

## Privacy Notice

### 1. Data Controller

The purpose of this Privacy Notice is to inform you that Network Shipping Ltd. (hereinafter the “**Company**” or “**We**”), with address at 241 Sevilla Avenue, Coral Gables, FL 33134, serving as the DATA CONTROLLER, shall be responsible for the collection, use, sharing, and storage (jointly, the “**Processing**”) of information about you (your “**Personal Data**”) pursuant to the terms of Mexico’s Federal Law for the Protection of Personal Data Held by Private Parties and its corresponding regulations and guidelines (jointly, the “**Law**”).

### 2. Personal Data Processed

Our Processing may involve collecting, using, sharing, and storing the following Personal Data:

- (i) **General Personal Data:** specifically, your name, address, e-mail address, and telephone or mobile number; certain login and account information, including your user name, password, and unique user ID; your marketing preferences; and certain information about your online activity obtained through the use of cookies, web beacons, pixel tags, log files, or other technologies within our websites (the “**Sites**”)- specifically, your Internet Protocol (“IP”) address or other unique identifiers about the devices which you may use to access our Sites (that is, such devices’ browser type, device type, operating system, software version, phone model, phone operating system, and the domain name from which you accessed such Sites, as applicable), the date and time of your visit; the areas or pages of the Sites which you visit; the amount of time you spend visiting the Sites; the number of times you return to the Sites; whether you open, forward, or click on links in emails we send; and data on other sites you may visit.
- (ii) **Financial Personal Data:** specifically, your credit card data.

### 3. Personal Data Processing Purposes

We will Process your Personal Data for the following primary and secondary processing purposes (jointly the “**Processing Purposes**”):

- (i) **Primary Processing Purposes:** (i) fraud prevention; (ii) enhancing network and information systems security; (iii) responding to your customer service requests and inquiries and contacting you when necessary in connection therewith; (iv) administering any orders that you have placed with Us and processing your payments; (v) communicating with you regarding your purchases; (vi) registering and managing your account(s) with Us; (vii) addressing problems with, and protecting the security and integrity of, our Sites, servers, network systems, databases and our business (viii); responding to subpoenas, judicial processes, and government requests as permitted or required by law; (ix) addressing possible violations to our Terms of Use, any other legal document or contract related to our services, or the rights of related third parties; and (x) for business and operational purposes.
- (ii) **Primary Processing Purposes for Biometric Data:** (i) enforcing security / access of control systems within work areas; (ii) maintaining daily timekeeping and attendance records; (iii) identifying employees; and (iv) increasing work efficiency and preventing food contamination.
- (iii) **Secondary Processing Purposes:** (i) enhancing your online experience and engagement, including by improving our Sites’ structure and content and as a way to recognize you and welcome you to our Sites; (ii) conducting analyses to enhance or improve our content, products, and services; (iii) for data analytics purposes; (iv) for promotional and marketing purposes; (v) identifying usage trends; (vi) determining the effectiveness of our promotional campaigns; (vii) reviewing the usage and operations of our Sites; (viii) developing new products and/or services; (ix) providing you with customized content, targeted offers, and advertising via email, text message or push notification, or across social media; (x) contacting you with newsletters and promotional materials; (xi) using your data in an aggregated non-specific format for analytics and demographic purposes (this processing may involve profiling – for example to create audiences based on demographic or location-based information for marketing and customization purposes); and (xii) administer any sweepstakes, contests, or promotions which you enter into (the “**Promotions**”), as required by law or as permitted by the Promotion’s official rules.

Should you refuse the Processing of your Personal Data for the fulfilment of the Secondary Purposes mentioned in this Privacy Notice, your relationship with Us shall not be terminated.

We will not Process your Personal Data for any other purpose incompatible with the Processing Purposes, unless We have obtained your appropriate consent, or such Processing is required or permitted by the Law and/or other applicable laws. We will take reasonable measures to ensure that the Processing of your Personal Data is accurate and complete for carrying out the Processing Purposes described herein.

#### 4. Personal Data Transfers

In order to fulfill the Processing Purposes established herein, We may transfer your Personal Data, whether domestically or internationally, to: (i) our holding company, affiliates and/or subsidiaries; (ii) service providers who provide business, professional or technical support functions for Us, help Us operate our business and our Sites, or administer activities on our behalf; and (iii) third parties or the public in connection with administering any Promotion(s) which you enter into, as required by law, as otherwise permitted by the Promotion's official rules, or otherwise in accordance with the terms of this Privacy Notice.

For further information on our handling and protection of your Personal Data, please contact our Data Protection Officer as instructed under section 12 of this Privacy Notice.

We also may transfer your Personal Data without your consent where the transfer (i) is necessary or legally required to safeguard a public interest or for the procurement or administration of justice; (ii) is necessary for the recognition, exercise or defense of a right in a judicial or administrative proceeding; or (iii) for any other reason permitted by the Law.

#### 5. Security Measures

We will implement and maintain appropriate administrative, technical and physical measures to protect your Personal Data in accordance with the Law, including requiring third parties to use appropriate measures to protect the confidentiality and security of your Personal Data.

#### 6. ARCO Rights

Pursuant to the Law, you enjoy the rights of Access, Rectification, Cancellation and Opposition to Processing (the "**ARCO Rights**") which are briefly described below:

- **Access:** the right to access your Personal Data as Processed by Company and to obtain information relative to the scope and conditions under which it is Processed.
- **Rectification:** the right to rectify your Personal Data if it is incorrect or incomplete.
- **Cancellation:** the right to request that We stop Processing your Personal Data altogether when it is not being Processed in accordance with the principles and duties established under the Law or under this Privacy Notice.
  - **Opposition:** the right to oppose the Processing of your Personal Data for certain particular Processing Purposes among those listed herein.

In order to exercise your ARCO Rights; to request the revocation of your previously granted Processing consent; and in general to formulate any question or complaint in relation to the Processing of your Personal Data or to know if there are other options available (in addition to those established here) so that you may limit the use or disclosure of your Personal Data, please contact our Data Protection Officer as instructed under section 12 of this Privacy Notice.

The aforementioned request must contain the following information:

- Your full name, address and contact information for answering to your request.
- Document(s) that prove your identity and support your request.
- A clear and precise description of the reasons for the exercise of your ARCO Rights with respect to the Personal Data in question.
- Any other element or document that facilitates the location of your Personal Data.
- The modifications you wish to make and/or the limitations you wish to put in place regarding the Processing of your Personal Data.

We will notify you regarding the validity or invalidity of your request within 20 (twenty) business days as of the date on which We receive your request. We may extend such term once for an equal period, if and when the circumstances of the case justify it.

In compliance with the Law, Company will send you its response with the proof pertinent to its resolution regarding your request. Your requests for exercising your ARCO Rights will be evaluated as provided in the Law and their validity or invalidity will be resolved taking into consideration the Law's provisions. Please consider that your requests may not be granted in those cases in which the Processing is necessary in order to comply with the Law or with our rights and obligations toward you. If your request is valid, Our resolution will be enforceable within 15 (fifteen) business days as of the date on which We issue our response to your request. The issuing of our response to your ARCO Rights request will be completely free of charge. You will only be responsible for the costs associated with sending or duplicating documents (in photocopies or in other formats) which, if necessary, you will be informed of by Company. Should you be dissatisfied with such response to your request for exercising your ARCO Rights, you can initiate the rights protection procedure before the *Instituto Nacional de Transparencia, Acceso a la Información y Protección de Datos Personales* ("INAI") at Insurgentes Sur No. 3211, Insurgentes Cuicuilco, Delegación Coyoacán, C.P. 04530, within 15 (fifteen) business days once having received the answer to your request as communicated to you by Company. If you do not receive any the response from the Company, you may initiate the rights protection procedure before the INAI after the deadline for the Company's response has passed.

## **7. Automated and Remote Personal Data Processing**

As part of our Processing of your Personal Data, we may employ certain technologies which allow us to collect and otherwise Process your Personal Data remotely and in real-time, including "cookies" and "web beacons". Cookies are small data files created by a website that are stored in the website's visitors' computers, either temporarily (for that session only), or permanently (on the device's hard disk). Web beacons are clear picture files embedded in websites with similar purposes and functions to those of cookies. Cookies and web beacons provide a way for websites to recognize you and keep track of your preferences.

Certain parts of our Sites require the use of cookies. You are free to adjust your device or Internet browser settings to limit tracking or to decline cookies. Please refer to your device's settings or your Internet browser's "Help" section for more information on how to delete and/or disable your device or browser from receiving cookies or controlling your tracking preferences. Our system may not respond to Do Not Track requests or headers from some Internet browsers. To submit a Do Not Sell My Personal Information request, please contact us by clicking here: [Do Not Sell My Personal Information](#).

## Do Not Track

Do Not Track (DNT) is a privacy preference you can set in most browsers. There is no standard interpretation or practice for responding to DNT signals, so we handle all user information consistent with this Privacy Policy. For more details, you can visit [allaboutdnt.com](http://allaboutdnt.com). As provided below, we will not disclose your Personal Information to third parties if we have received and processed a request from you not to do so. To submit such a request, please contact us by clicking here: [Do Not Track](#).

## 8. Third-Party Apps

The Sites may have links to third-party websites, which may have privacy policies that differ from our own. We are not responsible for the practices of such websites.

We encourage you to read those policies, as We are not responsible for the privacy or security practices of such third parties or for any privacy and security issues related therewith.

## 9. Withdrawing Consent

You may withdraw any consent you provided to Company, at any time, regarding the Processing of your Personal Data. Your requests for withdrawing your consent will be evaluated in accordance with the Law and their validity or invalidity will be resolved by Company taking into consideration the Law's provisions. Please consider that your requests may not be granted in those cases in which the Processing is necessary in order to comply with the Law.

## 10. Limits to the Personal Data Processing

You may limit the Processing of your Personal Data, in which case We will evaluate your request in accordance with the Law and should it be appropriate, will limit the Processing of your Personal Data by excluding you from Company's databases to the extent that such exclusion does not hinder the fulfillment of the purposes provided in this Privacy Notice.

## 11. Updates to this Privacy Notice

We may, at our sole discretion, change, modify, add, remove, or otherwise revise this Privacy Notice from time to time. If We make a material change to our Privacy Notice, We will notify you of the relevant changes by means of printed announcements, new print format versions of this Privacy Notice, and/or by electronic means such as your Company e-mail or the Sites, in

Updated: March 1, 2022

which case your continued use of the Sites following the posting of changes to these terms means you accept the relevant changes.

## **12. Contact Us**

Should you have any questions or comments about this Privacy Notice or if you would like to exercise your ARCO Rights in accordance with the relevant proceedings established under the Law and further described herein, please contact our Data Protection Officer at:

Network Shipping Ltd.

P.O. Box 149222

Coral Gables, Florida 33114-9222 USA

Email: [privacyofficer@freshdelmonte.com](mailto:privacyofficer@freshdelmonte.com)

Toll free number 1 (833) 981-0038