

## Valrhona Privacy Policy

Protecting your privacy is a commitment for Valrhona, Inc. (“Valrhona”, “we”, “us” and “our”). This privacy policy (the “Policy”) describes how we collect, use, and share your Personal Information (defined below), including information provided by you through <https://www.valrhona-chocolate.com>, <https://www.valrhona.us/>, the Valrhona mobile app (collectively, the “website”), at our retail stores, conferences, on-site events, and/or our pastry and chocolate school, and through other Valrhona platforms in the USA.

By visiting our website, signing up for a class, booking or attending an event, submitting information, and/or purchasing any products, you agree to let us collect and use your Personal Information as described in this Policy. Therefore, before you provide us with any Personal Information, you should read through this Policy in its entirety and understand its terms.

We may modify or update this Policy from time to time. We encourage you to revisit this page often to remain fully informed of our Policy or you can contact us at any time to obtain the latest copy of this Policy.

### This Policy describes:

- Personal Information We Collect;
- How We Collect Your Personal Information;
- How We Use Your Personal Information;
- How We Share Your Personal Information With Third Parties;
- How We Protect Your Personal Information;
- Ability to Access, Update and Correct Personal Information;
- California Privacy Rights;
- Changes to the Policy;
- Questions About This Policy.

### PERSONAL INFORMATION WE COLLECT

Valrhona collects information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, to any individual or a household (“Personal Information”). Valrhona also collects non-Personal Information that cannot be linked or associated with any individual person or household. When non-Personal Information is combined with other information so that it does identify an individual person, we treat that combination as Personal Information. We may collect, use, store and transfer different kinds of Personal Information about you, which we have grouped together as follows:

- **Identifiers** such as your first name, last name, alias, username or similar unique personal identifier, account name, online identifier, age, gender, and/or date of birth.
- **Contact Information** such as your billing address, delivery address, email address, social media information, and telephone numbers.

- **Financial Information** such as credit or debit card information, payment details, or other payment information.
- **Profile Data** such as user name, password, country, language preference, preferred distributor, customer status, event attendance history.
- **Professional or Employment-related Information** such as a resume or cv
- **Technical Information** such as internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website and other Valrhona platforms.
- **Transaction Data** details about the products you have purchased, payments you have made, and/or other details of products and services you have purchased from us in the past, purchase or product preferences, personal interests, feedback, reviews, and survey responses.
- **Usage Data** includes information about how you use our website and services, such as statistics regarding the opening and clicking on emails sent by Valrhona, and activity on the site (pages viewed, products seen, abandoned baskets, etc.).
- **Marketing and Communications Information** such as marketing campaign data, click-throughs, your preferences and consent in receiving marketing from us and our third parties, email and text communications, and your communication preferences.
- **Audio and Visual Information** such as photographs or video recordings.
- **Inference Data** including inferences drawn from the Personal Information identified above.

**If You Do Not Provide Personal Information.** Where we need to collect Personal Information by law, or under the terms of a contract we have with you, and you do not provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with products or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

**Information You Provide To A Third Party.** The website may include links, plug-ins to websites operated by third parties such as Facebook, Twitter, Pinterest, and Instagram as well as embedded videos hosted on third party sites such as YouTube (“Third-Party Sites”). Valrhona does not control any Third-Party Sites and is not responsible for any information they may collect. The information collection practices of a Third-Party Site are governed by its privacy policy. It is your choice to enter any Third-Party Site. We recommend that you read its privacy policy if you choose to do so.

**Children’s Privacy.** The website and other Valrhona platforms are intended for adult use only and are not directed towards children, minors, or anyone under the age of 18. If you are under the age of 13, you are not authorized to provide us with any Personal Information. If the parent or guardian of a child under 13 believes that the child has provided us with any Personal Information, the parent or guardian of that child should contact us at [valrhonachocolate-compliance.@savencia.com](mailto:valrhonachocolate-compliance.@savencia.com) to have this Personal Information deleted from our files.

## HOW WE COLLECT YOUR PERSONAL INFORMATION

### Information You Provide To Us:

Valrhona may collect Personal Information from you that you voluntarily provide to us in various ways, including, but not limited to:

- Create an account with us
- Place an order or purchase products from us or otherwise use our website and other Valrhona platforms
- Call, email, text, or otherwise communicate with us
- Register and attend an event, class, or webinar
- Book an event at L'École Valrhona Brooklyn
- Sign up to receive newsletters
- Sign up for rewards programs
- Respond to surveys or marketing emails
- Write a review
- Otherwise interact with the website or other Valrhona platforms

### Information We Collect When You Use Our Services

Automated technologies or interactions. As is true of most websites, we receive and store certain types of Personal Information whenever you interact with us online. This information may include internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and/or clickstream data. When you use our app and/or access and use our website and platforms from your mobile devices, we receive data from that mobile device. This may include your device ID, location data, IP address and device type. You may manage how your mobile device and mobile browser share location information with us, as well as how your mobile browser handles cookies and related technologies by adjusting your mobile device privacy and security settings. Please refer to instructions provided by your mobile service provider or the manufacturer of your device to learn how to adjust your settings.

Cookies and Tracking Technologies. We and our service providers use cookies, pixels, and other tracking technology to recognize your browser or device and to capture and remember certain information about your activities on our website. For example, cookies gather information about how long you spend on a web page so that we can understand what web pages are of interest to users. If you prefer, you can choose to have your computer warn you each time a cookie is being sent, or you can choose to turn off cookies by adjusting your browser settings. If you turn off your cookies, some of the features of the website may not function properly.

### Information We Collect From Third Parties

We collect Personal Information from various third parties, including those listed below. The collection, use, and disclosure of Personal Information received from third parties is governed by the privacy policies listed on the website where the information was submitted by the user. Third parties may send their own cookies and pixel tags to you, and may collect information and use it in a way inconsistent with this Policy. Please carefully review these third-party privacy policies to understand how your information may be collected, used and disclosed by these third parties.

Third Party Service Providers. We collect Personal Information from service providers including payment processors, fulfillment centers, shipping providers, email service providers, product review platforms, website hosting platforms, online webinar platforms, and social media platforms.

Social Media Sites. When you create an account using your Facebook, Google, or Twitter login or link your Valrhona account to Facebook, Google, or Twitter, we receive Personal Information from those third party social media sites, which may include your public profile information and email.

Third Party Advertising Partners. We collect Personal Information received from third party advertising partners, including partners who host and manage various online advertisements and ad platforms. This may be combined with the website analytics data described below.

Third Party Retail Partners. We collect Personal Information received from third party retail partners to facilitate the sale and shipment of our products through online stores.

Google Analytics. We use third party cookies provided by Google Analytics to assist us in better understanding our website visitors. These cookies collect IP address and usage data, such as the length of time a user spends on a page, the pages a user visits, and the websites a user visits before and after visiting our website. Based on this information, Google Analytics compiles data about website traffic and interactions, which we use to offer better user experiences and tools in the future. For information on how to opt-out from Google Analytics, visit <https://tools.google.com/dlpage/gaoptout>.

**Your ‘Do Not Track’ Browser Setting.** Some web browsers incorporate a Do Not Track (“DNT”) feature that signals to the websites that you visit that you do not want to have your online activity tracked. At this time, our website does not respond to DNT signals. Other third party websites may keep track of your browsing activities when they provide you with content, which enables them to customize what they present to you on their websites.

## HOW WE USE YOUR PERSONAL INFORMATION

### Purposes For Which We Will Use Your Personal Information

Our primary purpose in collecting Personal Information is to provide you the products and services that you have ordered or requested with a safe, smooth, efficient, and customized experience. We may also use your Personal Information for the following business purposes:

- Collect and process payments and complete transactions.
- Provide the products, services, and customer support you request.
- Verify your identity and account information in connection with products or services you request.
- Provide you with recommendations for products and services that we believe would be of interest to you.
- Verify your credit balance and payment history to qualify credit worthiness, manage credit risk, and comply with IRS regulations.
- Provide you with our newsletter if you have subscribed to it.
- Assist you with setting up and managing your customer account with us.
- Ensure qualifications are satisfied for Cercle V loyalty program registration.
- Resolve disputes.
- Troubleshoot problems and support.
- Enforce our General Terms and Conditions and the terms of this Policy.
- Customize, measure and improve our services and content.
- Inform you about our products, services, updates and promotional offers.
- To customize the advertising and content you see.
- To protect our data as well as your Personal Information.
- To protect our interests, including establishing, exercising and defending legal rights and claims.
- As necessary to comply with legal requirements, to prevent fraud, to co-operate with law enforcement and regulatory authorities, and to stop other prohibited, illegal, or harmful activities.
- For purposes disclosed at the time you provide/we request your Personal Information or as otherwise set forth in this Policy.

## HOW WE SHARE YOUR PERSONAL INFORMATION

We share your Personal Information with third parties only in the ways that are described in this Policy and with our business partners, suppliers and sub-contractors in order to provide you with our goods and services and perform any contract we enter into with them or you.

**Information You Instruct Us to Share.** You may be presented with an option on our website to have us send certain information to third parties or give them access to it. If you choose to do so, your Personal Information and other information may be disclosed to such third parties and all information you disclose will be subject to the third-party privacy policies and practices of such third parties.

**User Disclosures.** Some Personal Information is disclosed as a matter of course as a result of your use of the website. For example, if you choose to review a product. Any Personal Information shared via any public forum on our website will become public information.

**Service Providers.** We may use third-party service providers to perform certain business services and may disclose Personal Information to such service providers as needed for them to perform these business services. Service providers are only allowed to use, disclose or retain the Personal Information to provide these services and are prohibited from selling Personal Information. Business services provided include, but are not limited to, hosting services, communications services, website development services, collection services, payment processing services, accounting and audit services, fulfillment and shipping services, compliance services, quality control services, analytics services, survey and review services, call center services, and advertising/marketing services.

The information collected on our <https://www.valrhona.us/> website is hosted by Linkbynet. Linkbynet is a hosting provider established in the European Union and therefore complies with the GDPR (General Data Protection Regulation). Linkbynet has settled its own data protection standards that you can access and benefit from [here](#).

We use the Google reCAPTCHA tool to protect our website from various types of abusive processing attempts. In order for this tool to work, reCAPTCHA analyzes various information that it collects from each visitor, which may include the IP address, mouse movements, length of stay, and other information gathered by Google. By using reCAPTCHA, this data is sent to Google and used to determine whether the visitor is a natural person or an abusive automated program (e.g. bot). You can find more information about reCAPTCHA at <https://www.google.com/recaptcha>. All information captured by the Google reCAPTCHA tool is subject to Google's [Terms](#) and [Privacy Policy](#).

**Internal Third Parties.** We may share Personal Information with our parent company, subsidiaries, successors, assigns, licensees, affiliates, or business partners and others, including where disclosure of your Personal Information is needed to protect the employees, independent contractors, officers, directors, members, users, or shareholders of Valrhona who may use the Personal Information for the purposes described above.

**Business Transactions.** We may do business with third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your Personal Information in the same way as set out in this Policy.

**Legal Process.** Subject to applicable law, we may disclose information about you (i) if we are required to do so by law, regulation or legal process, such as a subpoena; (ii) in response to requests by government entities, such as law enforcement authorities; (iii) when we believe disclosure is necessary or appropriate to prevent physical, financial or other harm, injury or loss; or (iv) in connection with an investigation of suspected or actual unlawful activity.

**Sales of Personal Information.** Like most companies, we allow certain third party advertising partners to place tracking technology such as cookies and pixels on our websites. This technology allows these advertising partners to receive information about your activities on our website, which is then associated with your browser or device. These companies may use this data to serve you more relevant interest based ads as you browse the internet. Under some state laws, sharing data for online advertising may be considered a “sale” of information. Except for this sharing, Valrhona does not sell any of your information. Valrhona has no actual knowledge of any sales of Personal Information of minors under 16 years of age.

## **COMMUNICATIONS AND OPT OUT**

By establishing an account, making a purchase, or registering to receive the Valrhona Newsletter, you may consent to receive periodic commercial/promotional email communications from us. You may opt-out of receiving such promotional communications at any time by following the unsubscribe instructions in a promotional email or by emailing us at [info@valrhona-chocolate.com](mailto:info@valrhona-chocolate.com). This opt out will not apply to operational or informational emails related to your account and purchases. You may continue to receive promotional email messages for a short period while we process your request.

## **HOW WE PROTECT YOUR PERSONAL INFORMATION**

Valrhona transmits information via industry standard secure server (SSL). This SSL creates the secure and encrypted <https://> website address for our important pages like My Cart and the Checkout area. When you see the <https://> website address, you know the information you are inputting is protected and secure. We also comply with payment card industry data security standards that require merchants to implement security measures for credit card information. We never have access to your credit card information, as it is tokenized following PCI-compliant standards.

While we endeavour to incorporate reasonable safeguards to help protect and secure your Personal Information, no data transmission over the Internet, mobile networks, wireless transmission or electronic storage of information can be guaranteed to be 100% secure. Therefore, we cannot guarantee its absolute security. It may be possible for third parties to intercept or access transmissions or private communications unlawfully. Any such transmission is done at your own risk.

## **ABILITY TO ACCESS, UPDATE AND CORRECT PERSONAL INFORMATION**

Valrhona wants your Personal Information to be complete and accurate. You represent and warrant that all information you provide in connection with your use of the website will be complete and accurate, and that you will update that information as necessary to maintain its completeness and accuracy. To confirm the completeness and accuracy of, or make changes to, your Personal Information, please contact us at [info@valrhona-chocolate.com](mailto:info@valrhona-chocolate.com) or by changing your profile settings on our website.

## CALIFORNIA PRIVACY RIGHTS

**California Consumer Privacy Act.** The California Consumer Privacy Act of 2018 (“CCPA”) provides California residents with specific rights regarding their Personal Information. This section describes your CCPA rights and explains how to exercise those rights.

Upon verification of your identity you may:

- No more than twice in any 12-month period, request disclosure of the following information:
  - Categories of Personal Information we collect.
  - Categories of sources from which Personal Information is collected.
  - Categories of Personal Information sold or disclosed to third parties.
  - Categories of third parties with whom such Personal Information is sold or disclosed.
  - Business or commercial purpose for collecting or selling Personal Information.
  - Specific pieces of Personal Information we collect.
- Request deletion of your Personal Information, subject to the exceptions provided by law.
- Opt-out from having your Personal Information sold to third parties, if applicable.

These rights are not absolute and are subject to certain exceptions. For example, we cannot disclose or permit access to specific pieces of Personal Information if granting your request would present a certain level of risk to the security of the Personal Information at issue, your account with us or the security of the website.

Requests to know or delete can be submitted by calling our toll-free number +1 800 322 2743 or emailing us at [valrhonachocolate-compliance@savencia.com](mailto:valrhonachocolate-compliance@savencia.com). You can opt out of having your Personal Information sold to third parties by clicking on the “Do Not Sell My Personal Information” link.

Please note that these rights apply only to select California consumers and exclude job applicants, employees, and business contacts. Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your Personal Information. Except where you have provided an agent with a Power of Attorney pursuant to Sections 4000 – 4465 of the California Probate Code, when using an authorized agent you must: (1) provide the agent with signed permission clearly describing their authority to make a request on your behalf; (ii) verify your own identity; and (iii) directly confirm that you have provided the authorized agent permission to submit the request. That agent must also be able to verify their identity with us and provide us with their authority to act on your behalf.

The verifiable consumer request initiated by you or your authorized agent must:



- Include your full legal name, email, and phone number, which we will need to contact you in order to verify that you are the person about whom we collected Personal Information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm the Personal Information relates to you. Making a verifiable consumer request does not require you to create an account with us. One of our representatives will contact you in order to verify your identity. You may need to provide additional information in order to verify your request. Depending on the nature of the request, we may require additional verification actions be taken, including but not limited to providing a signed declaration under penalty of perjury that you are the consumer whose Personal Information is the subject of the request. We will only use this information to verify the requestor's identity or authority to make the request.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the Personal Information, provide a product or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 ).
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing. We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded.

The CCPA provides the right to be free from discrimination if you choose to exercise your rights under the statute, and we will not discriminate by:

- Denying you products or services.
- Charging you different prices or rates for products or services, including through granting discounts or other benefits, or imposing penalties.
- Providing you a different level or quality of products or services.
- Suggesting that you may receive a different price or rate for products or services or a different level or quality of products or services.

**Other California Privacy Rights.** California residents have the right to receive information that identifies any third party companies or individuals that Valrhona has shared your Personal Information with in the previous calendar year, as well as a description of the categories of Personal Information disclosed to that third party. You may obtain this information once a year and free of charge by contacting us at the address below.

### **CHANGES TO THIS PRIVACY NOTICE**

Valrhona may modify or update this Policy from time to time. We encourage you to revisit this page often to remain fully informed of our Policy or you can contact us at any time to obtain the latest copy of this Policy.

### **QUESTIONS ABOUT THIS POLICY**

For questions or comments regarding our Policy, you can also email us at [valrhonachocolate-compliance@savencia.com](mailto:valrhonachocolate-compliance@savencia.com) or write to us at:

Valrhona, Inc.  
Attn: Director of Customer Service  
222 Water Street  
Brooklyn, NY 11201

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