

# Privacy Policy

**The Plantsman Group Privacy Policy** (Effective August 1, 2020)

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The Plantsman is dedicated to protecting and respecting your privacy and handling any personal information we obtain from you with care and respect. This Privacy Policy is designed to answer your questions regarding our privacy policies and principles.

This is the Privacy Policy of The Plantsman, LLC (The Plantsman). Our postal address is:

The Plantsman, LLC  
7839 Curtis Rd  
Northville, MI 48168.

We can be reached via email at [info@Plantsmangroup.com](mailto:info@Plantsmangroup.com) or you can reach us by telephone at 248-916-8550.

## Visiting Our Website

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For each visitor to our website, our web server automatically recognizes only the IP address of your computer. When you make a purchase in the The Plantsman Store, answer one of our surveys, or request an IPM plan, you may choose to give us basic information: name, email address, mailing address, ZIP code, phone, and credit card numbers (for purchases only). This allows us to process your transactions more efficiently, and ultimately, to give you a higher caliber of customer service. When you visit our website, we may collect the following

information: your Internet service provider's address, the name of the Web page directing you, as well as your clicks and activity on our site. This tracking data helps us understand how to make our site more responsive to our customers' needs.

### **Learning About What You Like**

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We also gather customer information by observing the purchases you make. Think of it as a concierge service where your customer preferences are remembered for future consideration. By looking at your purchases in context with marketing demographics or with information from companies whose products and services you may be interested in, it helps us seek out products and services you may find relevant and unique. Similarly, other companies may also forward to us additional names, mailing addresses, and email addresses when we have news or product offerings that may be of special interest to their customers. In order to serve you better, we may at times contract with other companies to help us process information. For instance, their assistance can help us better fulfill customer orders, manage and enhance customer data, and comply with postal regulations.

### **At Your Service Information**

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The information we collect is intended to help us provide better customer service and to improve communications. The customer information you provide can help The Plantsman provide greater security and inform you of products and services that may be of interest. When a purchased item is not immediately available, many of our customers appreciate receiving an email to update the status of their order. We may also need to contact customers by phone, postal mail, or email if questions occur regarding their orders.

When you shop at the The Plantsman store, or visit us online, it is also an opportunity for you to provide us with information and feedback that helps us continue to expand our understanding of your needs and wants.

### **Secure Information Under Lock And Key**

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We take the following steps to protect our customers' personal information against loss, misuse, and alteration. We use encryption technology whenever receiving and transferring your personal information on our site.

When you make a purchase online, either a solid key or a locked padlock icon will appear in the lower right of your browser window. This icon indicates that your transaction session is secured through Secure Sockets Layer (SSL). If one of these icons does not appear, please contact The

Plantsman at 800-827-2847 to complete your order. The Plantsman website uses SSL to communicate with secure browsers like Netscape, Firefox and Internet Explorer. These browsers encrypt your credit card and personal information in a way that makes it extremely difficult for anyone to intercept and misuse them while they are being transmitted between your computer and our server. Once you have completed your order online, our security procedures do not end. We take further precautions to protect the security and privacy of the information stored on our computer networks. Many of the systems which store your personal information are not connected to the Internet, reducing the likelihood of security breaches. Our systems are also housed in secure facilities, and access to your data by our employees is limited to a "need to know" basis, controlled by password protected systems, and monitored for abuse. If you are still unsure of giving your credit card over the Internet, please feel free to phone, fax, or mail your order to us. For telephone ordering or assistance, please call 248-916-8550. Or, send your order to: The Plantsman, 7839 Curtis Road Northville, MI 48168.

In addition, The Plantsman uses ScanAlert to check our website daily to ensure maximum security of our site.

### **Bringing Your Information Up To Date**

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Updating your contact information is quick and easy. Simply contact us. Include your previous and current full name, mailing address, email address and phone number. Updates can take from 1 business day to process from the date we receive your request.

### **Information Sharing**

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Information sharing can provide an important variety of consumer networking. By providing new connections and introducing new resources to our customers, you may discover new opportunities and products well suited to your interests and needs. With that end in mind, when you make a purchase, your customer information is shared with other select companies whose products and services you may find beneficial.

### **Information Sharing Is Up To You**

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We respect and appreciate that not all customers may wish to benefit from the opportunity to share information with other select companies. If you do not want The Plantsman to share your customer information, please immediately contact us and we will remove your name from lists we share with other companies. After the 1 business day time period it takes to process your request, your information will no longer be shared. When contacting us, it is important to clearly state your request, including your name, mailing address, email address, and phone number.

It is important to understand that your information must be shared with some companies or online partners in order to receive their services. By agreeing to share information, our customers may have the opportunity to participate in a broader array of services and offerings.

### **You May Remove Your Name From Our Lists At Any Time**

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To delete your name from the The Plantsman email mailing list, simply contact us. Be sure to provide your full name, mailing address, email address, and phone number. We appreciate your patience as it may take up to 1 business day to process your request from the date of receipt. When you make subsequent purchases at The Plantsman, you may provide contact information for customer service only and request that your name not be forwarded to either mailing list.

### **Children's Privacy Statement**

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The Plantsman adheres to a strict privacy code regarding children and does not knowingly accept personal information from any child. If it is brought to our attention that a subscriber is under age, we will immediately remove all personal and identifiable information from our records in compliance with the Online Children's Privacy Protection Act of 1998. In addition, we will not disclose this information to any other companies.

This children's privacy statement explains our practices with respect to the online collection and use of personal information from children under the age of thirteen, and provides important information regarding their rights under federal law with respect to such information.

- The Plantsman's website is not directed to children under the age of thirteen and we do NOT knowingly collect personally identifiable information from children under the age of thirteen as part of our website. If we become aware that we have inadvertently received personally identifiable information from a user under the age of thirteen as part of our site, we will delete such information from our records. If we change our practices in the future, we will obtain prior, verifiable parental consent before collecting any personally identifiable information from children under the age of thirteen.
- Because we do not collect any personally identifiable information from children under the age of thirteen as part of our business, we also do NOT knowingly distribute such information to third parties.
- We do NOT knowingly allow children under the age of thirteen to publicly post or otherwise distribute personally identifiable contact information through our website.
- Because we do not collect any personally identifiable information from children under the age of thirteen as part of our website, we do NOT condition the participation of a child under thirteen in the website's online activities on providing personally identifiable information.

## Collection Of Information

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For each visitor to The Plantsman website, The Plantsman's Web server automatically recognizes, collects and/or stores information such as the visitor's IP address/Domain name combination and any referring sites. The Plantsman may use several technologies to accomplish this. Examples of such technologies are cookies and Web beacons.

When you visit The Plantsman's website or advertisements appearing thereon, use one or more of the The Plantsman website services, or receive emails from The Plantsman, we may use an industry-wide technology called "cookies" which stores certain information on your computer and which will allow us to customize your experience to better match your interests and preferences or to simply facilitate your signing in to use the services. "Cookies" are small amounts of data that are stored on your computer. They find their way to your browser via a Web server. They sound friendly and helpful because they are. They flag information about your activity on our website and store items in the shopping cart. This information helps us improve our site and make it friendlier and easier to use. We never use cookies to save passwords, credit card numbers or other highly confidential information.

Most browsers will allow you to erase cookies from your computer hard drive, block acceptance of cookies, or receive a warning before a cookie is stored. However, if you block or erase cookies, we may not be able to restore any preferences or customization settings you previously specified, and our ability to personalize your online experience would be limited. Please refer to your browser instructions or "help" screen to learn more about these functions.

The Plantsman may also itself use, or engage third parties to use, Web beacons for researching certain usage and activities on our website. The information collected by The Plantsman or requested from third parties through these Web beacons is in an aggregate, non-individually identifiable form and is used to find out more about users including demographic information and usage patterns for more accurate reporting and to improve the effectiveness of our marketing. The Plantsman may also itself use, or engage third parties to use, pixel tags or other technology to research or track your usage activities with respect to emails from us.

The Plantsman may ask you to provide "personal information", meaning individually identifiable information such as your email address, name, mailing address, telephone number, credit card number, or persistent identifier (such as a customer number held in a cookie) which is associated with individually identifiable information, to enable you to participate in contests, chat rooms, on bulletin boards, to fill out a registration, or to order products and services using this site. The Plantsman may combine the information you provide on our website with information

we may collect offline from you or from third parties so that we can more effectively tailor our site, services and offerings to you.

## **Use And Disclosure Of Anonymous Aggregated Information**

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The Plantsman may also collect, aggregate and maintain anonymous information about you, such as your hobbies, interests, purchasing habits, music preferences, and the like. This data can then be used to tailor The Plantsman's promotions, advertising, and communications to deliver a better experience for you. The Plantsman may also share such aggregate information with advertisers, business partners, sponsors, and other third parties; for example, to inform them about the percentage of male/female visitors to our site or the percentage of home gardeners vs farm owners, etc.

## **Ad Servers**

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With respect to Ad Servers, The Plantsman does not partner with or have special relationships with any ad server companies.

## **Security**

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The Plantsman makes reasonable efforts to maintain the security of your personal information in order to prevent unauthorized access to it through the use of technology and internal procedures. However, The Plantsman does not guarantee that unauthorized access will never occur.

## **Partnerships**

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We currently contract with online partners to help manage and optimize our Internet business and communications. We use them to send emails that you have agreed to receive. Web cookies are used in those email messages and at our website to help us measure the effectiveness of those emails. You can "opt out" of this email cookie at any time by deleting your name from the The Plantsman email mailing list. We reserve the right to change email providers at any time.

We may also contract with other partners to help us assess visitation to the The Plantsman site. To do this, we place small pixel tags and cookies on our site. While these do allow for tracking of your visits, the data retrieved cannot be used for any reason without our authorization. We control how that data may and may not be used.

## **Information Disclosed If Required By Law**

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If required by law, The Plantsman may provide any and all information we have about you to law enforcement or other government agencies, pursuant to a subpoena, warrant, or other order by a court of competent jurisdiction. In all cases, we will require written documentation of the request, proof of the identity of the law enforcement official making the request, and we will take reasonable steps to authenticate the validity of the request. Any law enforcement or government agency request submitted with less than a court-issued order will be evaluated on a case-by-case basis according to the need and urgency, as well as the particular law enforcement agency making the request.

## **A Privacy Promise**

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We support and adhere to the guidelines and practices adopted by the Direct Marketing Association's "Privacy Promise." In doing so, we agree to comply with a customer's request to not share their information with other companies or to contact them for marketing purposes by postal mail, telephone or email.

If at any time, as a customer, you believe The Plantsman has not complied with its Privacy Policy, please contact us. You may also contact the DMA's Committee on Ethical Business Practices at [mgoldberger@the-dma.org](mailto:mgoldberger@the-dma.org), state or local chapters of the Better Business Bureau, state or local consumer protection office, The Federal Trade Commission by phone at 202-FTC-HELP (202-382-4357) or electronically at <http://www.ftc.gov/ftc/complaint.htm>.

## **Privacy Policy Updates**

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Efforts to bring new services, ideas and partners to benefit our customers may make it necessary for us to create a new Privacy Policy. If this occurs, we will post the new policy on our website and also inform you via our direct mail communications. Once posted, the new policy will go into effect immediately, replacing any previously stated policy.

The Plantsman may also amend our current Privacy Policy at any time. If we amend this Privacy Policy to permit material changes in the way we collect, use, and/or share your personal information, we will notify you of such amendment by sending you an email at the last email address that you provided us, and/or by prominently posting notice of such amendment on the websites covered by this Privacy Policy. Any such amendment to this Privacy Policy will be effective thirty (30) calendar days following either our dispatch of an email notice to you or our posting of notice of the changes on the websites covered by this Privacy Policy.

Please note that, at all times, you are responsible for updating your personal information to provide us your current email address. In the event that the last email address that you have provided us is not valid, or for any other reason is not capable of delivering to you the notice described above, our dispatch of the email containing such notice will nonetheless constitute effective notice of the amendment described in the notice. In any event, an amendment to this Privacy Policy may permit material changes in the way we use and share personal information that you provided us prior to our notification to you of such amendment. If you do not wish to allow such material changes, you must notify us (in the manner we specify) prior to the effective date of the amendment. If you provide us this notice, we may choose to deactivate your account. Please be advised, however, that, regardless of whether you provide such notice to us, any such amendment to this Privacy Policy will apply to any personal information that you provide us on or after the effective date of such amendment.

The effective date of this The Plantsman Privacy Policy is August 1, 2020. It replaces all prior privacy policies issued by The Plantsman. We reserve the right to change The Plantsman Privacy Policy at any time. Any changes to our Privacy Policy will be reflected in the updated version displayed at our corresponding website.

### **Questions Regarding The Plantsman Privacy Policy**

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If you have any questions regarding our Privacy Policy, we will do our best to answer them. Here's how to contact us:

**Email:** [info@ThePlantsman.com](mailto:info@ThePlantsman.com)

**Postal:** 7839 Curtis Road, Northville, MI 48168, United States

**Phone:** 248-916-8550 (Customer Service)

**Fax:** It is 2023. Who uses a fax?

**Hours of Operation:** Monday-Friday, 8am-8pm, ET.

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### **YOUR CALIFORNIA PRIVACY RIGHTS**

California Residents:

California Civil Code Section 1798.83, also known as the "Shine The Light" law, permits our customers who are California residents to request and obtain from us once a year, free of charge, information about the personal information (if any) we disclosed to third parties for direct



marketing purposes in the preceding calendar year. If applicable, this information would include a list of the categories of personal information that was shared and the names and addresses of all third parties with whom we shared information in the immediately preceding calendar year. If you are a California resident and would like to make such a request, please submit your request in writing to: The Plantsman; 7839 Curtis Road, Northville MI 48168, United States.

If you are a resident of California, in addition to the rights set forth above, you have the right to request information from us regarding the manner in which we share certain categories of personal information with third parties and Affiliates for their direct marketing purposes. California law gives you the right to send us a request at a designated address to receive the following information:

- the categories of information we disclosed to third parties for their direct marketing purposes during the preceding calendar year;
- the names and addresses of the third parties that received that information; and
- if the nature of the third party's business cannot be determined from their name, examples of the products or services marketed.

We may provide this information in a standardized format that is not specific to you. The designated email address for these requests is [info@Plantsmangroup.com](mailto:info@Plantsmangroup.com).

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### **Your Rights Under the California Consumer Privacy Act**

This "Your Rights Under the California Consumer Privacy Act" section is referred to as the "CCPA Notice", and this CCPA Notice is effective on January 1, 2020. The California Consumer Privacy Act ("CCPA") provides certain new rights to "consumers" who are residents of California, and this CCPA Notice explains how The Plantsman Group enables those rights for California residents who are customers or prospective customers using our services, and explains our California personal information practices as required by CCPA.

Please note that CCPA will be supplemented by regulations to be adopted under California law, and this CCPA Notice may be updated to reflect the adoption of such regulations. CCPA requires a summary of personal information practices for the prior twelve months, updated annually, and that summary is reflected in this CCPA Notice. We may update this CCPA Notice more frequently than annually to reflect changes in how.

This CCPA Notice, supplements our other privacy notices and policies and shall govern in the event of a conflict between this CCPA Notice or other privacy notices and policies. However, if any other notice about CCPA is provided at the point of collection, then that other notice shall govern in the event of a conflict with this CCPA Notice as permitted by applicable law.

NOTE FOR NON-CUSTOMERS OR PROSPECTIVE CUSTOMERS. Please note that this CCPA Notice does not apply to certain human resources data or business-to-business communications data, or those data subjects. If you would like information about human resources data or business-to-business communications data, please reach out to your contact at The Plantsman Group.

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## **Collected Personal Information**

### **Categories of Personal Information**

The Plantsman may collect personal information about customers and other users of our services who are California consumers including personal information within the following categories: identifiers; individual records; characteristics of protected classifications under California or federal law; commercial information; biometric information; internet or other electronic network activity information; geolocation data; audio, electronic, visual, or similar information; professional or employment-related information; education information; and inferences information. The personal information described in this paragraph reflects categories of personal information, disclosure of which is required by CCPA.

### **Other Personal Information**

We may collect other information that meets CCPA's definition of personal information but is not reflected by a category. If we do collect such other information, we will treat it as personal information as required by the CCPA, but will not include it when we are required to describe our practices by category of personal information.

Non-Personal Information. As permitted by applicable law, we do not treat de-identified data or aggregate consumer information as personal information, and we reserve the right to convert, or permit others to convert, personal information into de-identified data or aggregate consumer information. Also, as permitted by applicable law, we may choose not to treat publicly available information as personal information. CCPA does not require us to re-identify information or to keep personal information longer than we need it to respond to requests.

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## **Sources Of Personal Information**

The Plantsman Group collects personal information from different sources.

Personal information we collect from you. The Plantsman Group collects some personal information that you provide directly to us. This can include contact information, payment information, order information, communication information, feedback information, preferences information, pictures and videos that you send to us, and other information you provide to us. In addition, a customer may share personal information about other people with us, including recipients of purchases.

Personal information we collect automatically. The Plantsman Group collects some personal information automatically when you use our services. This can include browsing and use information; information about devices that you use to access The Plantsman Group's services; information collected through cookies, pixels, and similar technology.

Personal information we create. The Plantsman Group creates some personal information when you use our services or in the operation of our business. This can include analytics information; and inferences information.

Personal information we collect from third parties. The Plantsman Group collects personal information from other companies. This can include updated address and shipping instructions information; credit information; information from advertisers; information from Facebook, Instagram and other similar platforms; information that is collected automatically through your use of our services; information from entities that provide information that supplements personal information we already have.

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## **Uses Of Personal Information**

The Plantsman Group uses personal information for the following business or commercial purposes:

Account provision and maintenance, including creating and managing your account with The Plantsman Group; providing customer service; verifying customer information; and providing other services in the course of The Plantsman Group's business operations

Product sales and fulfillment, including selling products; processing and shipping orders to you or to recipients you designate; managing returns; processing refunds; managing warranties.

Customer service and communications, including responding to requests, comments, or questions through email, telephone calls, postal mail, chat functions; providing interest-based

advertising and other advertising, marketing and promotional content and messaging, managing and communicating through The Plantsman Group presences on social media platforms and other platforms; maintaining user forms and product review capabilities; reviewing recorded calls or content of other communications for quality or customer service purposes; responding to requests for information and taking action that may be requested under CCPA

Improving services and user experience, including creating and updating applications, websites, and other features or functionality used by The Plantsman Group; debugging to identify and repair errors that may affect how the services function; engaging in analytics related to improving services or user experience

Personalizing user experience and marketing, including targeted product display; targeted marketing and advertising through the services; marketing through emails, text messages, and other communications methods; re-targeted marketing and advertising across other websites, devices, and platforms; auditing related to the performance of The Plantsman Group's advertising and marketing efforts; engaging in analytics to personalize user experience

Fraud prevention and information security, including measures to verify identity when an account is used for ordering or when the account is otherwise accessed; detecting and responding to fraud or security incidents; protecting against other malicious, deceptive, or illegal activity

Legal obligations, including prosecuting people responsible for fraudulent, malicious, deceptive or illegal activities; defending claims; notifying of product recalls or other issues related to products; enforcing and notifying of The Plantsman Group's terms and conditions, privacy statement and other policies and changes to such terms and conditions, privacy statement and other policies

Payment-related activities, including processing payments, checking credit-worthiness, evaluating payment options, managing installment payment programs, and managing private label credit card programs

Conducting research, analytics, surveys, and focus groups to improve customer experiences, develop services and products, provide better marketing and advertising,

Product safety or quality activities

Short-term, transient use permitted under CCPA

Any other legal purpose consistent with our applicable privacy statements.

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## **Sales of Personal Information**

The concept of a "sale" under CCPA is different from what has traditionally been considered a "sale", e.g., selling a customer list for money. Under CCPA, a "sale" potentially includes other uses or disclosures of personal information to third parties outside The Plantsman Group in a commercial context where an exception to "sale" as provided by the CCPA does not exist. Because the concept of "sale" is arguably so broad under CCPA, The Plantsman Group may conceivably be deemed to "sell" personal information described in the following categories, even if such "sales" are not the exchange of that personal information for money: identifiers; individual records; characteristics of protected classifications under California or federal law; commercial information; internet or other electronic network activity information; geolocation data; audio, electronic, visual, or similar information; professional or employment-related information; and inferences information.

Please note that The Plantsman Group will treat your direction to The Plantsman Group to complete a transaction with us as your direction to have The Plantsman Group provide certain related personal information that may be included in your transaction to a small group of vendors who provide services to fulfill your transaction, and we do not treat that as a sale. These include payment processors, fraud prevention services, and shippers.

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## **Disclosures Of Personal Information**

In the furtherance of The Plantsman Group's business purposes, The Plantsman Group may disclose personal information that are within the following categories: identifiers; individual records; characteristics of protected classifications under California or federal law; commercial information; biometric information; internet or other electronic network activity information; geolocation data; audio, electronic, visual, or similar information; professional or employment-related information; and inferences information.

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## **CCPA RIGHTS**

### **Right Of Deletion**

If you are a consumer (as defined in CCPA), you have the right to request that The Plantsman Group delete any personal information about you that The Plantsman Group has collected from you, but CCPA permits The Plantsman Group to exclude some personal information from a deletion request if that personal information is necessary for The Plantsman Group to maintain for certain permitted purposes under CCPA. Accordingly, The Plantsman Group will comply with

deletion requests made under CCPA, but some personal information about you may be retained by The Plantsman Group, as permitted under CCPA.

How to exercise right of deletion: If you are a consumer (as defined in CCPA), you may exercise your right to request deletion of your personal information by clicking [here](#) or by calling 800-827-2847.

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### **Right To Opt-Out Of Sales**

The Plantsman Group may sell certain personal information that The Plantsman Group has collected about you as described above in the "Sales of Personal Information" section above. You can opt-out of sales of personal information by clicking below. However, please note that the concept of a CCPA "sale" is still evolving that affect how an opt-out of a CCPA "sale" is implemented, particularly where information may be exchanged or accessed through the use of cookies and similar technologies.

How to exercise right to opt-out of sales: If you are a "consumer" as defined under CCPA, you have the Right to Opt-Out of some sales of your personal information, and you may exercise your Right to Opt-Out by clicking [here](#) or by calling 800-827-2847.

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### **Right To Receive A Copy Of Personal Information And Other Information**

If you are a "consumer" as defined in CCPA, then you have the right to request that The Plantsman Group disclose to you the following information:

- The categories of personal information The Plantsman Group has collected about you.
- The categories of sources from which the personal information about you is collected.
- The business or commercial purpose for collecting or selling personal information about you.
- The categories of third parties with whom The Plantsman Group shares personal information about you.
- The specific pieces of personal information The Plantsman Group has collected about you.

How to exercise right to receive a copy of personal information and other information: If you are a "consumer" as defined in CCPA, you may exercise your right to request a copy of the information described under this "RIGHT TO RECEIVE A COPY OF PERSONAL INFORMATION AND OTHER INFORMATION" section. You have the right to send us a request, no more than twice in a twelve-month period, by clicking [here](#) or by calling 800-827-2847.

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## **Right To Receive Information About Sales And Disclosures For Business Purposes Of Personal Information**

If you are a "consumer" as defined in CCPA, then you have the right to request that The Plantsman Group disclose to you the following information:

- The categories of personal information that The Plantsman Group has collected about you.
- The categories of personal information that The Plantsman Group sold about you and the categories of third parties to whom the personal information about you was sold.
- The categories of personal information that The Plantsman Group disclosed about you for a business purpose.

How to exercise right to receive information about sales and disclosures for business purposes of personal information: If you are a "consumer" as defined in CCPA, you may exercise your right to request a copy of the information described under this "RIGHT TO RECEIVE INFORMATION ABOUT SALES AND DISCLOSURES FOR BUSINESS PURPOSES OF PERSONAL INFORMATION" section by clicking [here](#) or by calling 800-827-2847.

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## **Right To Non-Discrimination**

If you are a "consumer" as defined in CCPA, then you have the right that a business shall not discriminate against you because you exercised rights under CCPA. However, we reserve the right to provide loyalty programs and other differential pricing and services as permitted by the CCPA, which will be subject to applicable terms and conditions of such programs. LIMITATION OF RIGHTS; COMPLIANCE WITH APPLICABLE LAW. Notwithstanding anything to the contrary in this CCPA Notice, we may collect, use and disclose personal information as required or permitted by applicable law and this may override CCPA rights. In addition, we need not honor any requests to the extent that doing so would infringe upon our or any other person or party's rights or conflict with applicable law.