

# USANA Privacy Policy

*Last update November 2, 2022*

USANA Health Sciences, Inc. and its worldwide subsidiaries and affiliates, jointly and severally referred as to “**USANA**”, “**we**”, “**us**”, “**our**” and “**ours**”, would be committed to protecting the privacy and security of your personal data.

This policy describes how and why we collect, hold, process and use your personal data, your rights in relation to your personal data, and how to contact us in the event you have a complaint, in accordance with data privacy and security laws applicable to you in your country, including *the Personal Data Protection Law (PIPL) of the People’s Republic of China, the California Consumer Privacy Act (CCPA) (California), the Personal Data Protection Act of Korea, the Personal Data Protection and Electronic Documents Act in Canada, the Data Privacy Act of 2012 in the Philippines, the Privacy Act in Australia, the Federal Law on Protection of Personal Data Held by Private Parties in Mexico, the Personal Data Protection Act of Singapore, the General Data Protection Regulation (GDPR)*, and any other applicable laws, regulations and secondary legislations, as amended or updated from time to time, in the relevant jurisdiction to which the processing relates (collectively, the “**Data Protection Legislation**”).

This policy applies to you when USANA processes your personal data, including when you:

- Visit our website or any microsites, online shopping websites, or other websites provided and operated by us, or other web site operated by third parties on behalf of us that post a link to this policy (collectively, “**USANA Website**”),
- Enroll as an Associate, Affiliate, or Preferred Customer on the Hub, through Customer Service, in person, or otherwise,
- Buy our products online, over the phone, through Customer Services, or in person,
- Create an account with us,
- Engage with our promotions, surveys or provide marketing response to our engagement activities,
- Register for events (including USANA conventions, incentive trips, promotions, or sales events) or travel,
- Elect to receive newsletters or product updates and offers, or
- Contact us in any other way.

It is important the personal data USANA holds about you is accurate and current. Please keep USANA informed if your personal data changes. Any inaccurate or false information may prevent us from providing services to you or lead to a delayed service.

## 1. Who are we?

USANA is an established leader in the health and wellness industry and develops, manufactures and sells nutritional supplements, foods, energy, personal care and skincare products. USANA incorporated in the state of Utah in the U.S. with the registered office at 3838 W Parkway Blvd, Salt Lake City, UT 84120, USA. USANA operates at worldwide offices. To know the entity acting as a data controller for the processing of your personal data, please click the “Contact US” link on the USANA Website homepage.

For the purpose of the Data Protection Legislation, we are the “data controller” or the similar concept. This means that we are responsible for deciding how we hold and use personal data about you. We are required under the Data Protection Legislation to notify you of the information contained in this policy.

## 2. How to contact us

Should you have any questions regarding this policy, you can contact our Data Protection Officer either by post: Data Protection Officer, 3838 W Parkway Blvd, Salt Lake City, UT 84120, USA, or by email: [dataprivacy@usanainc.com](mailto:dataprivacy@usanainc.com) or the local Data Protection Officer as follows. Please mark all correspondence with: “FAO Data Protection Officer”.

You may also contact the data protection officer using the contact details provided in “Contact Us” link at the bottom of USANA Website homepage to the extent that a local data protection officer is required under the applicable Data Protection Legislation.

## 3. What personal data do we collect?

The personal data refers to any information which you provide to us that relates to an identified or identifiable individual. The personal data we collect might include:

- Your personal details, such as when use USANA Website, your IP address and traffic data,
- Location data, weblogs and other communication data, and
- The resources that you access; when you fill in forms on USANA Website, subscribe to any service, request further services, or contact us about USANA products and services; when you contact us, we may keep a record of that correspondence.

In the event that you determine to order any products or services from USANA, we may need to further process your first name, last name, email address, mobile number, domicile country, postal code, payment card details, delivery address, etc.

If you are or intend to become a Retail Customer, Preferred Customer, Affiliate or Associate of USANA, or in any way interact with us, we will hold personal data about you relevant to our relationship with you, in accordance with applicable internal and statutory rules and policies. If you provide USANA with any personal data of other individuals (for example, your downline, customers, spouse or dependents), it is your responsibility to inform them of this policy and their rights with respect to such data, to comply with applicable law in processing their personal data, and to obtain the appropriate consent of those individuals where legally required.

We may collect information from our Retail Customers, which includes:

- **Personal detail:** Name, email address, phone number, mailing address;
- **Transaction details:** bank account and payment/credit card details, and other details about payments to and from you and about products and services you have purchased or seem to prefer from us, etc;
- **Technical details:** includes IP address, geolocation data, your login data, traffic data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, username and password, and other technology

on the devices you use to access USANA Websites, analytics, search history, website usage;

- **Detail on personal devices:** hardware model, device MAC address, operating system type, software list, unique device identification code, etc., that describe the basic status of the commonly used personal devices, etc.]

We may collect personal data from our Preferred Customers, which includes:

- **Personal details:** Name (first, middle, last, or similar identifier), domicile country, mailing address, email address, phone number, date of birth, gender, etc.;
- **Identity details:** tax ID number, ID card, passport (usually for those traveling internationally), marriage certificate (if registering with a spouse in certain markets), or other identifying documentation;
- **Technical details:** includes IP address, geolocation data, your login data, traffic data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, username and password, and other technology on the devices you use to access USANA Websites, analytics, search history, website usage;
- **Transaction details:** bank account and payment card details, delivery address, billing address, registered information with bank, correspondence record, transaction and consumption records, coupons, and other details about payments to and from you and about products and services you have purchased or seem to prefer from us. etc.;
- **Marketing and Communications details:** your preferences in receiving marketing from us and your communication preferences;
- **Detail on personal devices:** hardware model, device MAC address, operating system type, software list, unique device identification code, etc., that describe the basic status of the commonly used personal devices, etc.

We may collect personal data from our Affiliates, which includes:

- **Personal details:** Name (first, middle, last, or similar identifier), phone number, email address, date of birth, etc.;
- **Transaction details:** bank account and payment/credit card details, and other details about payments to and from you and about products and services you have purchased or seem to prefer from us. etc.;
- **Technical details:** includes IP address, geolocation data, your login data, traffic data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, username and password, and other technology on the devices you use to access USANA Websites, analytics, search history, website usage;
- **Detail on personal devices:** hardware model, device MAC address, operating system type, software list, unique device identification code, etc., that describe the basic status of the commonly used personal devices, etc.

We may collect personal data from our Associates, which includes:

- **Personal details:** Name (first, middle, last, or similar identifier), marital status, title, date of birth, country of citizenship, first language, and gender;

- **Identity details:** tax ID number, ID card, driver's license number, passport (usually for those traveling internationally), marital status, marriage certificate (if registering with a spouse in certain markets), or other identifying documentation;
- **Contact details:** includes billing address, delivery address, email address, social media handles, and mobile numbers;
- **Transaction details:** bank account and payment card details, delivery address, billing address, registered information with bank, correspondence record, transaction and consumption records, coupons, photocopy of bank card, and other details about payments to and from you and about products and services you have purchased from us or seem to prefer. etc.;
- **Technical details:** IP address, geolocation data, device ID, your login data, traffic data, browser type, and version, time zone setting and location, browser plug-in types and versions, operating system and platform, username and password, and other technology on the devices you use to access USANA Websites, analytics, search history, website usage;
- **Profile details:** includes your username and password, your interests, preferences, feedback, and survey responses;
- **Marketing and Communications details:** your preferences in receiving marketing from us and our third parties and your communication preferences, survey responses.

If you fail to provide certain personal data when requested, it may delay or prevent us from providing our products and services to you, performing the contract we have entered into with you, and/or we may be prevented from complying with our legal obligations. In short, we may have to terminate our business relationship with you.

The categories and scope of personal data we collect about you may vary from time to time, depending on your choice of and interaction with our products and services, as well as the country or region in which you live.

Some of the personal data we request from you in connection with providing you with products and services is mandatory. In the event that you elect to not provide such personal data to us, we may not be able to provide you with our products and services. In those circumstances, we may have to end our business relationship with you. We will seek to notify you if this is the case in due course.

Your personal data will be used and disclosed by USANA only for the purposes for which it was provided, unless you agree otherwise or for other specific reasons such as if the use or disclosure of this information is required by law.

### ***Sensitive personal data***

Depending on the applicable Data Protection Legislation and the nature of the services provided by us, some of the information we collect may be sensitive personal data. For example, USANA may process your bank card information to process your payment. We may also collect other sensitive personal data about you based on our local practice from time to time. We will only collect sensitive personal data about you in accordance with the applicable Data Protection Legislation, such as on the basis of your appropriate consent.

### ***Minor's personal data***

We do not knowingly solicit or collect personal data from anyone under the age of 18, or the minimum age of minors under the applicable laws of your jurisdiction (whichever is higher).

However, due to the technical limitations, we may not be able to identify the exact age of our users under certain circumstances. If you have not yet reached the minimum age defined in your jurisdiction, please do not use our service or disclose any of your personal data to us.

#### **4. Why do we process your personal data?**

Where lawfully permitted, USANA may process your personal data for the following purposes:

- Process your Associate/ Preferred Customer/ Affiliates application, account creating, authentication, and management (managing user logins, passwords and profiles);
- Carry out our rights and obligations arising from any agreements entered into between you and us (including to process, fulfill and notify you of the status of your product order, to process one-time or recurring payments, to process your product return and exchange request, and to provide you customer service);
- Provide Preferred Customer/Associate/Affiliates services such as planning and facilitating meetings and training or Associate/Affiliates benefits;
- General administration, including eligibility and payments under the Compensation Plan;
- Prevent and detect fraud against you or us;
- Ensure business policies are adhered to and the confidentiality of commercially sensitive information);
- Allow you to participate in interactive features of our service when you choose to do so;
- Send you the latest marketing information about our company, events, product/service specials, where you have consented to be contacted for such purposes;
- To facilitate communication between you and your sponsors and upline business leaders; publish USANA newsletters that may contain personal information (such as name, country, rank);
- Create promotional materials, statistical analysis, policies, marketing plans and strategies, company and intra-group communications, downline genealogy reports or other related business issues;
- Perform analytics in order to provide you with better services, to know your preferences and targeted communication;
- Improve existing products and services, research and develop new products and services;
- Register for events;
- Facilitate and improve your use of the USANA Website;

- Prevent unauthorised access and modifications to IT systems;
- Comply with applicable laws and regulatory requirements and assist with any governmental or police investigation; and
- Other purposes directly relating to any of the above.

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you, seek your appropriate consent, or we will explain the legal basis other than the consent which allows us to do so.

## **5. Our legal basis of processing personal data?**

If required by applicable Data Protection Legislation, we will seek to obtain your consent to process your personal data, and only process your personal data upon receiving such consent. When required and allowed by applicable Data Protection Legislation, we may process your personal data for a legitimate interest, for purposes necessary for the performance of a contract with you, for example for the processing or fulfilment of orders for our products or services, or for complying with our legal obligations.

## **6. Direct marketing communications**

Subject to your consent, we may use your personal data to send you marketing updates (by email, text message, or post) about our services, including special offers, promotions, incentives or other information in terms of our products/services we think may be of interest to you.

In connection with such marketing, we may use your name, contact details, products and services portfolio information, transaction pattern and behaviour, financial background, and demographic data held by us.

Where data are processed for the purposes of direct marketing, you have the right to opt out of receiving direct marketing communications at any time and we will arrange effective procedures accordingly allowing you at any time to “opt-out” from having your data used for such purposes.

We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business. Please find detailed information about our Direct Communication Policy linked on the USANA Website homepage.

## **7. To whom we may disclose or transfer your personal data**

### ***Why might USANA share your personal data with third parties?***

USANA will share your personal data with third parties where required by law, where it is necessary to perform the contract we have entered into with you, based on your appropriate consent or other legal bases as legally permitted.

### ***Which third parties may receive and process your personal data?***

Where applicable Data Protection Legislation permitted, USANA may share such data from time to time with the following third parties, which will be bound by confidentiality and data protection obligations:

- Other entities within the USANA group (“**USANA Organization**”), those USANA employees, directors, managers, and its local and foreign associated/affiliated companies who have a need to access your personal data to carry out their responsibilities, if necessary for (one of) the purposes listed in this Policy. The “Contact Us” link on the USANA Website homepage lists the entities within the USANA Organization. Such data access will strictly take place on a “need to know” basis in order for the recipients to fulfill the processing purposes in their capacity;
- Sponsors and Upline business leaders who may need access to downline Associates’ personal information in order to monitor sales activity and business development in their personal sales groups”.
- Third parties that help us deliver our products to you, e.g. payment service providers, third-party logistics companies;
- Third parties that help us run our business, agent, contractor, supplier, vendor, or third-party service providers who provides administrative, IT, marketing, printing, fulfilment, web-tools, fraud prevention or other services to USANA or its affiliated companies;
- Professional advisers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, security, insurance and accounting services;
- Any sponsors or upline Associates in the applicable sales organisation so that they can carry on their USANA business;
- Third parties that help USANA with events, travel, or conventions;
- Third parties that help us collect surveys or feedback from you;
- Internal Revenue Service, government agencies and regulators, and others who require reporting of processing activities in certain circumstances; and
- Law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

USANA third-party service providers are required by law to take appropriate security measures to protect your personal data. We also impose contractual obligations on service providers to ensure they can only use your personal data to provide services to us and to you in accordance with legal requirements and with our instructions, and that they will take appropriate security measures to help prevent unauthorized or accidental access, processing, erasure, loss or use of the data transferred to these service providers for processing. USANA only permits them to process your personal data for specified purposes and with appropriate security measures in place.

***What about other third parties?***

USANA may also disclose your personal data to third parties as a result of or in preparation for the possible sale, merger, consolidation, change in control, transfer of substantial assets, reorganization, or liquidation of USANA. If any change happens to the original process purpose or method, then the new owners may notify you and request your consent accordingly.

### ***International Data Transfer***

To deliver our products and services, it is sometimes necessary for us to share your personal data with parties outside the country where you are located. Specifically, our main servers (including the disaster recovery servers) and head office are located in the United States, and many of USANA's agents, contractors, suppliers, vendors, and third-party service providers, or competent supervisors are also situated worldwide, so it may be necessary to transfer, disclose, store or process your personal data outside of the country in which it is collected.

Whenever USANA conducts any such international transfers of your personal data, we will ensure that such transfer is in compliance with applicable Data Protection Legislation.

## **8. Data security**

USANA endeavours to maintain appropriate physical, procedural and technical security over our offices, IT systems and data centers so as to prevent any unauthorized access, disclosure, copying, use or modification of personal data. USANA has put in place security measures appropriate to protect against the risk of personal data being accidentally lost, used, or accessed in an unauthorized way, altered, or disclosed. For example, any personal data you provide to me will be processed on USANA's or its third-party vendors' secure servers. Your personal data is encrypted in transit and your tax ID number and payment card information are encrypted to protect your personal data against unauthorized access.

USANA has also put in place appropriate measures and procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so. We will take commercially reasonable steps to ensure that any personal data held by us is protected against unauthorized or accidental access, processing, erasure, loss, or use.

## **9. How long your personal data will be kept**

USANA will only retain your personal data for as long as is necessary to fulfill the purposes for which it is collected, which retention period is determined by the nature and duration of your relationship with USANA. This is subject to cases in which we may need to retain your data for longer than the retention period in order to comply with a legal requirement, such as a litigation hold or government investigation.

Different retention periods apply for different types of personal data and depending upon your country of residence. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.



In some circumstances, USANA may anonymize or take other similar technical methods related to the personal data so that it can no longer be associated with you, in which case USANA may use such information without further notice to you.

## 10. Your data subject rights

We will respond and honor your request as entitled to data subjects, on a case-by-case basis, in accordance with the applicable Data Protection Legislation. Under certain circumstances, as proscribed by applicable Data Protection Legislation in your geographic country/region, you may have the right to:

- Request access and copy to your personal data. This enables you to receive details of the personal data we hold about you and to check that we are processing it lawfully;
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected;
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us to continue to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing;
- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example, if you want us to establish its accuracy or the reason for processing it;
- Withdraw consent to our processing of your personal information. You can exercise this option at any time by contacting us, using the contact details outlined above. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in accordance with applicable Data Protection Legislation;
- Object where we are processing your personal data for direct marketing purposes;
- Request the transfer of your personal data to another party;
- Make a complaint If you believe that USANA has breached this policy or applicable Data Protection Legislation; and
- Other rights as authorized and permitted by the applicable Data Protection Legislation.

If you want to exercise any of the above rights, including the right to withdraw consent to the processing of your personal data, please click [here](#) or, alternatively, contact USANA at [dataprivacy@usanainc.com](mailto:dataprivacy@usanainc.com). We will deal with the foregoing request and provide a response thereto within 30 days unless the applicable Data Protection Legislation otherwise required, provided that we have all the necessary information. In cases where further information, assessment, or investigation is required, we will seek to agree on alternative time frames with you. When you request the erasure/restricted processing of your personal data or withdraw your consent to the processing of your personal data, please note that this may give rise to the termination of our relationship with you or prevent us from providing you with certain services/benefits. If you are

not satisfied with our response or believe we are not lawfully processing your data you can also complain to a supervisory authority at any time.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if any request made by you is clearly unfounded or excessive if permitted by applicable Data Protection Legislation. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

## **11. Cookies**

When you visit USANA Website, we may obtain information about your general internet usage by depositing certain bits of information called "cookies" in your web browser software or the hard drive of your computer. Cookies are sent back only to the USANA Website that deposited them when a visitor returns to that site.

Cookies help us improve the USANA Website and provide you with a better and more personalized service. Some of the cookies we use are essential for the USANA Website to operate.

It is possible to switch off cookies by setting your browser preferences. Turning cookies off may result in a loss of functionality when using USANA Website. For detailed information on the cookies we use and the purposes for which we use them, please see our Cookie Policy and Cookie Setting link in the footer of USANA Website.

## **12. Personal data of customers and other Associates/Affiliates**

The Associate/Affiliate agrees that where, in the course of conducting a USANA distributorship, the Associate/Affiliate collects and/or processes the personal data of customers or other third parties including any other Associate/Affiliate ("**Third Party Personal Data**"), then the Associate/Affiliate will process such personal data as a data processor on behalf of USANA as the data controller and will do so only for the purposes and only by the means set out in, and otherwise only in accordance with this policy and the applicable Data Protection Legislation.

The Associate/Affiliate may only process Third Party Personal Data, which has been collected through approved USANA channels or materials (such as customer forms) provided to the Associate/Affiliate. The Associate may only process Third Party Personal Data for the purposes of the development and conduct of the Associate's USANA distributorship, including performing any contract with the relevant third party in accordance with this policy.

The Associate/Affiliate will ensure that it has in place appropriate security measures, reviewed and approved by USANA, to protect against the risk of unauthorized or unlawful processing of Third Party Personal Data and against the accidental loss or destruction of or damage to that personal data. The Associate/Affiliate will notify USANA as soon as possible and in any event within 24 hours of becoming aware of any data breach involving Third Party Personal Data and will assist USANA in responding to any data breach, any request from a data subject including any exercise of a data

subject's rights, and in demonstrating compliance with applicable Data Protection Legislation. The Associate/Affiliate will maintain records of its processing activities in the form provided by USANA.

The Associate/Affiliate may not conduct any international transfer of any Third Party Personal Data otherwise than by uploading for storage on USANA's own secure servers. The Associate/Affiliate may not appoint any third-party processor to process any Third Party Personal Data.

On termination of the Associate/Affiliate Agreement, the Associate/Affiliate will, at USANA's written direction, delete any Third Party Personal Data unless required to retain it under applicable Data Protection Legislation.

### **13. Changes to this policy**

We may change this policy from time to time. Any changes we may make to this policy in the future will be posted on the USANA Website homepage or in the HUB. Where changes to this policy will have a fundamental impact on the nature of the processing or otherwise have a substantial impact on you, we will give you sufficient advance notice, and/ or appropriate consent if required by applicable Data Protection Legislation.