Social networks:** We may disclose Personal Information, such as a unique identifier, hashed email address, or information automatically collected through tracking technologies, to social networks for the purpose of displaying personalized advertising and content on those social networks.
- **Law enforcement and third parties pursuant to legal request:** We may disclose Personal Information as reasonably necessary to respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- **Third parties in the context of a corporate transaction:** We may disclose Personal Information as reasonably necessary to evaluate, negotiate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of CHOCO's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by CHOCO about consumers is among the assets transferred or is otherwise relevant to the evaluation, negotiation or conduct of the transaction.

We do not "sell" Personal Information as most people would typically understand that term. However, we do allow certain advertising networks, social media companies and other third-party businesses to collect and disclose your Personal Information directly from your browser or device through cookies and related technologies when you visit or interact with our websites or otherwise engage with us online. Please see the Online Advertising and Data Collection section below for more information about how third parties use

cookies and related technologies to collect information automatically on our websites and other online Services, and the choices you may have in relation to those practices.

3. YOUR CALIFORNIA PRIVACY RIGHTS

As a California resident, you may be able to exercise the following rights in relation to the Personal Information about you that we have collected (subject to certain limitations at law):

The Right to Know	<p>You have the right to request any or all of the following information relating to your Personal Information we have collected and disclosed in the last 12 months, upon verification of your identity:</p> <ul style="list-style-type: none">- The specific pieces of Personal Information we have collected about you;- The categories of Personal Information we have collected about you;- The categories of sources of the Personal Information;- The categories of Personal Information that we have disclosed to third parties for a business purpose, and the categories of recipients to whom this information was disclosed;- The categories of Personal Information we have sold, if any, and the categories of third parties to whom the information was sold (if applicable); and- The business or commercial purposes for collecting or selling (if applicable) the Personal Information.
The Right to Request Deletion	<p>You have the right to request the deletion of Personal Information we have collected from you, subject to certain exceptions.</p>
The Right to Opt Out of Personal Information Sales	<p>You have the right to direct us not to sell Personal Information we have collected about you to third parties now or in the future.</p> <p>If you are under the age of 16, you have the right to opt in, or to have a parent or guardian opt in on your behalf, to such sales.</p>
The Right to Non-Discrimination	<p>You have the right not to receive discriminatory treatment for exercising these rights.</p> <p>However, please note that if the exercise of these rights limits our ability to process Personal Information (such as in the case of a deletion request), we may no longer be able to provide you our products and Services or engage with you in the same manner.</p>
“Shine the Light”	<p>California residents that have an established business relationship with us have rights to know how their information is disclosed to third parties for their direct marketing purposes under</p>

HOW TO EXERCISE YOUR CALIFORNIA CONSUMER RIGHTS

To Exercise Your Right to Know or Right to Deletion

To exercise your right to know and/or your right to deletion, please submit a request by:

- Emailing datenschutz@choco.com with the subject line "California Rights Request", or
- Filling out our California Resident Rights Request Form.

We will need to verify your identity before processing your request. In order to verify your identity, we will generally require either the successful login to your account (if applicable) or the matching of sufficient information you provide us to the information we maintain about you in our systems. Although we try to limit the Personal Information collected in connection with a request to exercise the right to know and/or the right to deletion to that Personal Information identified in your request, certain requests may require us to obtain additional Personal Information from you. In certain circumstances, we may decline a request to exercise the right to know and/or right to deletion, particularly where we are unable to verify your identity or locate your information in our systems, or as permitted by law.

To Exercise Your Right to Opt Out of Personal Information Sales

As noted above, we do not "sell" Personal Information as most people think of that term. Please see the Online Advertising and Data Collection section below for more information about how third parties use cookies and related technologies to collect information automatically on our websites and other online Services, and the choices you may have in relation to those activities.

Online Advertising and Data Collection

Purposes of Data Collection for Online Ads

We permit third-party online advertising networks, social media companies and other third-party services to collect information about your use of our online Services over time so that they may play or display personalized or interest-based ads on our online Services, on other websites, apps or services you may use, and on other devices you may use. Typically, though not always, the information used for interest-based advertising is collected through cookies or similar data collection technologies. We and our third-party partners use this information to make the advertisements you see online more relevant to your interests, as well as to provide advertising-related services such as reporting, attribution, analytics and market research.

How to Opt Out of Online Advertising in Internet Browser

We support the Self-Regulatory Principles for online behavioral advertising ("Principles") published by the Digital Advertising Alliance ("DAA"). This means that we allow you to exercise choice regarding the collection of information about your online activities over time and across third-party websites for online interest-based advertising purposes. More information about these Principles can be found at www.aboutads.info. If you want to opt out of receiving online interest-based advertisements on your internet browser from advertisers and third parties that participate in the DAA program and perform advertising-related services for us and our partners, please following the instructions at: www.aboutads.info/choices, or <http://www.networkadvertising.org/choices/>.

When you elect to opt-out through these sites, they will place an opt-out cookie on your device indicating that you do not want to receive interest-based advertisements. Opt-out cookies only work on the internet browser and device they are downloaded onto. If you want to opt out of interest-based advertisements across all your browsers and devices, you will need to opt out on each browser on

each device you actively use. If you delete cookies on your device generally, you will need to opt out again. And some of these opt-outs may not be effective unless your browser is set to accept cookies. If you delete cookies, change your browser settings, switch browsers or computers, or use another operating system, you will need to opt-out again.

By visiting www.privacyrights.info or www.optout.privacyrights.info/?c=1, you can opt out from sales of this type of Personal Information by businesses that participate in the DAA's CCPA App-based Opt-Out Tool.

How to Opt Out of Online Advertising in Mobile Applications

If you want to opt out of receiving online interest-based advertisements on mobile apps, please follow the instructions at <http://www.aboutads.info/appchoices>.

To make opt-out requests related to mobile apps on your device for businesses participating in the DAA's CCPA App-based Opt-Out Tool, you can download the appropriate app at <https://www.privacyrights.info/appchoices>.

How to Opt Out of Google Data Collection

We also may use certain forms of display advertising and other advanced features through Google Universal Analytics, such as Remarketing with Google Analytics, Google Display Network Impression Reporting, the DoubleClick Campaign Manager Integration, and Google Analytics Demographics and Interest Reporting. These features enable us to use first-party cookies (such as the Google Analytics cookie) and third-party cookies (such as the Doubleclick advertising cookie) or other third-party cookies together to inform, optimize, and display ads based on your past visits to the online Services.

- You may opt-out of certain Google advertising products by visiting the Google Ads Preferences Manager, currently available at <https://google.com/ads/preferences>.

- You may learn more about Google's practices with Google Analytics by visiting Google's privacy policy at <http://www.google.com/policies/privacy/partners>.

- You can also view Google's currently available opt-out options at <https://tools.google.com/dlpage/gaoptout>.

Effect of Opting Out

Please note that when you opt-out of receiving interest-based advertisements, this does not mean you will no longer see advertisements from us or on our online Services. It means that the online ads that you do see from DAA program participants should not be based on your interests. We are not responsible for the effectiveness of, or compliance with, any third-parties' opt-out options or programs or the accuracy of their statements regarding their programs. In addition, third parties may still use cookies to collect information about your use of our online Services, including for analytics and fraud prevention as well as any other purpose permitted under the DAA's Principles.

Minors Under Age 16

We do not sell the Personal Information of consumers we know to be less than 16 years of age. Please contact us at datenschutz@choco.com to inform us if you, or your minor child, are under the age of 16.

California's "Shine the Light" Law

In addition to the rights described above, California's "Shine the Light" law (Civil Code Section §1798.83) permits California residents that have an established business relationship with us to request certain information regarding our disclosure of certain types of Personal Information to third parties for their direct marketing purposes during the immediately preceding calendar year.

To make such a request, please send an email to datenschutz@choco.com.

4. UPDATES TO THIS CA NOTICE

We will update this CA Notice from time to time. When we make changes to this CA Notice, we will change the "Effective Date" at the beginning of this CA Notice. All changes shall be effective from the date of publication unless otherwise provided in the notification.

5. CONTACT US

If you have any questions or requests in connection with this CA Notice or other privacy-related matters, please send an email to datenschutz@choco.com.

Alternatively, inquiries may be addressed to:

Choco Communications GmbH

Attn: Legal Department

Wrangelstraße 100

10997 Berlin

Germany