

Privacy Policy

This Privacy Policy describes the privacy practices of Whip Mix Corporation (“Whip Mix”, or “We” or “Us” or “Our” and terms of similar meaning) websites located at www.whipmix.com and www.shop.whipmix.com (the “Sites”). It describes the information that we collect from visitors to our Sites (“you” and “your”) as part of the normal operation of our Sites, and how we use and disclose this information. This Privacy Policy does not apply to information collected by any third party, including any third party site, application, content, or advertising that may link to or be accessible from our Sites. This Privacy Policy was last revised on and is effective as of November 5, 2018.

By visiting and using the Sites, you consent to our collection, use and disclosure of your Personal Information in accordance with this Privacy Policy.

We may revise this Privacy Policy from time to time. We encourage you to check back periodically for updates and to review this Privacy Policy to stay informed about how we collect, use, and disclose information collected or received from you.

What Information Do We Collect?

Whip Mix may collect certain personal data which is information that can be used to identify, locate, or contact you. This information may include your name and contact details, business or dealer affiliation, job role or title, information regarding your purchase, invoicing, handling of any product, and credit card information. It also includes other data or related information, such as website access and usage data.

In order to optimize our communications to you and continually improve our products and services, we may ask you for information about your personal or professional interests, demographic background, and experiences with our products and services, as well as more detailed information pertaining to our contact with you, like specific products or education offerings you are interested in receiving. We may collect this information when you provide it via form submission, by email, when you register to use our Sites, when you visit our social media pages, or through other direct contact from you.

Specifically, the following categories of information collected by Whip Mix that are considered Personal Information for purposes of this Privacy Policy, include:

- Contact Information – This is information you provide to us such as your name, phone number, mailing and/or shipping address, and email address that allows us to identify and to communicate with you and fulfill purchase orders and other requests.
- Relationship Information – This is information that helps us understand who you are and what you want in order to offer you products and services that may interest you, such as

business information, job role and title, your general location, and other demographic information (such as age and gender).

- Transactional Information – This is information about how you interact with us and our business partners, including purchases, inquiries, and customer accounts.
- Financial Account Information – If you place an online order through shop.whipmix.com, we collect information from you as needed to complete your purchase, such as your credit card information and whether you are interested in equipment financing and leasing. Online purchasing is only available in the United States at this time.

How Whip Mix Uses Information We Collect

Whip Mix uses Personal Information for a variety of purposes, which may include:

- to fulfill orders for products or services, and for other services related to your order, such as product delivery, maintenance, warranty service, financing, leasing, and credit services;
- to respond to emails or other inquiries you make;
- to provide support, including repairs and product returns;
- to provide you with communications and offers for products and services from Whip Mix, including offers based on your interests, personal and business characteristics and location;
- to administer surveys for product and customer feedback;
- to determine if you are eligible for certain products, services, or offers;
- to provide you with information that may be of interest, such as Whip Mix news, announcements, reminders, technical service bulletins;
- to fulfill your request for a product catalog or other information you request from us;
- to create a gift-card using information you provide and to provide the gift card to the person you designate;
- to identify and facilitate communication between an inquiring potential customer and a dealer in the potential customer's geographic area.
- For legitimate business administration and management of Whip Mix's business needs, such as: payment processing and financial account management; product development; product safety; contract management; website administration; web-forum management; order or contract fulfillment; analytics; fraud prevention; corporate governance; in connection with a reorganization, merger, sale, joint venture, assignment, or other disposition of any portion of our business or assets; and, for reporting and legal compliance; and, for any other legitimate purpose we disclose to you when you provide the information.

We may use your Personal Information to contact you in the future with company or industry news, product information, and educational offerings we think may be of interest to you. In some cases, we may need your consent to send these types of communications and in those

cases we will ask you to confirm you want to receive them. You may withdraw your consent and opt-out of receiving these marketing communications at any time as described below.

If you provide Financial Account Information to process an order, we use the information you provide to complete that order. We may also share this information with outside parties such as a payment processor but only to the extent necessary to process your payment and complete your order.

How Whip Mix Collects Information

Directly From You: We collect Personal Information directly from you. We will ask you for Personal Information (e.g. Contact Information and Relationship Information) when you interact with us, such as when you fill out a form on our Sites, sign up to receive a newsletter, or make a purchase. We may collect additional Relationship Information from our social media sites such as Facebook, if you "Like" our pages or join our communities. We may also collect Personal Information from you if you provide it to us at a trade show or other industry event.

From Our Sites: If you interact with us online, we use cookies and other technological tools to collect information about your computer (such as IP address, operating system, and browser type) and your use of our Sites and applications (such as pages or areas of the site visited, clicks made, registration forms you completed, and similar information). In many cases, the information we collect using cookies and other tools is only used in a non-identifiable way, without reference to or associated with your Personal Information. For example, we use information we collect from website users to optimize our Sites and to understand website traffic patterns.

From our Affiliate(s), Distributors, and Other Business Partners: We receive business contact and other Relationship and Transactional Information about dealer employees which is necessary to facilitate business transactions for products and inventory and to manage relations with businesses distributing Whip Mix products.

From Cookies and Technology Used to Collect Information Automatically: When you visit our Sites, we collect certain information by automated means, using technologies such as cookies, pixel tags, browser analysis tools, server logs, and web beacons.

Cookies are small text files that websites send to and place on your computer or other Internet-connected device to uniquely identify your browser or to store information or settings in your browser. Cookies allow us to recognize you when you return and also help us provide a customized experience.

Pixel tags and web beacons are tiny graphic images placed on website pages or in our emails that allow us to determine whether you have performed a specific action. When you access these pages or open or click an email, the pixel tags and web beacons generate a notice of that action. These tools allow us to measure response to our communications and improve our web pages and promotions.

We collect many different types of information from cookies and other technologies. For example, we may collect information about the device you use to access our Sites, your operating system type, browser type, domain, and other system settings, as well as the language your system uses and the country and time zone where your device is located. Our server logs also may record the IP address or derivative of the device you use to connect to the Internet. An IP address is a unique identifier that devices use to identify and communicate with each other on the Internet. We may also collect information about the website you were visiting before you came to Whip Mix and the website you visit after you leave our site. We use HubSpot to track website traffic and activity. If you choose to turn cookies off, it will not affect accessibility of functioning of the Sites.

Social Media Features

Our Sites include Social Media Features, such as the Facebook Like button and Widgets, such as the Share This button. These features may collect your IP address, which page you are visiting on our sites, and may set a cookie to enable the feature to function properly. Social Media Features and Widgets are provided by third parties and this Privacy Policy does not apply to these features. Your interactions with Social Media features are governed by the privacy policy and other policies of the companies providing them and we encourage you to review such other websites' privacy policies before interacting with those features.

Online Activity (Web Posting)

We may provide areas on the Sites where you can post comments, reviews and other information relating to your activities on the website. In addition, such postings may appear on other websites or when searches are executed on the subject of your posting. Also, whenever you voluntarily disclose personal information on publicly-viewable web pages, that information will be publicly available and can be collected and used by others. For example, if you post your email address, you may receive unsolicited messages. We cannot control who reads your posting or what other users may do with the information you voluntarily post, so we encourage you to exercise discretion and caution when posting in public areas of the Sites.

How Whip Mix Discloses Information

We will not sell or rent your personally identifiable information to third parties without your consent. We may share Personal Information with related entities or with unrelated third parties who provide services to us (such as our web development/hosting provider, marketing and customer relationship management support provider) but only for their use in supporting our own marketing activities, business operations, and the maintenance and operation of our Sites. The following describes some of the ways that we may disclose your information in the normal course of business:

- **Aggregated Data.** We aggregate, use, and disclose information for a variety of purposes. However, in these situations, we do not disclose any information that could be used to identify you personally.
- **Subsidiaries and Affiliates; Service Providers.** We may from time to time use the services of affiliates, subsidiaries, vendors, contractors, and/or third party service providers in the operation of the Sites and our business. We may disclose Personal Information to them in the course of our use of their services and to enable them to provide us with services, including without limitation those necessary for processing your orders and payments, contract and order fulfillment, shipping, emailing, marketing, providing research or analytics, webhosting, website administration and web-forum management, storing/managing data, financial account management, product development and safety, and, assisting in providing the products and services available through the Sites or otherwise. For example, we use the services of a third-party hosting company, to host the operation of the Sites. This may require the hosting of data, including Personal Information, on servers operated by those hosting companies. Also, we may disclose Personal Information to our marketing and customer relationship management support provider to facilitate their provision of services to us. We may also disclose your Personal Information to fulfill the purpose for which you provided such information or for any other purpose we disclose when you provide the information. If we obtained your Personal Information from a dealer or other data controller, we may disclose your Personal Information in order to carry out the services requested or instructions provided by such dealer or data controller.
- **Dealers, Product Distributors.** www.whipmix.com has standard product information about Whip Mix products but does not support online purchases of Whip Mix products. If you contact us through www.whipmix.com, by email, or otherwise, inquiring about product availability or purchasing, we will use your Personal Information to identify independent dealers distributing Whip Mix products in your geographic area where you can purchase products. We may provide your Personal Information to the applicable dealer to facilitate your request. Any purchase transactions are made between you and the dealer from which you purchase the products.
- **Legal Requests; Emergencies; Jurisdictions.** We may disclose your Personal Information in response to a subpoena or other court order, if otherwise required by law, in an effort to cooperate with law enforcement or a regulatory agency, to enable someone to enforce their rights, or to allow us to enforce our rights. When we believe that doing so is necessary or desirable, we may disclose your Personal information: (a) to any governmental authority as part of an investigation to determine our compliance with any applicable law, rule, or regulation (including privacy laws, rules, and regulations); (b) in response to a court order, subpoena, discovery request, or other lawful judicial or administrative proceeding; (c) as otherwise required under any applicable law, rule, or regulation; (d) to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving personal threats to physical safety, allegations of intellectual

property infringement or violations of privacy rights; and, (e) in good faith, to enforce, protect or defend our rights, property, or safety, or those of others.

Your Choices: Opting Out and Unsubscribing

You have choices regarding the communications that Whip Mix sends to you. You may opt-out of receiving future marketing emails at any time by clicking "unsubscribe" at the bottom of marketing emails we send you. Alternatively, to opt-out of marketing emails, you can write us at whipmix@whipmix.com or contact us using the address and phone numbers listed below. If you send us a written request, please provide your name, address, email address, and identify all the communications that you do not want to receive.

Please note that even if you opt-out of receiving marketing material, we may still need to contact you with Transactional Information about your account or your equipment. For example, even if you opt-out of marketing emails, we will still send you a confirmation when you purchase something from us either directly or from our website or when we need to provide you with product communications. We may also contact you with legal notices.

You can manage cookie preferences and opt-out of having cookies and other similar collection technologies used by adjusting the settings on your browser or interface. All browsers and interfaces are different, so visit the "help" section of your browser or interface to learn about cookie preferences and other privacy settings that may be available.

Some browsers have a "do not track" feature that, when enabled, signals websites and online services that you do not wish to be tracked. We take no action in response to web browser signals and other mechanisms that enable consumers to exercise choice about behavioral tracking.

You can manage how your mobile device and mobile browser share location information with Whip Mix, 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.

Our Retention of Your Information

We retain personal information for only as long as required to fulfill the identified purposes for which it was collected or as required by contract, law, or regulation. When you register on the Sites, archived Personal Information that you have provided will not ordinarily be erased unless and until your entire account on the Site is deleted, and even then we may retain some or all of your Personal Information on back-up files; provided, however, we assume no obligation or guarantee to archive any information and do not warrant that any archived information will later be made available to you.

Information From Children Not Collected

The Sites are not intended for children under 16 years of age and Whip Mix does not knowingly collect personally identifiable information from children under the age of 16. If you are under the age of 16, please do not provide personally identifiable information of any kind whatsoever.

If a child under the age of 16 provides us with personally identifiable information, a parent or guardian of that child may have this information deleted from our records by contacting us through e-mail at whipmix@whipmix.com, or by calling or writing to us at the address and phone number listed at the end of this policy.

Transfer of Information & Data to Other Countries

Whip Mix Corporation is a US company, headquartered in Louisville, Kentucky, USA with a controlled affiliate located in Germany. Personal Information we collect may be accessed by or transferred to the United States or to our controlled affiliate for the purposes described in this Privacy Policy. When you visit the Sites from a country outside the US, your information provided or collected through the Sites will be transferred to and stored in the United States. The privacy and data protection laws that apply to your information in the United States may be different from the laws of your country. If you do not want your information transferred to or stored outside of your country, you may choose to not contact us and not use our Sites.

Security

Whip Mix takes steps to secure information obtained from visitors to the Sites from unauthorized access and use, such as storing information on servers protected by a firewall. Unfortunately, no data transmission over the Internet or method of storage can be guaranteed to be 100% secure. As a result, while we strive to protect your Personal Information and other information using security safeguards we believe are appropriate for the type of information we collect and maintain, we cannot warrant the security of any information you transmit to us. You transmit Personal Information to us and to or through the Sites at your own risk. Where you have chosen a password for access to certain parts of our Website, you are responsible for keeping the password confidential and not sharing it with others. We expressly disclaim any liability for any loss, misuse, or alteration of information you transmit using this Website, and you acknowledge that Whip Mix shall not be liable for any security breach that results from causes or events such as acts of God, hacking, circumvention of privacy settings or security measures, terrorism, criminal acts of third parties, power outages, defects in third party security products and services, your own acts and omissions, and other similar events beyond Whip Mix's control.

Shop.whipmix.com Users: You are responsible for maintaining the confidentiality of your logon information, and are fully responsible for all activities that occur under your password or user name. You agree to: (a) immediately notify Whip Mix of any unauthorized use of your password or user name or any other breach of security; and, (b) ensure that you exit from your account at the end of each session.

Other Information Collectors and Other Websites

Except as otherwise expressly included in this Privacy Policy, this document only addresses the use and disclosure of information we collect from you. It does not apply to information collected by any third party, including any third party site, application, content, or advertising that may link to or be accessible from the Sites. To the extent that you disclose your information to other parties through the Sites, different rules may apply to their use, collection and disclosure of the personal information you disclose to them. We do not control the information use, collection or disclosure policies of third party websites linked to the Sites. We encourage you to read their privacy policies and ask questions before you disclose your personal information to others.

EU General Data Protection Regulation

For purposes of the EU General Data Protection Regulation (GDPR), with respect to information collected through the Sites, we are generally the data controller and you may contact us at the contact information set forth below. We use, process, or share your Personal Information upon the lawful basis of contract, consent, legal obligation, and/or our legitimate interests, as described above. GDPR provides EU residents rights to review, correct, and remove your Personal Information. When these rights apply to you, in response to your request, Whip Mix will provide you with information about Personal Information we hold about you, if any. In addition to other choices described in this Privacy Policy, under GDPR you may request or take the following actions:

- Review the Personal Information that you have supplied to us.
- Have us correct any errors, outdated information, or omissions in Personal Information that you have supplied to us.
- Have your Personal Information not be used to contact you for marketing purposes.
- Have your Personal Information removed from a marketing list that we use.
- Have your Personal Information removed from our records.
- Lodge a complaint with the EU Supervisory Authority.

To make a request, please contact us at whipmix@whipmix.com or using the contact information provided below. We will respond to your request and will notify you of the action we have taken. We aim to provide you with access to your Personal Information that we hold so long as the burden or expense of doing so is not disproportionate to the risks to your privacy and where the rights of others would not be violated. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

California Residents Only:

California Civil Code Section 1798.83 permits users of the Sites who are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. If you are a California resident and would like to make such a

request, please email us at whipmix@whipmix.com or write to us using the mailing address below.

Changes to our Privacy Policy

This Privacy Policy may change from time to time. When we make changes to our privacy policy, we will update the policy on our Sites. Your continued use of our Sites after any revision indicates your acceptance of any changes to this policy, so we encourage you to check back periodically for updates.

Contact Information

If you have questions or concerns about this Privacy Policy, please contact us at: whipmix@whipmix.com or,

Whip Mix Corporation
361 Farmington Avenue
P.O. Box 17183
Louisville, KY 40217 USA
TOLL FREE: 800-626-5651
PHONE: 502-637-1451
Fax: 502-634-4512
ATTN: PRIVACY

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