

Privacy Policy

Welcome! Nature's Recipe, LLC and Natural Balance Pet Foods, Inc. takes your privacy seriously. This privacy policy ("Privacy Policy") explains how entities operated under Big Heart Pet Brands ("**Big Heart Pet Brands**" or "**we**," "**our**," or "**us**") collect, uses, shares and protects information about our consumers ("**you**"). It also tells you how you can access and update your information and make certain choices about how your information is used. The Privacy Policy covers both our "online" (e.g., web and mobile services, including any web sites operated by us and mobile applications, however accessed and/or used, whether via personal computers, mobile devices or otherwise) and "offline" (e.g., collection of data through mailings, telephone, or at in person events) activities owned, operated, provided, or made available by Big Heart Pet Brands. Our "online" and "offline" activities are collectively referenced as the "**Services**." This Privacy Policy also applies to your use of interactive features or downloads that: (i) we own or control; (ii) are available through the Sites; or (iii) interact with the Sites and post this Privacy Policy.

By using the Services or by otherwise giving us your information, you agree to this Privacy Policy. If you do not agree to this Privacy Policy, do not use any of our Services or give us any of your information. In addition, please review the Sites' Terms of Use, which governs your use of any of our Websites.

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1. What Information Do We Collect?

(a) Information You Provide To Us

Personal Information and Demographic Information. We may ask you to provide us with certain categories of information such as: (1) personal information, which is information that could reasonably be used to identify you personally, such as your name, e-mail address, date of birth and physical address ("**Personal Information**"); and (2) demographic information, such as information about your family and pets ("**Demographic Information**"). We may

collect this information through various forms and in various places through the Services, including account registration forms, contact us forms, or when you otherwise interact with us.

(b) Information We Collect As You Access And Use Our Services

In addition to any Personal Information or other information that you choose to submit to us, we and our third-party service providers may use a variety of technologies that automatically (or passively) collect certain information whenever you visit or interact with the Services ("**Usage Information**"). This Usage Information may include the browser that you are using, the URL that referred you to our Services, all of the areas within our Services that you visit, and the time of day, among other information. We may use Usage Information for a variety of purposes, including to enhance or otherwise improve the Services. In addition, we collect your IP address or other unique identifier ("**Device Identifier**") for your computer or other device used to access the Services (any, a "**Device**"). A Device Identifier is a number that is automatically assigned to your Device used to access the Services, and our computers identify your Device by its Device Identifier. Usage Information may be non-identifying or may be associated with you. Whenever we associate Usage Information or a Device Identifier with your Personal Information, we will treat it as Personal Information.

A few of the methods that may be used to collect Usage Information include, without limitation, the following (and subsequent technology and methods hereafter developed):

Cookies. A cookie is a data file placed on a Device when it is used to access the Services. A Flash cookie is a data file placed on a Device via the Adobe Flash plug-in that may be built-in to or downloaded by you to your Device. Cookies and Flash Cookies may be used for many purposes, including, without limitation, remembering you and your preferences and tracking your visits to our web pages. If you choose to disable cookies or Flash cookies on your Device, some features of the Services may not function properly.

Web Beacons. Small graphic images or other web programming code called web beacons (also known as "1x1 GIFs" or "clear GIFs") may be included in our web and mobile pages and messages. Web beacons may be invisible to you, but any electronic image or other web programming code inserted into a web or mobile page or e-mail can act as a web beacon. Web beacons or similar technologies may be used for a number of purposes, including, without limitation, to count users of the Services, to monitor how users navigate the Services, to count how many e-mails that were sent were actually opened or to count how many particular articles or links were actually viewed.

Embedded Scripts. An embedded script is programming code that is designed to collect information about your interactions with the Services, such as the links you click on. The code is temporarily downloaded onto your Device from our web server or a third party service provider, is active only while you are connected to the Services, and is deactivated or deleted thereafter.

(c) Information Third Parties Provide About You

We may, from time to time, supplement the information we collect about you online with outside records from third parties in order to enhance our ability to serve you, to tailor our content to you and to offer you opportunities to purchase products or services that we believe may be of interest to you. We may combine the information we receive from those sources with information we collect through the Services. In those cases, we will apply this Privacy Policy to any Personal Information received, unless we have disclosed otherwise.

(d) Information You Provide About A Third Party

If you send someone else a communication from the Services, such as sending an invitation to a friend, the information you provide (names, e-mail addresses, etc.) is used to facilitate the communication and is not used for any other marketing purpose unless we obtain consent from that person or we explicitly say otherwise. Please be aware that when you use any send-to-a-friend functionality through our Services, your e-mail address may be included in the communication sent to your friend. Your friend may contact us at privacy.coordinator@bigheartpet.com to request that we remove your friend's information from our database.

(e) Information Collected by Mobile Applications

Certain aspects of the Services may be provided through an application on your mobile, tablet computer or similar device ("**Mobile Application**"). You agree that we may collect and use technical data and related information, including but not limited to, technical information about your device, system and application software, and peripherals, that is gathered periodically to facilitate the provision of software updates, product support and other services to you (if any) related to such Mobile Applications.

When you use any of our Mobile Applications, the Mobile Application may automatically collect and store some or all of the following information from your mobile device ("Mobile Device Information"), including without limitation:

- Your preferred language and country site (if applicable)
- Your phone number or other unique device identifier assigned to your mobile device
- The mobile device manufacturer and model of your mobile device
- The IP address of your mobile device
- Your mobile operating system
- The type of mobile Internet browsers you are using
- Information about how you interact with the Mobile Application and any of our web sites to which the Mobile Application links, such as how many times you use a specific part of the mobile application over a given time period, the amount of time you spend using the Mobile Application, how often you use the Mobile Application, actions you take in the Mobile Application and how you engage with the Mobile Application
- Information to allow us to personalize the services and content available through the Mobile Application
- Your geolocation
We may use information automatically collected by the Mobile Application (including the Mobile Device Information) in the following ways:

- To operate and improve our Mobile Applications, other Services, our company's services, and tools;
- To create aggregated and anonymized information to determine which Mobile Application features are most popular and useful to users, and for other statistical analyses;
- To prevent, discover and investigate violations of this Privacy Policy or any applicable terms of service or terms of use for the Mobile Application;
- To customize the content or services on the Mobile Application for you, or the communications sent to you through the Mobile Application (if any)

We may associate your unique device identifier or Mobile Application usage information with any personally identifiable information you provide, but we will treat the combined information as personally identifiable information.

For purposes of your use of any of our Mobile Applications and the services offered through any Mobile Application, the Mobile Application may also collect certain information about you (including Personal Information) that you knowingly supply to the Mobile Application such as the following:

- Your user name and any password required by the Mobile Application
- Age
- Gender
- Mailing or other address
- Zip code
- Telephone number
- Email address
- Photos uploaded by you

Registration may be required and Personal Information may also be collected if there is content from the Mobile Application that you specifically and knowingly upload to an online community, website or to the public, e.g. uploaded photos, posted reviews. This uploaded content will also be subject to the privacy policy of the platform to which you upload the content.

2. How Do We Use The Information Collected?

Use of Information by Us. We may use your Personal Information, Demographic Information or Usage Information that we collect about you: (1) to provide you with information or services or process transactions that you have requested or agreed to receive including to send you electronic newsletters, or to provide you with special offers or promotional materials on behalf of us or third parties; (2) to enable you to participate in a variety of the Services' features such as online entry sweepstakes, contests or other promotions; (3) to process your registration with the Services, including verifying your information is active and valid; (4) to improve the Services or our services, to customize your experience with the Services, or to serve you specific content that is most relevant to you; (5) to contact you with regard to your use of the Services and, in our discretion, changes to the Services and/or the Services' policies; (6) for internal business purposes; and (7) for purposes disclosed at the time you provide your information or as otherwise set forth in this Privacy Policy.

Please note that information submitted to the Services via a “contact us” or other similar function may not receive a response.

3. How and When Do We Disclose Information to Third Parties?

We may share non-personally identifiable information, such as aggregated user statistics, with third parties. We do not share your Personal Information with third parties for those third parties' marketing purposes unless you consent to such sharing at the time you provide your Personal Information. We may share the information we have collected about you, including Personal Information, as disclosed at the time you provide your information and as described below or otherwise in this Privacy Policy.

(a) When You Agree To Receive Information From Third Parties.

You may be presented with an opportunity to receive information and/or marketing offers directly from third parties. If you do agree to have your Personal Information shared, your Personal Information will be disclosed to such third parties and all information you disclose will be subject to the privacy policy and practices of such third parties. We are not responsible for the privacy policies and practices of such third parties and, therefore, you should review the privacy policies and practices of such third parties prior to agreeing to receive such information from them. If you later decide that you no longer want to receive communication from a third party, you will need to contact that third party directly.

(b) Third Parties Providing Services on Our Behalf.

We may use third party vendors to perform certain aspects of the Services, such as hosting the Services, designing and/or operating the Services' features, tracking the Services analytics, and enabling Big Heart Pet Brands to send you special offers or performing other administrative services. We may provide these vendors with access to user information, including Personal Information, to carry out the services they are performing for you or for us. While we may use third party analytics service providers to evaluate and provide us with information about the use of the Services and viewing of our content, we do not share Personal Information with these analytics service providers, but they may set and access their own cookies, web beacons and embedded scripts on your Device and they may otherwise collect or have access to information about you, including non-personally identifiable information.

(c) Co-branded Services.

Certain aspects of the Services may be provided to you in association with third parties (“**Co-Branded Services**”) such as sponsors, charities and political organizations and may require you to disclose Personal Information to them. Such Co-Branded Services will identify the third party. If you elect to register for products and/or services through the Co-Branded Services, you may be providing your information to both us and the third party. Further, if you sign-in to a Co-Branded Service with a username and password obtained through our Services, your Personal Information may be disclosed to the identified third parties for that Co-Branded Service and will be subject to their posted privacy policies.

(d) Sweepstakes, Contests and Promotions.

We may offer sweepstakes, contests, and other promotions (any, a “Promotion”) through the Services that may require registration. By participating in a Promotion, you are agreeing to official rules that govern that Promotion, which may contain specific requirements of you, including, allowing the sponsor of the Promotion to use your name, voice and/or likeness in advertising or marketing associated with the Promotion. If you choose to enter a Promotion, Personal Information may be disclosed to third parties or the public in connection with the administration of such Promotion, including, in connection with winner selection, prize fulfillment, and as required by law or permitted by the Promotion's official rules, such as on a winners list.

(e) Administrative and Legal Reasons.

We may access, use, preserve, transfer and disclose your information (including Personal Information), including disclosure to third parties: (i) to satisfy any applicable law, regulation, subpoenas, governmental requests or legal process if in our good faith opinion such is required or permitted by law; (ii) to protect and/or defend the Sites' Terms of Use for any online Services or other policies applicable to any online Services, including investigation of potential violations thereof; (iii) to protect the safety, rights, property or security of the Services or any third party; and/or (iv) to detect, prevent or otherwise address fraud, security or technical issues. Further, we may use IP address or other

Device Identifiers, to identify users, and may do so in cooperation with third parties such as copyright owners, internet service providers, wireless service providers and/or law enforcement agencies, including disclosing such information to third parties, all in our discretion. Such disclosures may be carried out without notice to you.

(f) Business Transfer.

We may share your information, including your Personal Information, Demographic Information and Usage Information with our parent, subsidiaries and affiliates for internal reasons. We also reserve the right to disclose and transfer all such information: (i) to a subsequent owner, co-owner or operator of the Services or applicable database; or (ii) in connection with a corporate merger, consolidation, restructuring, the sale of substantially all of our membership interests and/or assets or other corporate change, including, during the course of any due diligence process.

4. What is Online Behavioral Advertising and How Can I Opt-Out?

We contract with third-party advertising networks, publishers and other entities to advertise our products and services on websites not affiliated with us. Some of these ads are online behavioral advertising – which serve advertisements that are more likely to be of interest to you using non-personal behavioral information. Such ads may contain cookies that allow monitoring of websites (including our own websites that are part of our own Services) and your response to our advertisements. Cookies placed by these companies do not collect Personal Information. We limit companies that place our ads from using information for any purpose other than to assist us in our advertising efforts.

Big Heart Pet Brands has adopted the use of the Advertising Options Icon on all its behaviorally targeted ads. For any of our behaviorally targeted ads that are part of a “network advertising” service, you should see a small symbol  (also called an icon) attached to a banner ad or other targeted advertising that can be clicked open for information about why and how you are receiving a particular ad. This icon is part of the Digital Advertising Alliance's Self-Regulatory Program for Online Behavioral Advertising. For more information see www.aboutads.info.

If you prefer to not receive targeted advertising, you can opt-out of some network advertising programs that use your information. To do so please visit the [NAI Opt-Out Page](#).

Please note that if you opt out, you may still receive online advertising from us. Opting out from a specific advertising provider means that the ads you do receive will not be based on your preferences or behavior.

In order for behavioral advertising opt-outs to work on your device, your browser must be set to accept cookies. If you delete cookies, buy a new Device, access our Services from a different device, login under a different screen name, or change web browsers, you will need to opt-out again. If your browser has scripting disabled, you do not need to opt out, as online behavioral advertising technology does not work when scripting is disabled. Please check your browser's security settings to validate whether scripting is active or disabled. Please note that even if you choose to remove your information (opt-out), you will still see advertisements while you're browsing online. However, the advertisements you see may be less relevant to you and your interests. Additionally, many network advertising programs allow you to view and manage the interest categories they have compiled from your online browsing activities. These interest categories help determine the types of targeted advertisements you may receive. The [NAI Opt-Out Page](#) provides a tool that identifies its member companies that have cookies on your browser and provides links to those companies.

5. What About Information I Disclose Publicly?

(a) User Generated Content and Public Information.

The Services may permit you to submit ideas, photographs, user profiles, writings, music, video, audio recordings, computer graphics, pictures, data, questions, comments, suggestions or other content, including Personal Information (collectively, “User Content”). We or others may reproduce, publish, distribute or otherwise use User Content online or offline in any media or format (currently existing or hereafter developed). Others may have access to this User Content and may have the ability to share it with third parties across the Internet. Please think carefully before deciding what information you share, including Personal Information, in connection with your User Content. Please

note that Big Heart Pet Brands does not control who will have access to the information that you choose to make public, and cannot ensure that parties who have access to such publicly available information will respect your privacy or keep it secure. This Privacy Policy does not apply to any information that you disclose publicly, share with others or otherwise upload, whether through the Services or otherwise. We are not responsible for the accuracy, use or misuse of any content or information that you disclose or receive through the Services.

(b) Name and Likeness.

We may also publish your name, voice, likeness and other Personal Information that is part of your User Content, and we may use the content, or any portion of the content, for advertising, marketing, publicity and promotional activities. For full terms and conditions regarding User Content you submit to the Services, please review our Terms of Use.

6. Does Third Party Content And Links To Third Party Sites Appear on the Services?

The Services may contain content that is supplied by a third party, and those third parties may collect web site usage information and your Device Identifier when web pages from any online Services are served to your browser. In addition, when you are using the Services, you may be directed to other sites or applications that are operated and controlled by third parties that we do not control. We are not responsible for the privacy practices employed by any of these third parties. For example, if you “click” on a banner advertisement, the “click” may take you away from one of our websites onto a different web site. These other web sites may send their own cookies to you, independently collect data or solicit Personal Information and may or may not have their own published privacy policies. We encourage you to note when you leave our Services and to read the privacy statements of all third party web sites or applications before submitting any Personal Information to third parties.

7. How Do I Change My Information And Communications Preferences?

You are responsible for maintaining the accuracy of the information you submit to us, such as your contact information provided as part of registration. The Services may allow you to review, correct or update Personal Information you have provided through the Services' registration form or otherwise. We will make good faith efforts to make requested changes in our then active databases as soon as reasonably practicable. You may cancel or modify your communications that you have elected to receive from the Services by following the instructions contained within an e-mail or by logging into your user account and changing your communication preferences. If you have any questions about: (a) access to Personal Information; (b) the collection, use, management or disclosure of your Personal Information; or (c) this Privacy Policy, you should contact us in the following ways: Postal Mail: Privacy Coordinator, Big Heart Pet Brands Foods, P.O. Box 193575, San Francisco, CA 94119-3575; By e-mail: privacy.coordinator@bigheartpet.com.

8. What About Consent To Transfer Information To The United States?

The Services are operated in the United States and intended for users located in the United States and Canada. If you are located anywhere outside of the United States, please be aware that information we collect, including, Personal Information, will be transferred to, processed and stored in the United States. The data protection laws in the United States may differ from those of the country in which you are located, and your Personal Information may be subject to access requests from governments, courts, or law enforcement in the United States according to laws of the United States. By using the Services or providing us with any information, you consent to this transfer, processing and storage of your information in the United States.

9. What Should Parents Know About Children?

Any of our online Services are general audience web sites or applications, and we do not knowingly collect any Personal Information from children younger than the age of thirteen (13). We will delete any Personal Information collected that we later determine to be from a user younger than the age of thirteen (13). If you are a parent or guardian of a child under the age of thirteen (13) and believe he or she has disclosed Personal Information to us, please contact us at privacy.coordinator@bigheartpet.com.

10. What About Security?

We incorporate commercially reasonable safeguards to help protect and secure your Personal Information. However, no data transmission over the Internet, wireless transmission or electronic storage of information can be guaranteed to be 100% secure. Please note that we cannot ensure the security of any information you transmit to us, and you use our Sites and provide us with your information at your own risk.

11. What About Changes To The Privacy Policy?

We reserve the right to change this Privacy Policy from time to time. Any changes will be effective immediately upon the posting of the revised Privacy Policy. If there are any material changes in the way we treat Personal Information, we will notify you by sending a notice to the primary email address specified in your communication preferences or by placing a prominent notice on our online Services prior to the change becoming effective.

12. What About Social Media Features and Widgets?

Our online Services may include social media features, such as the Facebook Like button, and widgets such as a "Share This" button, or interactive mini-programs that run on our online Services. These features may collect your IP address, which page you are visiting on our online Services, and may set a cookie to enable the feature to function properly. Social media features and widgets are either hosted by a third party or hosted directly on our online Services. Your interactions with these features and widgets are governed by the privacy policy of the company providing them.

13. Your California Privacy Rights

California's "Shine the Light" law, California Civil Code § 1798.83, requires certain businesses to respond to requests from California customers (those who have an established business relationship with us) asking about the business' practices related to disclosing personal information to third parties for the third parties' direct marketing purposes. Alternately, such businesses may have in place a policy not to disclose personal information of customers to third parties for the third parties' direct marketing purposes unless the customer first affirmatively agrees to the disclosure (opt-in) or if the customer has exercised an option to opt-out of such information-sharing (opt-out).

We have opted for this alternative approach. We do not share personal information of customers to third parties for the third parties' direct marketing purposes unless you provide us with permission at the time you provide such personal information.