

Hescott Nutrition Services, LLC Privacy Policy

Last Update: 04/22/2023

We at Hescott Nutrition Services LLC (“HNS,” “we,” “us,” or “our”) know that privacy is very important to you.

We have created this privacy policy (the “Privacy Policy”) to describe what kinds of personal information we may obtain through our website, located at <https://hescottwellness.com/> (the “Website”), our social media platforms, or when you interact with us on any other way. We explain how we may use and disclose that information, the steps we take to keep it secure, your choices regarding our use of this information, and how you can contact us if you have any questions about our privacy practices. We will refer to the above-listed ways in which you may interact with us collectively as the “Services.” Capitalized terms not defined in this Privacy Policy shall have the meanings set forth in our Terms of Use.

By visiting the Website or using our Services in other ways, you accept the practices described in this Privacy Policy. If you do not agree to all of the terms of this Privacy Policy, you may not access or use the Services.

1. INFORMATION WE COLLECT

In the course of operating the Services, HNS collects or receives the following types of information, which may include personal information.

a) Contact Information

When you sign up to use the Services, join our e-mail list, or register for meal plans or health services, you may be required to provide us with personal information about yourself, such as your name, address, phone number, and e-mail address (collectively, the “Contact Information”). We do not collect any Contact Information from you when you use our Services unless you provide us with the Contact Information voluntarily.

b) Health Information

HNS will only use your Health Information as allowed under the law and this Privacy Policy.

Health Information is a part of the Personal Information that we collect about Patients and falls into two categories:

“Protected Health Information” is individually identifiable health information which is created or received by or on behalf of a covered entity (for example, a health care provider or health plan) and which relates to the past, present, or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present or future payment for the provision of health care to an individual. Protected Health Information is further defined by the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and is subject to the protections of HIPAA.

“Additional Health Information” is a subset of Health Information that does not fall within the category of Protected Health Information above. For example, this would encompass information related to past, present, or future physical or mental health or conditions, the provision of health care to an individual, or the past, present or future payment for the provision of health care to an individual but with the difference that such information was not created or received by us from or on behalf of a covered entity. We may collect Additional Health Information in connection with the Website or Applications.

We may use and/or disclose Protected Health Information and Additional Health Information to provide the Services as described in this policy, except our use and disclosure of Protected Health Information is further limited by the main federal health privacy law known as the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and the Notice of Privacy Practices available from your Provider.

We will use and disclose Protected Health Information only to provide Services to the Patient or the Provider, for those uses and disclosures permitted by HIPAA, and the agreement that we have with your Provider. In the event that there is a conflict or inconsistency about the handling of Protected Health Information between (i) this Privacy Policy and (ii) our compliance obligations with HIPAA and contractual commitments with Providers, then the latter will govern.

c) Other Information

In addition to the Contact Information and the Health Information, we may collect additional information regarding you and your use of our Services, your interactions with us and our advertising, as well as information regarding your computer or other devices used to access our Services (collectively, the “Other Information”). Such Other Information may include:

- **Information obtained from your online activity.** Information that we automatically collect when you use the Services, such as (i) information about the device from which you access the Services (i.e., the type of device, the advertising identifier (“IDFA” or “AdID”), the operating system and version (for example iOS, Android or Windows), your carrier and network type (WiFi, 3G, 4G, LTE); (ii) your IP addresses (which may consist of a static or dynamic IP address and will sometimes point to a specific identifiable computer or device); (iii) browser type and language; (iv) referring and exit pages and URLs; (v) date and time; (vi) amount of time spent on particular pages; (vii) what features of the Services you use or visit; and (viii) similar information concerning your use of the Services.
- **Information we collect automatically through cookies and similar technology.** Like most online services, we automatically receive standard technical information when you connect with the Services. We collect this information through browser cookies, pixels, web server logs, web beacons, and similar technologies. These features enable us to personalize your experience with the Services, understand how you use them, maintain a persistent session, and improve and further develop the Services. Cookies are small packets of data that a website stores on your computer’s hard drive so that your computer will “remember” information about your visit. We use cookies to help us collect Other Information and to enhance your experience using the Services. Specifically, we use cookies to authenticate users, personalize your experience when using the Services, analyze which features of the Services you use most frequently, and measure and optimize advertising and promotional effectiveness. To do this, we may use both session cookies, which expire once you close your web browser, and persistent cookies, which stay on your computer until you delete them. If you do not want the Services to place a cookie on your hard drive, you may be able to turn that feature off on your computer or mobile device. Please consult your Internet browser’s documentation for information on how to do this. However, if you decide not to accept cookies from us, the Services may not function properly. When the Services are made available to you through third-party sites, please be aware that these other sites maintain their own policies regarding cookies and the collection and use of information. You are responsible for reviewing those policies.
- **Information obtained from other sources, including our social media pages.** We may collect personal information from our users and visitors of other sites on which you have used the Services. We will do so in accordance with the terms of use and privacy policies of those sites and

applicable law. This includes our social media pages on places like Facebook, Instagram, YouTube, and TikTok. For example, we may collect the information you shared on our social media pages through an application or form, which will have a link to this Privacy Policy. Personal information may also be collected by the third-party social media sites that host our social media pages. These sites may provide aggregate information and analysis to us about visitors' use of our social media pages. This allows us to understand better and analyze our user growth, general demographic information about the users of these pages, and interaction with the content we post. Overall, this information may be used to help us understand the types of visitors and users of our social media pages and the use of the content. This Privacy Policy does not cover personal information collected by such third-party social media sites. For more information on their privacy and security practices, please review the privacy policies and terms of use on their respective websites.

- **Information obtained from third-party analytics services.** We may use third-party analytics services (such as Google Analytics) to evaluate your use of the Services, compile reports on activity, collect demographic data, analyze performance metrics, and collect and evaluate other information relating to the Services and mobile and internet usage. These third parties use cookies and other technologies to help analyze and provide us with the data. By accessing and using the Services, you consent to the processing of data about you by these analytics providers in the manner and for the purposes set out in this Privacy Policy. The information used by such analytics services is generally at the aggregate level. For more information on these third parties, including how to opt-out from certain data collection, please visit the sites below. Please be advised that if you opt out of any service, you may not be able to use the full functionality of the Services.

For Google Analytics, please visit:

- <https://support.google.com/analytics/answer/6004245?hl=en> and
 - <https://tools.google.com/dlpage/gaoptout>
- **Information obtained through inferences**, which are assumptions or extrapolations that have been drawn from any of the information identified above to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

2. HOW WE USE YOUR INFORMATION

We use your personal information to provide the Services to you, and to operate our business. These business services include:

- **Service-Related Usage:** We use the Contact Information and the Other Information to provide and support the Services, such as communicating with you and other customers, managing user accounts, providing customer service, informing you about our products and services, and maintaining our systems. We use Health Information to tailor health plans and treatments to you.
- **Analyzing and Improving the Services:** We may run calculations, aggregate, normalize, clean, and make derivative works of the information obtained about you in order to
 - Understand and analyze usage trends and preferences;
 - Monitor and analyze the effectiveness of the Services;
 - Improve the Services and develop new products, services, features, and functionality; and

- o Test the Services and our infrastructure to make sure the Services are working correctly.
- **Marketing:** As permitted by applicable law, we may use the Contact Information and the Other Information for marketing purposes, such as informing you about our products and services and those of our third-party marketing partners that could be useful, relevant, valuable, or otherwise of interest to you. Where required under applicable law, we will obtain your prior opt-in consent to send you electronic marketing communications. Please note that we will not share phone numbers obtained from the short code opt-in with third parties for their own marketing purposes
- **Hiring:** We may use your Contact Information and Other Information to evaluate a job applicants' candidacy for a position with HNS.

3. HOW WE SHARE YOUR INFORMATION

We may share transfer, or disclose Contact Information, Health Information, and/or Other Information if you consent to us doing so, as well as in the following circumstances:

- **To provide our Services to you.**
- **To better understand and serve our customers.** In an ongoing effort to better understand our users and our Services, we might analyze Contact Information, Health Information and/or Other Information in aggregate form in order to operate, maintain, manage, and improve the Services. This aggregate information does not identify you personally. We may share this aggregate data with our affiliates, agents, and business partners. We may also disclose aggregated user statistics in order to describe our products and services to current and prospective business partners and to other third parties for other lawful purposes.
- **To assist us in running our business.** We may employ other companies and individuals to perform functions on our behalf. Examples may include providing marketing assistance, order fulfillment, billing, and customer service. These other companies will have access to the Contact Information, the Health Information, and the Other Information only as necessary to perform their functions and to the extent permitted by law.
- **As part of the sale or other transfer of our business.** As we develop our businesses, we might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganization, sale of assets, dissolution, investment, or similar corporate event, the Contact Information, Health Information, and Other Information may be part of the transferred assets.
- **For legal purposes.** To the extent permitted by law, we may also disclose Contact Information, the Health Information, and the Other Information when required by law, court order, or other government or law enforcement authority or regulatory agency, or whenever we believe that disclosing such information is necessary or advisable, for example, to protect the rights, property, or safety of HNS or others.

We will take reasonable measures to require that any party receiving any of your personal information from us undertakes to: (i) retain and use such information only for the purposes set out in this Privacy Policy; (ii) not disclose your personal information except with your consent, as permitted by law, or as permitted by this Privacy Policy; and (iii) generally protect the privacy of your personal information.

4. HOW WE PROTECT YOUR INFORMATION

We take commercially reasonable steps to protect the Contact Information, the Health Information, and the Other Information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Please understand, however, that no security system is impenetrable. We cannot guarantee the security of our databases, nor can we guarantee that the information you supply will not be intercepted while being

transmitted to and from us over the Internet. In particular, e-mail may not be secure, and you should therefore take special care in deciding what information you send to us via e-mail.

5. CHILDREN'S INFORMATION

We do not knowingly collect personal information from children under the age of 16 through the Services. If you are under 16, please do not give us any personal information. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Policy by instructing their children to never provide us personal information without their permission. If you have reason to believe that a child under the age of 16 has provided personal information to us, please contact us, and we will promptly take steps to delete such information and terminate the child's account.

6. EXTERNAL WEBSITES AND PAYMENT SERVICE PROVIDERS

We use third-party payment processors, such as Stripe, to process any payments you make to us. Please be advised that your use of such services is subject to the terms and conditions, including the privacy policies, of those other companies.

The Services may also contain links to third-party websites. HNS has no control over the privacy practices or the content of any of our business partners, advertisers, sponsors, or other websites to which we provide links. As such, we are not responsible for the content or the privacy policies of those third-party websites. You should check the applicable third-party privacy policy and terms of use when visiting any other websites.

7. ACCESSING AND MODIFYING INFORMATION AND COMMUNICATION PREFERENCES

If you have registered for the Services, you may access, review, delete, and make changes to your Contact Information and certain Other Information by following the instructions found on our Website or any other places info can be accessed, as applicable. In addition, you may manage your receipt of marketing and non-transactional communications by clicking on the "unsubscribe" link located at the bottom of any HNS marketing email. If you are part of our text messaging program, you can opt out of receiving marketing and non-transactional messages by texting "STOP" in response. Registered Users (i.e. individuals who register to use the Services) cannot opt out of receiving transactional e-mails related to their account. 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 in our subscription databases. In such case, we will provide you the reason why the modification or removal was not possible.

8. DO NOT TRACK

As discussed above, third parties such as advertising networks and analytics providers may collect information about your online activities over time and across different websites when you access or use the Services. Currently, various browsers offer a "Do Not Track" option, but there is no standard for commercial websites. At this time, we do not monitor, recognize, or honor any opt-out or do not track mechanisms, including general web browser "Do Not Track" settings and/or signals.

9. NOTICE TO CALIFORNIA RESIDENTS

Pursuant to Section 1798.83 of the California Civil Code, residents of California have the right to obtain certain information about the types of personal information that companies with whom they have an established business relationships (and that are not otherwise exempt) have shared with third parties for direct marketing purposes during the preceding calendar year, including the names and addresses of those

third parties, and examples of the types of services or products marketed by those third parties. If you wish to submit a request pursuant to Section 1798.83, please contact us via email at info@hescottwellness.com with the subject line “California Privacy Request”. Please note, however, that we do not disclose personal information to third parties for such third parties’ direct marketing purposes.

10. NOTICE TO NEVADA RESIDENTS

If you are a resident of Nevada, you have the right to opt-out of the sale of personal information to third parties. You can exercise this right by contacting us at info@hescottwellness.com with the subject line “Nevada Privacy Request” and providing us with your name and the email address associated with your account. Please note, however, that we do not sell your personal information to third parties.

11. IMPORTANT NOTICE TO NON-U.S. RESIDENTS

The Services are operated in the United States, and are solely intended for users located within the United States. We make no representation that the Services are appropriate or available for use outside of the United States, and access to the Services from countries or territories where such access is illegal is prohibited. If you are located outside of the United States, please be aware that any information you provide to us will be transferred to the United States where the privacy laws may not be as protective as those in your country of origin. If you are located outside the United States and choose to use the Services, you consent to any transfer and processing of your personal information in accordance with this Privacy Notice, and you do so at your own risk.

12. UPDATES TO THIS PRIVACY POLICY

This Privacy Policy is effective as of the date stated at the top of this Privacy Policy. We may update this Privacy Policy from time to time and without prior notice to you to reflect changes in our privacy practices. We will indicate at the top of this Privacy Policy when it was most recently updated, and we encourage you to revisit this page periodically to stay aware of any changes. By accessing the Services after we notify you of changes to this Privacy Policy, you are deemed to have accepted such changes.

13. HOW TO CONTACT US

If you have any questions or comments about this Privacy Policy, our privacy practices, or if you would like to exercise your rights and choices, please email us at info@hescottwellness.com or call us at 347-915-3738.