

Perfetti Van Melle USA Privacy Policy

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Perfetti Van Melle USA (“PVM”, “us”, “we”, or “our”) cares about your privacy and is committed to protecting it.

This policy describes our practices for collecting, using, maintaining, protecting, and disclosing the information we may collect from you or that you may provide when you visit Airheads.com and any other website, communication, or form/ application, platform, or other digital property that link or refer to this policy (together, the “Website”).

This policy applies to the information collected:

- through our Website,
- in email, text, and other electronic messages between you and our Website.

This privacy policy does not apply to banners, sweepstakes, and other advertisements or promotions we may sponsor or participate in on websites owned by third parties unless such advertising, apps include links to this privacy policy. If in any case our privacy practices differ from those explained in this policy, we will advise you at the time we ask for or collect your information.

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2. Information We May Collect About You

Personal information, or personal data, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal information about you which we have grouped together as follows:

- **Identity or Contact Data** includes name, postal or shipping address, email address, telephone number, date of birth, or similar identifier.
- **Technical Data** includes internet protocol (IP) address, browser type and version, time zone setting, location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access the Website.
- **Transaction Data** includes details about products that we may send to you.
- **Profile Data** includes your interests, preferences, feedback and survey responses.
- **Usage Data or Navigation Data** includes information about how you use the Website.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.

We may also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose, which we do not treat as personal information. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a feature on the Website. However, if we combine or connect Aggregated Data with your personal information so that it can directly or indirectly identify you, we treat the combined data as personal information which will be used in accordance with this privacy policy.

If You Fail to Provide Personal Information

Where we need to collect personal information by law, or under the terms of a contract we have with you, and you fail to provide that information when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

3. How We Collect Information About You

We use different methods to collect information from and about you including through:

- **Direct interactions.** You may give us information about you by filling in forms or by communicating with us e-mail or otherwise. This includes information you provide when you provide your name, mail/shipping address, email address, credit card number and phone number when registering or in connection with a contest entry or coupon request; (b) provide certain demographic information about you (e.g., age, gender, usage frequency, etc.) when using our Website or participating in a survey or poll; or (c) post a general comment and/or recommendation on our Website .
- **Automated technologies or interactions.** As you interact with our Website, we may automatically collect technical data about your equipment, browsing actions and patterns as

specified above. We collect this information by using cookies, server logs, web beacons, and other similar technologies (see [Cookies and Automatic Data Collection Technologies](#)).

- **From our service providers.** This includes businesses that collect your personal information on our behalf in order to help us respond to consumer inquiries, conduct market research, and comply with legally mandated disclosure requirements.
- **Other third parties or publicly available sources.** We may receive information about you if you visit other websites employing our cookies or from third parties including, for example, business partners, sub-contractors in technical, delivery services, social network platforms, analytics providers, search information providers, credit reference agencies, data brokers, or aggregators.
- **User contributions.** We may allow you to provide information to be published or displayed (“posted”) on public areas of the Website or to transmit information or content to other Website users or third parties (collectively, “**User Contributions**”). You submit User Contributions for posting and transmission to others at your own risk. We cannot control the actions of any Website users with whom you choose to share your User Contributions. Therefore, we cannot and do not guarantee that unauthorized persons will not view your User Contributions.

4. Cookies and Automatic Data Collection Technologies

Our Website uses automatic data collection technologies to distinguish you from other Website users. This helps us deliver a better and more personalized service when you browse our Website. It also allows us to improve our Website by enabling us to:

- Estimate our audience size and usage patterns.
- Store your preferences so we may customize our Website according to your individual interests.
- Speed up your searches.
- Recognize you when you return to our Website.

We also may use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking).

We use Google Analytics to perform analytics services for us, which may include tracking your interactions with our Website and to storing information, such as what time you visited it, whether you have visited it before and what site referred you to it. Website measurement statistics may be used to personalize your website experience, as well as to evaluate – anonymously and in aggregate – statistics on website activity. We use this information to measure the effectiveness of our web presence and to compile statistical reports. Additional information about how Google Analytics and collects and processes data can be found [here](#).

Certain internet browsers may offer you the option of providing notice to websites that you do not wish for your online activities to be tracked for preference-based advertising purposes (“DNT Notice”). Some browsers are, by default, set to provide a DNT Notice, whether that reflects your preference. Please note that with respect to our Website, we do not take any action based on browser based DNT Notices. If you do not wish to participate in behavioral tracking activities, you should follow the opt-out process described in [Your Choices About Your Information](#).

The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. For information about managing browser settings to refuse cookies, see [Your Choices About Your Information](#).
- **Flash Cookies.** Certain features of our Website may use Flash cookies (local stored objects) instead of browser cookies to collect and store information about your preferences and navigation to, from, and on the Website. For information about managing Flash cookies see [Your Choices About Your Information](#).
- **Web Beacons.** Our Website pages and e-mails may contain small transparent embedded images or objects known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit us, for example, to count website page visitors or email readers, or to compile other similar statistics such as recording Website content popularity or verifying system and server integrity. For information about managing your browser or email program to not download web beacons, see [Your Choices About Your Information](#).

We do not respond to or honor “do not track” (a/k/a DNT) signals or similar mechanisms transmitted by web browsers.

5. Interest Based Advertising

Our website may integrate technology of trusted advertising partners (third-party companies) that allow the recognition of your device and the collection of information about your browsing activity in order to provide advertisements about our products that are likely to be of greater interest to you. In particular, these partners collect information about your activity on this website to enable us to show advertisements for our products to you on third-party websites or apps.

Our partners may use non-cookie technologies on which browser settings that block cookies might have no effect. Your browser may permit you to block such technologies. For this reason, keep in mind that you can block the collection and use of information related to you by advertising companies for the purpose of serving interest based advertising by visiting the following platforms of self-regulatory programs of which those companies are members:

- The NAI’s opt-out platform: www.networkadvertising.org/choices
- The DAA’s opt-out platform: www.aboutads.info/choices
- The European page is: www.youronlinechoices.com

We may share data, such as technical identifiers derived from your registration information on our website or our CRM system with our trusted advertising partners so that they can provide services for us. This allows them to link devices or browsers and to provide you a seamless experience across the different environments used or likely used by you.

6. Third Party Content, Apps, and Links

Some content or applications on the website may be served by third parties, content providers and application providers. For example, we may make available the option for you to use “plug ins” that are operated by social media companies. If you choose to one of these plugins, then it may collect information about you and send it back to the social media company that owns it. This may happen even if you do not click on the plug in, if you are logged into the social media website that owns the plugin when you visit our website. Information collected by a plug in is subject to the privacy policy and terms of the social media company that makes it. These are non-essential cookies and only work if you accept cookies. If you are logged into your social media account when you visit our website, you permit us (and are directing us to) disclose information to these social media plug in owners.

7. How We Use Your Information

We use your information to provide you with products, communicate with you, deliver advertising and marketing, or to conduct other business operations, such as using information to improve and personalize your experiences. Examples of how we may use the information we collect include to:

- To carry out your requests, respond to your questions and comments, and in other ways naturally associated with the circumstances in which you provided information to us. For example, if you share your name and contact information to ask a question about our products, we will use that personal information to respond to your inquiry.
- To investigate and respond to concerns or claims that you have communicated to us about the quality of our products.
- To allow you to enter contests, promotions, and prize drawings, to receive information or mailings, or to fill out online surveys.
- To contact you regarding products and services which may be of interest to you
- To communicate with you about content or other information that you have posted or shared on or through our Website.
- To personalize your online experience while using our Website and to help us administer, run, evaluate, and improve our Website.
- To help maintain the safety, security, and integrity of our Website, databases and other technology assets, and business.
- To respond to law enforcement requests and other requests as required by applicable law, court order, or governmental regulations.
- To protect and enforce our and others' intellectual property rights; to protect or defend our legal rights or property, our Website, or other users; and to protect the health and safety of our Website users, our employees, or the general public.
- To verify your identity so that we can respond to a request you make under applicable law.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us about consumers is among the assets transferred.
- To administer your job application.
- Notify you about changes to our Website.
- Contact you about our own products or services that may be of interest to you. In limited cases, for example when we offer a co-promotion with a partner, we may contact you about third parties' products and services. If you do not want us to use your information in this way, please see [Your Choices About Your Information](#).
- As described to you when collecting your personal information.
- Use for any other purpose with your consent.

We may use non-personal information for any purpose.

8. Disclosure of Your Information

We may share non-personal information without restriction. We may share your personal information with:

- Any member of our corporate group, which means our subsidiaries, affiliates, our ultimate holding company and its subsidiaries, and affiliates.
- Business partners, suppliers, service providers, sub-contractors and other third parties we use to support our business (such as analytics and search engine providers that assist us with Website improvement and optimization).
- If you have consented or opted-in, with participating sponsors to a program or promotion (e.g., sweepstakes or contest) you enter via our Website and certain co-promotional partners and others with whom we have marketing or other relationships. For more information, see [Your Choices About Your Information](#).
- To fulfill the purpose for which you provide it.
- With your consent.

We may also disclose your personal information to third parties:

- In the event that we sell or buy any business or assets, in which case we may disclose your personal information to the prospective seller or buyer of such business or assets.
- To a buyer or other successor in the event of merger, divestiture, restructuring, reorganization, dissolution or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation or similar proceeding, where one of the transferred assets is the personal information we hold.
- To comply with any court order, law, or legal process, including responding to any government or regulatory request.
- To meet our obligations and enforce our rights arising from any contracts with you.
- To protect the rights, property, or safety of our business, our employees, our customers, or others. This may include exchanging information with other companies and organizations for the purposes of cybersecurity, fraud protection and credit risk reduction.

9. Your Choices About Your Information

We strive to provide you with choices regarding certain personal information uses, particularly around marketing and advertising. We have established the following control mechanisms over your information]:

- **Promotional Offers from PVM and its Parent Company and Affiliates.** If you do not want us to use your email address or other contact information to promote or recommend our own products and services, or third parties' products or services, you can opt-out by checking the relevant box located on the form where we collect your or, if presented with the option to opt-in, do not opt-in. If you have an account with our website, you may be able to log in and check or uncheck relevant boxes. If you do not have an account, you can adjust your preferences by sending us an email with your request to the contact set forth in the [Contact Information](#) section

below. You may also opt-out of further marketing communications by replying to any promotional email we have sent you or following the opt-out links on that message. This opt out does may not apply to information provided to us as a result of a product purchase, warranty registration, product service experience or other transactions.

- **Cookies and Automatic Data Collection Technologies.** You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. Flash cookies are not managed by the same browser settings as are used for browser cookies. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on [Adobe's website](#). However, if you disable or refuse cookies, please note that some parts of this Website may become inaccessible or not function properly. Unless you adjust your browser settings to refuse cookies, our system will issue them. If you do not want Google Analytics to be used in your browser, Google Analytics provides an opt-out tool which can be found [here](#). In some cases, you may be able to set your browser or email program to not download web beacons. For more information about the cookies we use, please see our [Cookie Policy](#).
- **Third Party Websites.** Our Website may, from time to time, contain links to and from the websites of our partner networks, co-sponsors of promotions and affiliates, or plug-ins enabling third-party features. If you follow a link to any third-party website or engage a third-party plug-in, please note that these third parties have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal information to these third parties.
- **California Residents.** If you are a California resident, you may have additional personal rights and choices with regard to your personal information. Please see [Your California Privacy Rights](#) for more information.
- **Nevada Residents.** If you are a Nevada resident, you may have additional personal rights and choices with regard to your personal information. Please see our [Nevada Privacy Rights](#) section below for more information.
- **Persons in the EEA or United Kingdom.** If you are in the European Economic Area, United Kingdom, or are otherwise subject to the General Data Protection Regulation, you may have more rights and choices with regard to your personal information. Please see our [European Privacy Rights](#) section below for more information.

10. Data Security

The security of your personal information is very important to us. We use physical, electronic, and administrative safeguards designed to protect your personal information from loss, misuse and unauthorized access, use, alteration or disclosure.

The safety and security of your information also depends on you. We urge you to take care when providing information in public areas of the Website like message boards, which any Website visitor can view.

Unfortunately, the transmission of information via the internet is not completely secure. Although we have implemented security measures that we consider reasonable and appropriate to protect against the loss, misuse and alteration of the information under our control, we cannot guarantee the security of your personal information transmitted to our Website. Any transmission of personal information is at your own risk. We are not responsible for the circumvention of any privacy settings or security measures contained on the Website.

11. Children’s Online Privacy

Our Website and Applications are primarily designed and intended for adults and, where brand-appropriate, teenagers. In accordance with the Children’s Online Privacy Protection Act (COPPA), we do not knowingly collect or store any personally identifiable information about children under age 13, and neither our Website nor our Applications are not designed to collect personally identifiable information from children under age 13. We may ask users of our Website to enter a birth date to restrict those who are underage from accessing certain features, programs, promotions or other aspects of our Website. If you believe your child under the age of 13 has submitted personally identifiable information through our Website, please contact us as provided in the [Contact Information](#) section below.

12. Your rights

Your rights related to your personal information will vary by jurisdiction and may include:

- The right to be fully informed of what personal information we collect, why we collect the data, and whether we intend to transfer it.
- The right to access your personal information and correct or update any errors;
- The right to have your personal information deleted;
- The right to receive notices relating to our use of your personal information;
- The right to restrict the use of personal data;
- The right to object to some forms of processing or use;
- The right to lodge a complaint with the competent supervisory authority.

If our use personal information is based on your consent, you may withdraw it at any time by contacting us in writing as indicated in C below.

13. Your California Privacy Rights

If you are a California resident, California law may provide you with additional rights regarding our use of your personal information. To learn more about your California privacy rights, visit [here](#) to read our California privacy notice.

California’s “Shine the Light” law (Civil Code Section § 1798.83) permits users of our website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. At this time, we do not engage in this type of disclosure.

14. Nevada Privacy Rights

Nevada residents have the right to opt out of the sale of certain "covered information" collected by operators of websites or online services. We currently do not sell covered information.

15. EU privacy rights

If you are in the European Economic Area, United Kingdom, or are otherwise subject to the General Data Protection Regulation, then this section of our Privacy Policy applies to you.

a. Data controller

The data controller of such processing is Perfetti Van Melle USA of Perfetti Van Melle Group B.V.

b. Additional information about data we collect about you

We do not collect any special categories of personal data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

c. Lawful basis

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract, we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you. You have the right to withdraw consent to marketing at any time by contacting us.

d. Your data subject rights

Data subjects have the right, at any time, to request access to, rectification or erasure of his/her personal data, or restriction or objection to processing, as well as the right to data portability or to withdraw the consent given by addressing a written communication to Perfetti Van Melle Group B.V., Stationsplein ZW 997 Tristar 3, 1117 CE schiphol, Oost The Netherlands or by sending an e-mail to: pvmldpo@it.pvmgrp.com to the attention of the Data Protection Officer, providing copy of your identity document or any document proving your identity.

Perfetti Van Melle reserves the right to verify the truthfulness of personal data provided at any time.

e. Data retention

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal information, 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, regulatory, tax, accounting or other requirements.

16. Changes to Our Privacy Policy

We will post any changes we may make to our privacy policy on this page and indicate on the Website home page that we updated this privacy policy. Please check back frequently to see any updates or changes to our privacy policy.

17. Contact Information

To ask questions or comment about this privacy policy and our privacy practices, contact us at:

Perfetti Van Melle USA, Inc.
3645 Turfway Road
P.O. Box 18190
Erlanger, KY 41018-0190
(877) 425-0640
Email: privacy@perfettivanmelle.com

You can also contact us using our [Contact Us](#) page on our website.

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