

PRIVACY POLICY

Effective date: January 1, 2022

1. Purpose

The terms “NourishedRx,” “we,” and “us” include Project Well, Inc., DBA NourishedRx, and our affiliates and subsidiaries. This Privacy Policy explains our online and offline information practices, the kinds of information we may collect, how we intend to use and share that information.

2. Scope

This Privacy Policy applies to Personal Information that is collected and processed by NourishedRx in the course of our business, including on NourishedRx websites (each a “Site”), mobile applications, and other online or offline offerings (together with any and all future online and offline offerings operated by or on behalf of NourishedRx, the “Services”).

This Policy applies to all of NourishedRx’s operating divisions, subsidiaries, affiliates, and any additional subsidiary or affiliate of NourishedRx that we may subsequently form.

This Privacy Policy may change from time to time. You understand and agree that you will be deemed to have accepted the updated Privacy Policy if you use the Services after the updated Privacy Policy is posted on the Services. If at any point you do not agree to any portion of the Privacy Policy then in effect, you must immediately stop using the Services. If there are any material changes to this Privacy Policy, NourishedRx will notify you by email, by an alert through the Services, or as otherwise required by applicable law.

Definitions. The following capitalized terms shall have the meanings herein as set forth below.

“Agent” means any contractor, service provider, or agent of NourishedRx.

“Personal Information” is any information relating to or can reasonably be linked to an identified or identifiable natural person (“Individual”).

“Process” or “Processing” means any operation which is performed upon Personal Information, whether or not by automatic means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction.

“Sensitive Data” or “Sensitive Personal Information” is a subset of Personal Information which may consist of the following information, as defined under applicable data protection laws: (1) race or ethnic origin; (2) political opinions; (3) religious or philosophical beliefs; (4) trade union membership; (5) genetic data; (6) biometric data where Processed to uniquely identify a person; (6) PHI (as defined below); (7) sexual orientation or information about the Individual’s sex life; or (8) information relating to the commission of a criminal offense.

“Third-Party” is any company, natural or legal person, public authority, agency, or body other than the Individual, NourishedRx or NourishedRx’s Agents.

3. Transparency/Notice

Types of Personal Information We Collect And How We Use It

The types of Personal Information we may collect (directly from you or from Third-Party sources) and our privacy practices depend on the nature of the relationship you have with NourishedRx and the requirements of applicable law. Some of the ways that NourishedRx may collect Personal Information include:

- You may provide Personal Information directly to NourishedRx through interacting with the Services, participating in surveys, and requesting Services, or information.
- As you navigate the Services, certain passive information may also be collected about your visit, including through cookies and similar technologies as described below.
- Below are the ways we collect Personal Information and how we use it.

3.1 Types of Personal Information We Collect

NourishedRx collects Personal Information regarding its current, prospective, and former clients, users, visitors, guests (collectively “Individuals”).

Information You Provide Directly to Us. When you use the Services or engage in certain activities, such as registering for an account with NourishedRx, responding to surveys, requesting Services or information, or contacting us directly, we may ask you to provide some or all of the following types of information:

- Communications with Us. We may collect Personal Information from you such as name, email address, phone number or mailing address when you choose to request information about our Services, request to receive customer or technical support, or otherwise communicate with us. This may include any information you choose to provide in the message box on the “Contact Us” page of our Site.
- Registering for an Account. This is the Personal Information that is provided by you or collected by us, including through your health plan, to enable you to login and access your account and/or our Services. This may include your name, address, date of birth, email address, and phone number. You also have the option to provide us with some additional Personal Information in order to make your account more personalized.
- Surveys. If you use our Services, from time to time, we may contact you to participate in online surveys. If you do decide to participate, you may be asked to provide certain information which may include self-reported health information, and which may include information about your mental health. All information collected from your participation in our surveys is provided by you voluntarily. We may use such information to improve our Sites and Services and in any manner consistent with the policies provided herein.

- Automatic Data Collection. We may collect certain information automatically through our Services or other methods of web analysis, such as your Internet protocol (IP) address, cookie identifiers, mobile carrier, mobile advertising identifiers, MAC address, IMEI, Advertiser ID, and other device identifiers that are automatically assigned to your computer or device when you access the Internet, browser type and language, geo-location information, hardware type, operating system, Internet service provider, pages that you visit before and after using the Services, the date and time of your visit, the amount of time you spend on each page, information about the links you click and pages you view within the Services, and other actions taken through use of the Services such as preferences.
- Information Submitted Via Services. You agree that NourishedRx is free to use the content of any communications submitted by you via the Services, including any ideas, concepts, and feedback disclosed therein, for any purpose including developing, manufacturing, and/or marketing goods or Services.
- Information from Other Sources. We may receive information about you from other sources, including through Third-Party services and organizations such as your health plan. We may use this information to provide the Services. Information provided from your health plan may include Protected Health Information (“PHI”) as defined by the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”). You shall not submit PHI through the Services unless expressly directed by NourishedRx. This information may also allow us to verify information that you have provided to NourishedRx and to enhance our ability to provide you with information about our business and Services.

3.2 How NourishedRx Uses Your Information

We acquire, hold, use, and Process Personal Information about Individuals for a variety of business purposes, including:

- To Provide Services or Information Requested. NourishedRx may use information about you to fulfill requests for Services, or information, including information about potential or future Services, including to:
 - Place orders for services on your behalf through NourishedRx’s business partners
 - Generally manage Individual information and accounts;
 - Respond to questions, comments, and other requests;
 - Provide access to certain areas, functionalities, and features of NourishedRx’s Services;
 - Contact you to answer requests for customer support or technical support.
- To contact you with newsletters, marketing or promotional materials and other information that may be of interest to you.
- Administrative Purposes. NourishedRx may use Personal Information about you for its administrative purposes, including to:
 - Measure interest in NourishedRx’s Services;
 - Develop new products and Services;
 - Ensure internal quality control;
 - Verify Individual identity;

- Communicate about Individual accounts and activities on NourishedRx's Services and systems, and, in NourishedRx's discretion, changes to any NourishedRx policy;
- Send emails to the email address you provide to us to verify your account and for informational and operational purposes, such as account management, customer service, or system maintenance;
- Prevent potentially prohibited or illegal activities;
- Enforce our Terms.

Research and Development. NourishedRx may use Personal Information to create non-identifiable information that we may use alone or in the aggregate with information obtained from other sources, in order to help us to optimally deliver our existing products and Services or develop new products and Services. From time to time, NourishedRx may perform research (online and offline) via surveys. We may engage Third-Party service providers to conduct such surveys on our behalf. All survey responses are voluntary, and the information collected will be used for research and reporting purposes to help us better serve Individuals by learning more about their needs and the quality of the products and services we provide. The survey responses may be utilized to determine the effectiveness of our Services, various types of communications, advertising campaigns, and/or promotional activities. If an Individual participates in a survey, the information given will be used along with that of other study participants. We may share anonymous Individual and aggregate data for research and analysis purposes.

Email. Individuals who provide us with Personal Information, or whose Personal Information we obtain from Third Parties, may receive periodic emails, newsletters, mailings, or phone calls from us with information on NourishedRx's or our business partners' products and services or upcoming special offers/events we believe may be of interest. Individuals may decline these communications by following the instructions in Section 5 below.

Services via Mobile Devices. From time to time, NourishedRx may provide Services that are specifically designed to be compatible and used on mobile devices. NourishedRx will collect certain information that your mobile device sends when you use such Services, like a device identifier, user settings, location information, mobile carrier, and the operating system of your device. Mobile versions of NourishedRx's Services may require that users log in with an account. In such cases, information about use of mobile versions of the Services may be associated with accounts.

Anonymous and Aggregated Information Use. NourishedRx may use Personal Information and other information about you to create anonymized and aggregated information, such as de-identified demographic information, de-identified location information, information about the computer or device from which you access NourishedRx's Services, or other analyses we create. Anonymized and aggregated information is used for a variety of functions, including the measurement of visitors' interest in and use of various portions or features of the Services. Anonymized or aggregated information is not Personal Information, and NourishedRx may use such information in a number of ways, including research, internal analysis, analytics, and any other legally permissible purposes. We may share this information within NourishedRx and with Third Parties for our or their purposes in an anonymized or aggregated form that is designed to prevent anyone from identifying you.

3.3 Cookies, Pixels Tags/Web Beacons, Analytics Information, and Interest-Based Advertising

We, as well as Third Parties that provide content, advertising, or other functionality on our Services, may use cookies, pixel tags, web beacons, and other tracking technologies ("Technologies") to automatically collect information through the Services. We use Technologies that are essentially small data files placed on your computer, tablet, mobile phone, or other devices (referred to collectively as a "device") that allow us to record certain pieces of information whenever you visit or interact with our sites, services, applications, messaging, and tools, and to recognize you across devices.

Cookies. Cookies are small text files placed in visitors' computer or device browsers to store their preferences. You may be able to block and delete cookies by changing the settings on your browser or device. However, if you do that, the Site may not work properly.

Pixel Tags/Web Beacons. A pixel tag (also known as a web beacon) is a piece of code embedded on the Site that collects information about users' engagement on that web page. The use of a pixel allows us to record, for example, that a user has visited a particular web page or clicked on a particular advertisement.

Our uses of such Technologies fall into the following general categories:

- Operationally Necessary. We may use cookies, web beacons, or other similar technologies that are necessary to the operation of our Sites, Services, applications, and tools. This includes technologies that allow you access to our Sites, Services, applications, and tools; that are required to identify irregular site behavior, prevent fraudulent activity and improve security; or that allow you to make use of our functions such as shopping-carts, saved search, or similar functions;
- Performance Related. We may use cookies, web beacons, or other similar technologies to assess the performance of our Sites and Services, applications and tools, including as part of our analytic practices to help us understand how our visitors use our Sites, determine if you have interacted with our messaging, determine whether you have viewed an item or link, or to improve our Site content, Services, applications or tools;

- Functionality Related. We may use cookies, web beacons, or other similar technologies that allow us to offer you enhanced functionality when accessing or using our Sites, Services, applications, or tools. This may include identifying you when you sign into our Sites or keeping track of your specified preferences, interests, or past items viewed so that we may enhance the presentation of content on our Sites;
- Advertising or Targeting Related. We may use first-party or third-party cookies and web beacons to deliver content, including ads relevant to your interests, on our Sites or on third party sites. This includes using technologies to understand the usefulness to you of the advertisements and content that has been delivered to you, such as whether you have clicked on an advertisement.
- If you would like to opt out of the Technologies we employ on our Sites, Services, applications, or tools, you may do so by blocking, deleting, or disabling them as your browser or device permits.

3.4 Third-Party Websites

The Site may contain links to other websites and other websites may reference or link to our Site or other Services. These other domains and websites are not controlled by us, and NourishedRx does not endorse or make any representations about Third-Party websites or social media platforms. We encourage our users to read the privacy policies of each and every website and application with which they interact. We do not endorse, screen or approve, and are not responsible for the privacy practices or content of such other websites or applications. Visiting these other websites or applications is at your own risk.

4. Onward Transfer

We may share your information as described in this Privacy Policy with our Third-Party service providers; to comply with legal obligations; to protect and defend our rights and property; with your permission; and as otherwise set forth below.

- **We Use Vendors and Service Providers.** We may share any information we receive with vendors and service providers. The types of service providers to whom we entrust Personal Information include service providers for:
 - (i) provision of IT, hosting providers, and related services;
 - (ii) provision of information and services you have requested;
 - (iii) payment processing;
 - (iv) customer service activities;
 - (v) in connection with the provision of the Site and Services;
 - (vi) marketing and advertising service providers; and
 - (vii) web analytics service providers.
- **Business Partners.** We may share Personal Information with our business partners, including food service vendors, and affiliates for our and our affiliates' internal business purposes or to provide you with a Service that you have requested. We may also provide Personal Information to business partners with whom we may jointly offer products or services, or whose products or services we believe may be of interest to you. In such cases, our business partner's name may appear, along with us.

- Health Plans. We may share Personal Information with your health plan as part of the Services that you have requested.
- Disclosures to Protect Us or Others (e.g., as Required by Law and Similar Disclosures). We may access, preserve, and disclose your Personal Information, other account information, and content if we believe doing so is required or appropriate to:
 - (i) comply with law enforcement or national security requests and legal process, such as a court order or subpoena;
 - (ii) respond to your requests;
 - (iii) protect yours', ours' or others' rights, property, or safety;
 - (iv) to enforce our policies or contracts;
 - (v) to collect amounts owed to us;
 - (vi) when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss or in connection with an investigation or prosecution of suspected or actual illegal activity; or
 - (vii) if we, in good faith, believe that disclosure is otherwise necessary or advisable.
- In addition, NourishedRx may share your Personal Information with Third Parties where required by applicable law, where it is necessary in connection with our Services, or where we have another legitimate interest in doing so.
- Merger, Sale, or Other Asset Transfers. If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of company assets, or transition of service to another provider, then your information may be shared or transferred as part of such a transaction.

5. Opt-Out of Communications

5.1 General

You have the right to object to and opt out of certain uses and disclosures of your Personal Information as set forth below.

5.2 Email and Telephone Communications

If you would like to opt out of marketing-related email or text message communications from us, you can use the unsubscribe link found at the bottom of the email to opt out of receiving future marketing emails, by replying "STOP" if you receive NourishedRx SMS communications, or by contacting us as set forth in this Privacy Policy. NourishedRx will not send text message communications to you without your prior consent. We will process your request within a reasonable time after receipt. Note that you will continue to receive transaction-related emails and SMS communications regarding Services you have requested. We may also send you certain transactional communications regarding NourishedRx and our Services (e.g., communications regarding updates to our Terms or this Privacy Policy).

We maintain telephone "do-not-call" and "do-not-mail" lists as mandated by law. We process requests to be placed on do-not-mail, do-not-phone and do-not-contact lists within 60 days after receipt, or such shorter time as may be required by law.

5.3 “Do Not Track”

Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. DNT is a way for users to inform websites and services that users do not want certain information about their webpage visits collected over time and across websites or online services. Please note that we do not respond to or honor DNT signals or similar mechanisms transmitted by web browsers.

5.4 Cookies and Interest-Based Advertising

As noted above, you may stop or restrict the placement of cookies on your computer or remove them from your browser by adjusting your web browser preferences, if permitted by your device or browser. Please note that cookie-based opt-outs are not effective on mobile applications. However, on many mobile devices, application users may opt out of certain mobile ads via their device settings.

To be clear, whether you are using our opt-out or an online industry opt-out, these cookie-based opt-outs must be performed on each device and browser that you wish to have opted-out. For example, if you have opted-out on your computer browser, that opt-out will not be effective on your mobile device.

6. Update Information

You may request that we correct or amend your Personal Information where it is inaccurate through your account or otherwise by sending an e-mail to food@nourishedrx.com.

7. Data Retention

NourishedRx retains the Personal Information we receive as described in this Privacy Policy for as long as you use our Services or as necessary to fulfill the purpose(s) for which it was collected, provide our Services, resolve disputes, establish legal defenses, to comply with legal, accounting, or reporting obligations, pursue legitimate business purposes, enforce our agreements, and comply with applicable laws. Additionally, we may continue to store your Personal Information in our standard back-ups.

8. Security of Your Information

We take steps to ensure that your information is treated securely and in accordance with this Privacy Policy. Unfortunately, the Internet cannot be guaranteed to be 100% secure, and we cannot ensure or warrant the security of any information you provide to us. Any transmission of Personal Information is at your own risk.

By using the Site or Services or providing Personal Information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues relating to your use of the Site or Services.

9. Sensitive Information

Subject to the following paragraph, we ask that you not send us, and you not disclose, any Sensitive Personal Information on or through the Site or Services or otherwise to us.

If you send or disclose any Sensitive Personal Information to us, you consent to our processing and use of such Sensitive Personal Information in accordance with this Privacy Policy. If you do not consent to our processing and use of such Sensitive Personal Information, you must not submit such content to our Services.

10. Redress/Compliance and Accountability

If you have any questions about our privacy practices or this Privacy Policy, please contact NourishedRx by email at food@nourishedrx.com.

11. Policy on Children's Information

Our Services are not directed at children. We do not knowingly collect personally identifiable information from anyone under the age of 13. If you are a parent or guardian and you are aware that your child has provided us with Personal Information, please contact us through one of the methods provided in this Privacy Policy. If we become aware that we have collected Personal Information from children without verification of parental consent, we will take reasonable steps to remove that information from our servers.

For more information about the Children's Online Privacy Protection Act ("COPPA"), which applies to websites that direct their services to children under the age of thirteen (13), please visit the Federal Trade Commission's website <https://www.ftc.gov/tips-advice/business-center/guidance/complying-coppa-frequently-asked-questions>.

By participating in this program, I acknowledge that I have read and understood NourishedRx's Privacy Policy.