

California Online Privacy Protection Act (“CalOPPA”)

In accordance with the CalOPPA we agree to the following:

- Users can visit our site anonymously.
- Honor “do not track” signals and mechanisms.
- A link to our Privacy Policy is located in the footer of every page of the Greenman Website, next to the link to our Terms and Conditions.
- Our Privacy Policy link includes the word ‘Privacy’ and can be easily be found on the pages specified above.
- Users will be notified of any privacy policy changes on our Privacy Policy Page.
- Registered users are able to change their personal information by logging in to their account.
- Users can unsubscribe from newsletters, bulletins and other promotional emails by clicking on/pressing the unsubscribe button at the bottom of these emails or by contacting Greenman.

Fair Information Practices

In order to be in line with Fair Information Practices Principles we will take the following responsive action, should a data breach occur:

We will notify the users via Website notification within 1 business day

We also agree to the Individual Redress Principle, which requires that individuals have a right to pursue legally enforceable rights against data collectors and processors who fail to adhere to the law. This principle requires not only that individuals have enforceable rights against data users, but also that individuals have recourse to courts or government agencies to investigate and/or prosecute non-compliance by data processors.

CAN-SPAM Act

The CAN-SPAM Act is a law that sets the rules for commercial email, establishes requirements for commercial messages, gives recipients the right to have emails stopped from being sent to them, and spells out tough penalties for violations.

We collect your email address and in accordance with CAN-SPAM we agree to the following:

If at any time you would like to unsubscribe from receiving future emails, you can email us at sales@gmangardens.com and we will promptly remove you from ALL correspondence. You can also unsubscribe by clicking on/pressing the unsubscribe button at the bottom of any promotional email.

block or delete your personal information from our database; and (5) ask us to transfer your personal information to another entity as you specify.

Correction/Updating Personal Information. If a user's personal information changes or if a user no longer desires to be a registered user, we will enable our users to correct, update or remove from our Website the personal data they provided to us. Such changes can be made either through the information page on our website or by emailing us at sales@gmangardens.com.

Opt-out. When purchasing a product, a user may checkout as guest and is not required to register. Our users are given the opportunity when registering with our website to opt-out of having their email address added to our marketing and promotional address lists or their information used for purposes not directly related to the provision of goods or services through our Website. Any user may unsubscribe from each e-newsletter, bulletin or other promotional e-mailing by clicking/pressing on the unsubscribe button at the bottom of these emails.

Users who no longer wish to receive our e-bulletins, newsletters or other marketing and promotional materials from us or our partners may opt-out of receiving these communications by replying to any such promotional email indicating your desire to no longer receive such emails or by emailing us at sales@gmangardens.com.

Retention of Personal Information. To the extent permitted by applicable law, we retain personal information we obtain about you as long as (1) it is needed for the purposes for which we obtained it, in accordance with the provisions of this Privacy Policy or (2) we have another lawful basis for retaining that data beyond the period for which it is necessary to serve the original purpose for collecting the data.

Collecting Information from Children Younger Than 18 Years of Age. Our Website is not directed or intended for children under 18 years of age. We do not knowingly collect personal information from individuals under 18 years of age. If you are under 18 years of age, you should not register or provide personal information on the websites or through the services. If we later obtain actual knowledge that a user is under 18 years of age, we will take steps to remove that user's personal information from our systems. If you are the parent or guardian of a child whom you believe has disclosed personal information to us, please contact us at sales@gmangardens.com so that we may delete and remove such child's information from our systems.

When it comes to the collection of personal information from children under 13, the Children's Online Privacy Protection Act (COPPA) puts parents in control. The Federal Trade Commission, the nation's consumer protection agency, enforces the COPPA Rule, which spells out what operators of websites and online services must do to protect children's privacy and safety online.

Data Retention. We will retain your information for as long as your user account is active or as needed to provide you services, including fulfilling your orders. If you wish to cancel your account or request that we no longer use your information to provide you services contact us at sales@gmangardens.com. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

Notification of Changes in Use of Personal Information. Our privacy policy is subject to change. In the event of any change, we will provide notice of such change on our Website. If we want to use your personal information in a manner different from that stated to you at the time you provided such information to us, we will notify you of such change by posting notification of such change on our Website. At such time, you can determine whether you wish to allow us to use your information in this different manner. If you have opted out of all communication with our Website or have deleted or deactivated your account with us, then you will not be contacted and your personal information will not be used.

With regard to the message boards, your email address is not visible on the boards, however other users are able to post a response to a post made by you or engage in a conversation with you on the same message board via your nickname without your email address being displayed.

Do remember that whatever you post on our message boards, it is considered public knowledge and you should always use caution when posting. Avoid posting your home address or phone number or other PII on any public board or forum. Although one must be a registered user to post messages, the message boards are public and may be read by non-registered users. We do not allow and will not tolerate the posting of any messages that are obscene, vulgar, sexually-oriented, hateful, threatening or otherwise in violation of any laws. We reserve the right to remove or edit any content item or to close any user account for any reason.

Greenman Gardens reserves the right to re-publish your postings from the message boards in any format. To request removal of your personal information from our messages boards, blog or community forum, or to report what you believe to be inappropriate or offensive content, contact us at sales@gmangardens.com. In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why.

Surveys and Contests. From time-to-time, our website requests information from our users via surveys or contests. Participation in these surveys or contests is completely voluntary and the user has a choice whether or not to provide us with such information. Information requested may include contact information, such as name and shipping address, and demographic information, such as zip code, age level. It may also be shared with other third parties as disclosed at the time of collection or in the promotion rules.

HOW DO WE SECURE YOUR INFORMATION?

The security of your personal information is important to us. When you enter sensitive information (such as credit card number) on our registration or order forms, we encrypt that information using secure socket layer technology (SSL).

We follow generally accepted industry standards to protect the personal information submitted to us, both during transmission and once we receive it. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, while we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security.

If you have any questions about the security of our Website, you can send an email to sales@gmangardens.com

Communications from our Website. We occasionally send users of our Website information on products, services, special deals, newsletters and e-bulletins. Each user has the option to not receive these types of communications and may request to be removed from our email list(s) or to close his/her registered account (see section titled Choice/Opt-Out below) or unsubscribe from our newsletter and promotional emails by clicking/pressing on the unsubscribe button at the bottom of these emails.

Occasionally, it is necessary to send out service-related announcements. For instance, if our service is temporarily suspended for maintenance, we might send you an email informing you of such service interruption. Generally, users may not opt-out of receiving these service-related communications. In addition, we communicate with our users on a regular basis to provide requested product information and regarding issues relating to their account via email.

WHAT CHOICES DO I HAVE?

As required by law, you may (1) have the right to access certain personal information we maintain about you; (2) request that we update or correct your personal information; (3) object to the processing of your personal information or withdraw your prior consent, if applicable; (4) ask us to

do not want the advertising partners of Greenman Gardens to collect this information, you may opt out of their services. Opting out will not affect your use of our Website.

Disclosure of Personal Information. Greenman owns and operates the Website and we are the sole owner of the information collected through the Site. We know how important it is to keep the information you've entrusted to us confidential. We will not rent, sell or share your personal information with third parties except as specifically approved through your opt-in agreement or under the circumstances described in this Privacy Policy. If you do not want us to use or disclose personal information collected about you in the ways identified in this policy, you should not use our Website or services.

1. Disclosure for Legal Reasons

We may disclose and release your personal information to third parties: (a) to comply with valid legal requirements such as a law, regulation, search warrant, subpoena or court order; or (b) in special cases, such as a physical threat to you or others, a threat to homeland security, to our Website or employees, or to protect our Website, system or network, our employees, agents, suppliers, licensors, content providers, and the rights and property of Greenman, or cases in which we believe it is reasonably necessary to investigate or prevent harm, fraud, abuse, illegal conduct or a violation or alleged violation of this policy or other agreement we may have with you.

2. Disclosure for Shipping and Billing Reasons

We use an outside shipping provider such as the USPS, FedEx or UPS to ship orders placed on our Website or by telephone, and a credit card processing company to bill users/customers for goods and services purchased on through our Website or by telephone. These companies will not retain, share, store or use any of our user's personal information for any secondary purposes. We partner with other parties to provide specific services that are available on our Website. When a user signs up for these services, we will share the user's name or other contact information that is necessary for the third party to provide these services to the user. These parties are not allowed to use such personal information except for the purpose of providing these services.

Third-Party Links. Occasionally, at our discretion, we may include links to third-party sites on our Website. These third-party sites have separate and independent privacy policies to which a user is subject. We have no responsibility or liability for the content, operations, and activities of these linked sites and are not responsible for the privacy practices of such other websites and we expressly disclaim any and all liability for the actions of third parties or licensees, including, without limitation, actions relating to the use and/or disclosure of personal information by such third parties or Licensees. We encourage our users to be aware of when they leave our Website and enter a third-party website and to read the privacy statements of each and every website that collects their personal information. Our privacy policy applies solely to information collected by our Website. Nonetheless, we seek to protect the integrity of our site and welcome any feedback about any third-party sites linked to our Site.

Bulletins; Newsletters. If a user wishes to subscribe to one of our e-bulletins, newsletters or any other informational material that we offer, we will ask for contact information, such as name and email address.

User Generated Content: Feedback, Ratings, Comments, Public Forums

In order to post a message, comment, provide feedback or ask us a question, you will be asked to sign in with your user login information. We do not use this information in any way other than to recognize you for postings nor do we disclose this information to any third parties, including other users who participate in comment and discussion forums and boards on our Site, unless required by authorized law enforcement agencies when required.

We use collected personal information in order to provide you with the content, subscriptions, goods and services that you request or purchase through our Website. We use your email address to provide you with information about your order and its status and we may occasionally send out emails, including newsletters, to people who have placed an order on-line, with information about other goods and services available on our Website. Your phone number may be used by us in the event that our customer service representatives need to contact you about an order you have placed or to contact you regarding customer offers or information you have requested or we need to provide to you.

Automatically Collected Information. We receive and store certain types of information through automated means such as cookies, web beacons and web server logs whenever you interact with our Site.

Information we automatically collect through your use of the Website. As you use the Website, certain information may also be passively collected. Through cookies, pixels, beacons, log files and other technologies, we may collect information about how you use the Website. By knowing about you, we can deliver more helpful information, programs, tools and advertisements. Please see the sections regarding cookies and opting out of tracking below for more information.

We:

- Use “cookies” (tracking devices placed on your computer)
- Honor “do not track” signals and do not use advertising when a “Do Not Track” (DNT) browser mechanism is in place.
- Utilize third-party behavioral tracking.
- Do not sell, trade or otherwise transfer personal information.
- Do not include or offer third-party products or services on our Site.
- Have enabled Google Adwords on our Site.
- Pursuant to the California Online Privacy Protection Act, agree that users can anonymously visit our Site.
- Post changes to our privacy policy on our Privacy Policy Page.

We Use Cookies. A cookie is a text file stored on the user’s hard drive containing information about the user. The Website creates cookies to record information about a user’s preferences, such as the items you add to your shopping cart, and for security purposes. Cookies are also used to help us determine the various services you use and the support you may need, and to help us detect and solve any problems you may have while using our Site. In addition, the use of a cookie on our Site will enable users to log on without having to reenter their password on each visit and to fully interact with our Website. Most cookies expire after a certain time period. If you wish, you may set your browser to reject all cookies and still view our Website. Cookies placed by Greenman Gardens’ Site are not tied to any personally identifiable information. You may refuse/block the use of cookies by selecting the appropriate settings on your browser, however, please note that if you do this you may not be able to use the full functionality of our Website.

Log Files

How does our Site handle do not track signals?

We honor do not track signals and we do not track, plant cookies, or use advertising when a Do Not Track (DNT) browser mechanism is in place.

Does our site allow third-party behavioral tracking?

We allow third-party behavioral tracking.

Third Party Advertising. Other websites display retargeted ads to our Website, on our behalf, across the Internet by the use of the services of advertising partners who collect non-personally identifiable information about your visits to our Website, and your interaction with our products and services. The anonymous information is collected through the use of a pixel tag which is industry standard technology used by most major websites. No personally identifiable information is collected during this process. If you

- > We share personal information with our service providers and other third parties for the performance of our contractual obligations to you, including the payment processing and shipping of orders you may place. We share non-personally identifiable information for marketing and advertising purposes.
- > You have opt-rights you may exercise in relation to our use of your personal data, and you may exercise these by contacting us through the communication methods provided in this Privacy Policy or the Terms and Conditions.
- > This Privacy Policy does not apply to the practices of any other company or affiliate that is not owned or controlled by Greenman.

WHAT INFORMATION DO WE COLLECT AND HOW?

We collect personal information when you:

Register for an account
Fill out a form;
Subscribe to a newsletter;
Place an order; or
Communicate with, or provide feedback to, us online.

What personal information do we collect?

Information You Give Us. When you set up an account/register through our Website or purchase an item from our Website, we collect personal information entered voluntarily by you that may include your:

- first and last name;
- email address;
- billing address;
- shipping address;
- phone number;
- credit card number; and
- items purchased from us.

You can choose not to provide personal information, but opting out of providing such information will prevent you from ordering products or services through our Site.

Registration

You can place an order through our Site without registering, but checkout does require a user to provide certain PII and to agree to Greenman's Terms and Conditions for the Site. To use some features on our Website or place an order, a user may complete a registration form on the Site to establish a password protected user account. During registration, a user is required to give contact information, such as name, physical address and email address and payment information such as a credit card number if placing an order. This information is used to contact users about the products or services on the Site for which they have indicated interest or placed an order. In some cases, it is optional for users to provide additional, demographic information, such as age and gender.

The information collected from you is used in the following ways:

- To personalize your experience
- To improve the Website, including our marketing and advertising efforts
- To improve customer service
- To administer contests, promotions, or a survey or other Site feature
- To process orders or transactions
- To communicate periodically via email.

Privacy Policy

This privacy policy was last updated on August 29, 2019.

Greenman Gardens Inc. and Greenman Gardens Tampa LLC (collectively referred to in this privacy policy as “Greenman,” the “Company” or sometimes “we” or “us” or “our”), a Kentucky S-Corporation and a Florida Limited Liability Company, respectively, owns and operates www.gmangardens.com (referred to herein as our “Website” or “Site”).

Thank you for visiting our Site. We provide this online privacy policy (“Privacy Policy”) in order to disclose and address how we collect, use, retain, share, protect or otherwise handle your information, including ‘Personally Identifiable Information’ (PII), you provide to us as user of Greenman’s Website, and also describes your choices regarding our use and your access to your personal information. PII, as used in US privacy law and information security, is information, such as a name or mailing address, that can be used on its own or with other information to identify, contact, or locate a single person, or to identify an individual in context.

This privacy policy governs and details the following:

- What information of yours or a third party is collected from you by our Website.
- The name of the organization collecting such information.
- How the information is or may be used.
- With whom the information may be shared.
- What choices are available to you regarding the collection, use and distribution of your personal information.
- The security procedures that are in place to protect against the loss, misuse or alteration of the information which is under the control of our Website.
- How you can correct any inaccuracies in the information you provide.

You agree to and accept the terms of this Privacy Policy when you: (a) access or use this Site; (b) register with the Site; (c) place an order; (d) agree to receive e-mail from us by indicating consent on the Site or via any other means; (e) provide any Personally Identifiable Information; (f) sign up to receive offers for free samples, products or discounts; or (g) register for one of our promotions.

Please read our privacy policy carefully to get a clear understanding of how we collect, use, retain, share, protect or otherwise handle personal information. If you have any questions or concerns regarding this Privacy Policy, you should contact sales@gmangardens.com or call us at (270) 854-0376.

Summary of Key points:

- > Greenman is the data controller of user information processed through your use of our website and services. Certain personal information provided by you will be shared with and processed by third-parties such as payment processors and shippers solely for the purpose of processing any order you may place.
- > The types of user information processed by Greenman includes personal information that you provide when using our site or services, technical information about your device, settings and website use, and information that we receive from third parties, such as other website providers, ad networks and social media companies.
- > We use your information to, amongst other things, provide you with our Site, and information about our products and services, tailor our services to you, perform our obligations under any agreement with you (for example, to comply with our Terms and Conditions), carry out analysis of our Website and services, provide targeted ads, and comply with any legal or regulatory obligation.
- > We may send you marketing materials relating to our products and services; you can opt out of at any time.