

# Vitacost Privacy Notice

***Last Updated: December 11, 2024***

At Vitacost, your safety and trust are important to us. For that reason, we are committed to handling your information in a way that is transparent, fair, and worthy of your trust.

In this notice, we explain how we collect, use, disclose, retain, and protect the information that we collect about you. We also let you know about your rights. Therefore, we encourage you to read this notice as well as any supplemental or different privacy notices that may be applicable when you access or interact with certain of our brands or service offerings.

We are committed to ensuring that this notice is accessible to people with disabilities. To make accessibility-related requests, please contact us at [1-800-381-0759](tel:1-800-381-0759).

## 1. Who We Are

Vitacost.com, Inc., a wholly-owned subsidiary of The Kroger Co. (NYSE: KR), is an e-commerce company based in Boca Raton, Florida. At Vitacost.com, we believe in health for all, no matter who or where you are. That's at the heart of our commitment to provide the very best natural, organic and eco-friendly products at the very best prices, with exceptional customer service.

Headquartered in Cincinnati, Ohio, the Kroger Family of Companies is one of the largest retailers in the United States based on annual sales. We serve nearly 11 million customers a day in 35 states including the District of Columbia. We are committed, through our purpose-driven strategy, to increasing access to high-quality, affordable fresh food for everyone. In fulfilling our Purpose—To Feed the Human Spirit™ we live by our Values:



### **Honesty**

We insist on truthfulness with each other, with our customers, with our vendors and in our business records. We expect and value openness.



### **Diversity**

We seek and embrace differences in the backgrounds, cultures and ethnicities of all associates, customers and vendors.



### **Inclusion**

We encourage and expect collaboration, teamwork and the active involvement of all associates.



### **Safety**

We protect our customers and each other from injury with a safe and secure workplace and shopping environment.



### **Integrity**

We act in accordance with Our Values, even when it's difficult.



### **Respect**

We treat all with dignity and value the opinions and perspectives of others.

Vitacost cultivates a customer first relationship and activates multiple touch points to provide the right content and the right products— all when, where and at the value our customers want. We create personalized experiences through relevant communication and meaningful rewards that make our customers' lives easier.

Depending on where you live, whether you use our website or mobile application, or what services you access, Vitacost will be responsible for the information we collect and will be hereafter referred to collectively as “Vitacost” or “we” or “our”.

## **2. What Does This Notice Cover?**

This notice covers information we collect from and about our customers and prospective customers including, for example, when they visit or make a purchase on one of our websites or mobile applications, interact with our advertisements, interact with us through social media, participate in consumer research, promotions, contests, or otherwise access or use one of our service offerings. This notice also applies to personal information we collect about individuals with whom we have a business relationship.

Additional disclosures apply if you live in the following jurisdictions:

1. [California](#)
2. [Colorado](#)
3. [Connecticut](#)
4. [Delaware](#)
5. [Florida](#)
6. [Iowa](#)
7. [Montana](#)
8. [Nebraska](#)
9. [New Hampshire](#)
10. [New Jersey](#)
11. [Nevada](#)
12. [Oregon](#)
13. [Texas](#)
14. [Utah](#)
15. [Virginia](#)
16. [Washington](#)

### 3. Information We Collect

We collect information described below to save you time and money and to make your shopping experience better. We have grouped the information we collect into categories, with some of the information listed in multiple categories. Because we only collect information when needed for a particular purpose, not all this information will apply to you:

- a. **Personal identifiers** such as name, online identifiers like user account names, state and federal government ID number (where required), signature, and unique identifiers that we associate with you.
- b. **Contact information** such as your email, postal address, billing address, delivery or shipping address, and phone numbers.
- c. **Financial and payment information** such as credit, debit, or other payment card numbers.
- d. **Transaction and commercial information** such as your purchase and transaction histories. With respect to individuals who interact with us in a business context, we may have commercial information about our relationship with you.
- e. **Account information** including username, password, purchase information, address information, email and text communication preferences including your communication preferences relating to orders, marketing, and other activities; your advertising preferences.
- f. **Online and technical information** such as your IP address and device or other persistent identifiers, browser type and version, time zone setting, device characteristics, browsing data, data related to your viewing of (and interactions with) our advertisements, website and app usage information, and other information that we collect using cookies, pixels, SDKs, and other similar technologies.
- g. **Location Data** including geolocation information.
- h. **Usage information** including information about how you use our websites, mobile applications, and other service offerings.
- i. **Communication preferences** including your preferences in receiving marketing and purchase-based advertising.
- j. **Sensory data** such as recording your voice when you contact our customer service centers.
- k. **User content** including product reviews and other feedback or content you may provide to us.

- l. **Inferences** include information derived from other information that we have collected. We create inferred and derived data elements by analyzing your shopping history in combination with other information we have collected about you to personalize product offerings, your shopping experience, marketing messages and promotional offers. Where permitted by applicable law, to serve you better we may make certain inferences about you based upon your shopping history that are health related.

Some of the information about you may include personal information that can be used to identify you, like name, address, and email address. In certain states, the definition of personal information may be broader and include things like IP address, mobile device ID, and unique identifiers used by cookies. When the information we collect about you is considered personal information under applicable law, we treat it as personal information.

Personal information does not include data where your identity has been removed so that we can no longer identify you or that we aggregate so that you can no longer be identified, which we may use for any purpose.

### **Children's Privacy**

Our websites are for a general audience and are not geared toward children. We do not knowingly collect personal information from children under the age of 16. If you believe your child may have disclosed personal information to us, please call [1-800-381-0759](tel:1-800-381-0759) and we will remove it.

## **4. How We Collect Your Information**

The following are examples of how we may collect your information:

### ***You or a member of your household purchase our products or services***

When you purchase our products or services, we will collect your purchase information and associate it with you or your household.

### ***You provide it to us directly***

You may give us personal information or provide it to us directly, including:

- a. Information you provide when you register for an account, add items to your cart on one of our websites or apps, place an order, post reviews or other content, purchase one of our services, or when you otherwise contact us about our website, products, or services. We may ask you for information when you enter a promotion or sweepstake offered by us, sign up for an event sponsored by us, or when you report a problem to us.

- b. Records and copies of your correspondence (including emails) and voicemail messages.
- c. Your responses to surveys that you complete for consumer research purposes.
- d. Your search queries on our websites or in our mobile applications.

### ***Information from your device***

We may collect information from a device that we have associated with you or your household. For example, we may collect information automatically when you browse our websites, use our mobile apps or other online services, or view or interact with our advertisements.

### ***We receive it from others***

We may receive personal information about you from others including, for example, data analytics providers, data enrichment providers, ad networks, and consumer research providers. We may also receive information about you from commercially available sources such as data aggregators and public databases.

If you create an account with us using your Google account or another third-party account, we may receive certain information about you from Google or another third party to enable us to create your account.

Finally, from time to time, we receive information from others that has been deidentified so that it is no longer personal information under applicable law. When we receive deidentified data from others, we commit to maintaining and using that data in deidentified form without attempting to reidentify it.

## **5. How We Collect Your Information**

### ***Cookies***

A cookie is a small data file that is stored by your browser on your device. We use cookies to deliver a better experience by, for example, remembering your preferences and opt-outs.

Other examples of why we use cookies include:

- To learn about how you interact with our websites
- To detect and prevent fraud
- To conduct analytics activities
- To improve our websites and services
- To facilitate [Interest-Based Advertising](#)

In many cases, the data collected through these cookies is controlled by us, but in some cases the data collected through use of these cookies is controlled by our vendors or other third parties.

Cookies may remain on your device for an extended period. If you use your browser's method of blocking or removing cookies, some, but not all, types of cookies may be deleted and/or blocked. If you delete or block cookies, some functionality on our websites may not work properly.

### ***Other Tracking Technologies***

In addition to cookies, we may use other types of tracking technologies in connection with our websites, mobile applications, advertisements, and other digital service offerings.

Like with cookies, the data collected through these other types of tracking technologies is in many cases controlled by us. However, in some cases the data collected through these other technologies is controlled by our vendors or other third parties.

Examples of other tracking technologies include:

#### ***Web Beacons***

Web beacons are embedded images or objects that are used on web pages or emails.

Examples of why we may use web beacons include:

- For business analytics purposes, such as understanding the number of people who visit a webpage or view specific content within a webpage
- To improve our websites and services
- To detect and prevent fraud
- To verify system and server integrity

#### ***Embedded Scripts***

We may use embedded scripts that collect information about your interactions with our websites, mobile apps, and advertisements. These scripts are temporarily loaded into your web browser and are active only while you are connected to our website, mobile app, or advertisement.

#### ***Location-identifying Technologies***

We may use GPS (Global Positioning Systems) or other location identifying technologies to locate your device for various notification purposes.

#### ***In-App Tracking Technologies***

Our mobile applications may use in-app tracking technologies including code from packages referred to as software development kits (SDKs). SDKs are packages of tools that help our mobile apps function in some way.

For example, we may use code from SDKs in our mobile apps to develop our apps to work with certain operating systems or platforms.

Like with cookies, in many cases the data collected through these SDKs is controlled by us, but in some cases the data collected through use of these SDKs is controlled by our vendors or other third parties.

Unlike cookies, SDKs and other in-app tracking technologies are not browser based and therefore cannot be controlled through browser settings.

### ***Device and Activity Monitoring Technologies***

We may use technologies that monitor and record your experience and interactions with our websites and mobile apps, such as features you engage with, how you navigate our website and mobile apps, your keystrokes, cursor movements, scrolling activity, and click-related activity. These technologies may also collect and analyze information from your device, such your operating system, plug-ins, and system fonts.

Examples of why we may monitor your experiences and interactions include:

- To troubleshoot
- To understand and improve our websites, mobile apps, and services
- To customize your experience
- To respond to your inquiries and requests
- To detect and prevent fraud
- To detect security incidents and other malicious activity
- To verify system and server integrity

### ***Third-Party Interactive Features***

We may engage vendors to provide certain interactive features on our website. Your use of these interactive features on our website is voluntary, and we may retain the information that you submit through these features. For example, we may offer an interactive chat feature on the website to assist you with your order and other customer service purposes. When you participate in the interactive chat, the contents of the chat may be captured and kept as a transcript. By using these features, our vendors may process the information obtained through the feature to provide the service on our behalf.

### ***Third-Party Analytics***

We may use third-party analytics providers to help us analyze how you use or interact with our websites, services, advertisements, and mobile applications.

Many of our websites and apps use Google Analytics. You can learn more about how Google Analytics collects and processes data at [“How Google uses information from sites](#)

[or apps that use our services”](#) and in the [Google Privacy Policy](#). Information about Google Analytics’ current opt-outs for web is available [here](#).

In some cases, we may integrate the analytics services we use with certain advertising services that are also made available by our analytics providers. For example, we integrate Google Analytics with the following Google advertising features:

- Remarketing with Google Analytics
- Cross Device Remarketing & Reporting
- Google Analytics Demographics & Interest Reporting
- Google Display Network Impression Reporting

You can opt-out of Google Analytics advertising features directly with Google through its Ads Settings, Ad Settings for mobile apps functionality, and through the NAI’s consumer opt-out mechanism available [here](#).

## 6. How We Use Your Information

We use your information to:

- provide you the products and services you purchase or request
- improve your shopping experience
- improve our products and services
- fulfill your requests
- personalize our product offerings, services, and marketing to you, and
- maintain and service your accounts
- support our business operations and functions, including fraud prevention, marketing, merchandising, security, and legal.

We may use technologies including those that use machine learning and artificial intelligence to support our use cases.

Below are more specific examples of how we use your information:

- **To provide you with products and services** you purchase or request including, for example, to securely process your payments, fulfill your orders or requests, and provide customer service.
- **To operate our businesses** including our mobile applications and websites.
- **To conduct marketing, personalization, and advertising**, which may include personalized offers, coupons, and advertisements. We may also use purchased-



based advertising to show you advertisements and offers that are more relevant to you on other websites, mobile apps, and digital channels.

- **For [Interest-Based Advertising](#) purposes**
- **To communicate with you**, such as providing account notifications or order status updates, providing product recall notifications, confirming your preferences, engaging with you on social media, or providing you information about relevant programs, contests, sweepstakes or other promotions or offerings.
- **For research purposes**, such as learning about our customers' experience with a new store design, product, or service offering.
- **To design and develop new product and service offerings**
- **To conduct business analytics**, for such purposes as forecasting and planning, developing statistics on engagement with our websites and applications, and measuring how well marketing and promotional activities perform.
- **For safety and security purposes**, including to:
  - Detect and respond to threats to our online operations,
  - Protect the health and safety of our customers, associates, and the public; and
  - Prevent, investigate and prosecute fraud, and other criminal activities
- **To improve** how we do business, improve our products and services, and your shopping experience.
- **For other internal business purposes** such as:
  - To authenticate users of our websites and applications
  - For quality control and training
  - For system administration and technology management, including optimizing our websites and applications
  - For recordkeeping and auditing purposes
  - For risk management, investigations, reporting and other legal and compliance reasons
  - Identifying prospective customers, suppliers, and other vendors
  - Administer our relationships with our customers, suppliers, and other vendors.
  - In connection with mergers, acquisitions, divestitures, or similar corporate transactions
- **To fulfill our legal obligations.**
- **To fulfill or meet the request** for which the information is provided
- **To fulfill other notified purposes** that we describe to you at the time we collect your information

## 7. How We Share Your Information

We may share your information as follows:

- *The Kroger Family of Companies:* We may share your information with the Kroger Family of Companies that may use your personal information as described in this notice.
- *Service Providers:* We may share your information with vendors, service providers, and our affiliated companies that we engage to provide services to us on our behalf, such as support for the internal operations of our websites and mobile applications (including payment processors and third parties we use to process orders on our behalf), electronic mail, mobile messages, product and service delivery, conducting analysis to improve our products, services, websites, research, digital marketing, fulfilling orders you place, managing payments and answering your questions. Service providers only use the information they receive from us for the purposes we hired them for. Except as permitted by applicable law, we don't allow them to retain, use, disclose or otherwise process the personal information for their own purposes. This restriction includes not permitting them to send you SMS messages for their own purposes.
- *Ad Tech Companies and other Providers:* We may share or make available limited personal information (such as a mobile ad ID (MAID) or an Identifier for Advertisers (IDFAs) with ad tech companies and other online providers of services. When we share your information in this context, we follow applicable legal requirements, which may require that we provide opt-out rights or other individual rights.
- *Business Partners and Other Third Parties.* Where we have the legal right, we may share or otherwise make your information available to business partners or other third parties for a business purpose that we have approved (excluding mobile messaging opt ins). When we disclose information in this context, we make sure that we comply with applicable legal requirements, which may include providing opt-out or other rights with respect to the shared data. We require that the recipients of this data protect such data, obey use restrictions, and comply with all applicable laws.
- *Co-Branded Offerings.* Sometimes we may offer you a co-branded product, service, or other promotion in cooperation with another business, such as our co-branded credit card. When we disclose your information to our co-branding partner in this context, we prohibit them from using the provided information for purposes outside of the co-branded offering. If you choose to take advantage of a co-branded offer, the information that you provide directly to our co-branding partner will be subject to their privacy notice and practices.
- *Legal Requirements and Government Authorities.* We may share your personal information where we believe the disclosure is required by law, or otherwise

necessary to comply with the law, regulatory requirements, requests from public authorities, or to enforce our agreements or policies, to protect the rights and property of our customers, the company, our partners or the public (including for fraud prevention purposes and to prevent, investigate and prosecute criminal activities).

- *Security and Safety Disclosures.* Where permitted by applicable law, we may disclose your personal information to our affiliates and other persons and entities for the purpose of protecting the rights, safety, security, and property of our customers, associates, and the public. We may also disclose this information to protect and enforce our rights (including for fraud prevention purposes and to prevent, investigate and prosecute criminal activities) and to assist others to do the same.
- *Corporate Transaction.* We may disclose personal information, as part of any actual or contemplated merger, sale, transfer of assets, acquisition, bankruptcy, or similar event, including related to due diligence conducted prior to such event, where permitted by law.
- *With Notice or Consent.* We may also disclose information about you, including personal information to other third parties, where we have provided specific notice to you or asked for your consent, as required by law.

Notwithstanding anything else in this notice, we may share data that has been aggregated or deidentified in such a manner that it is no longer considered personal information for any purpose. When we share aggregated or deidentified data, we require recipients to refrain from reidentifying the data and to pass this obligation on to downstream recipients.

## **8. Interest-based Advertising**

Interest based advertising (also known as online behavioral advertising) occurs when advertisements are displayed to you based on information collected from your online interactions over time and across multiple websites that you visit, or across multiple devices or online services that you may use. Companies that engage in interest-based advertising use this information to predict your preferences and show you ads that are most likely to be of interest to you.

Some of the content, applications, and tracking technologies on our websites and mobile applications is controlled by third parties, which include ad tech companies (such as Meta or Google) or other online service providers that serve interest-based advertisements. These third parties may use cookies (both first-party and third-party), web beacons, and other storage technologies to collect or receive information from our websites, apps, other apps, and elsewhere on the Internet and use that information to provide measurement services as well as for interest-based advertising. Data collected or received by these third parties may be used to provide advertising related services to us or others.

These third parties may provide you with ways to choose not to have your information collected or used in this way.

For example, you can block the collection and use of information related to you by online platforms and ad tech companies for the purpose of serving interest-based advertising by visiting the following websites of the self-regulatory programs of which those companies are members:

- The NAI's opt-out page is available [here](#).
- The DAA's opt-out page is available [here](#).

You may still see “contextual” ads even if you opt out of interest-based ads. These ads, however, are based on the context of what you are looking at on the websites and pages you visit. Even if you opt out of interest-based ads you will still receive these non-personalized, contextual ads.

## 9. Third-party Content and Links

Some content or links on our websites and mobile apps may be served or made available by third parties including the following:

### User Content

Our websites mobile applications may allow you to upload your own content to be displayed to the public. Any information you submit becomes public information, and we do not control how others may use the content you submit. We are not responsible for uses made by others that may violate our privacy policy, the law, or your intellectual property rights.

### Third-party links

Our websites and mobile applications may contain links to other sites, which we do not control. Those websites have their own privacy policies and terms.

## 10. How We Protect Your Personal Information

We implement and maintain reasonable security procedures and practices appropriate to the nature of the information we maintain, including appropriate technical, administrative, and physical measures designed to protect information from unauthorized or illegal access, destruction, use, modification, or disclosure. You also play an important role in protecting your information. **It is your responsibility to select a strong password, change it regularly, not reuse or share your password, and alert us if you have any concerns about unauthorized use of your account.**

## **11. Your Rights and Choices**

We value our relationship with you and the trust you place with us. Keeping your information current and your communications preferences are an important part of that relationship.

We understand that our customers are individuals, and communication preferences will vary by customer. That is why we offer you the ability to manage what types of communications you receive from us and the ability to manage or change your preferences. Your rights may vary depending on where you are located. We have created mechanisms to provide you with the following options:

### **Updating your account information**

If you have an account with us, you can log in and update, modify, and delete data from within your account.

### **Managing your marketing and other communication preferences**

You can manage your marketing and other communications preferences (text, email, push, purchase based advertising, etc.) by logging into your account on the relevant website or mobile app. Your communications preferences can be managed under the “Communication Preferences” section of your account.

Please allow a reasonable amount of time for any changes to your settings to take effect.

Alternatively, you can unsubscribe from any marketing emails or text messages that we may send you by clicking the unsubscribe option in the footer of an email or texting “STOP” in response to a text message that you receive from us.

### **Cookies and Tracking Technologies**

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable certain cookies, please note that some parts of our websites may not function properly. If you have opted-out of sales or set other preferences, then those opt-outs or preferences may be lost if you delete your cookies.

### **Interest-Based Advertising**

Information about interest-based advertising and how to opt-out of it is described in the [Interest-Based Advertising](#) section of this notice.

## State Privacy Rights

If you live in one of the states listed below, you may have additional rights with respect to your personal information. Please see our additional disclosures below to learn about those rights.

1. [California](#)
2. [Colorado](#)
3. [Connecticut](#)
4. [Delaware](#)
5. [Florida](#)
6. [Iowa](#)
7. [Montana](#)
8. [Nebraska](#)
9. [New Hampshire](#)
10. [New Jersey](#)
11. [Nevada](#)
12. [Oregon](#)
13. [Texas](#)
14. [Utah](#)
15. [Virginia](#)
16. [Washington](#)

## 12. Changes to This Notice

This notice is subject to change at our discretion. We will indicate changes to the notice by updating the “Last Updated” date at the beginning of the notice. We will communicate material changes to you in accordance with applicable law, which may include through a notice on the website home page or a notice to the email address specified in your account (if you have an account with us). Your continued use of our website or our other services after any update to this notice will constitute your acceptance of our changes.

## 13. Contacting Our Privacy Office

Our customer contact centers are ready to take your questions and comments about this policy or our privacy practices. You can reach us by telephone at [1-800-381-0759](tel:1-800-381-0759) or via email at [KrogerPrivacyOffice@Kroger.com](mailto:KrogerPrivacyOffice@Kroger.com).

## 14. State Specific Disclosures

### Nevada Privacy Rights

If you live in Nevada, you can opt out of the sale of your personal information by completing the privacy request form [here](#).

### Washington Consumer Health Data Privacy Rights

Our [Washington Consumer Health Data Privacy Policy](#) supplements this Privacy Policy and applies to “consumer health data” subject to Washington’s My Health My Data Act.

### Privacy Notice for California Residents

#### 1. Introduction and Scope

This Privacy Notice for California residents supplements the information contained in our Vitacost Privacy Notice and applies to residents of the State of California (“consumers” or “you”). We adopt this notice to comply with the California Consumer Privacy Act of 2018 (as amended, and together with related regulations the “CCPA”) and any terms defined in the CCPA shall have the same meaning when used in this notice.

This notice does not apply to workforce-related personal information collected from California-based employees, job applicants, contractors, or similar individuals but does apply to personal information collected in the context of business-to-business (B2B) transactions.

This notice applies to “personal information” that we collect, meaning information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household (“personal information”). Personal information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information
- Information excluded from the CCPA's scope, like health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA), clinical trial data, or other qualifying research data;
- Personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California

Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

## 2. CCPA Notice at Collection

We collect information to save you time and money, to deliver the products and services you request to enhance your shopping experience and support our business operations.

We may collect the personal information categories listed in the tables below. The tables also list, for each category, use purposes, and whether we currently sell the information or share it with third parties for cross-context behavioral advertising.

To opt-out of personal information sales or sharing, visit our Privacy Preference Center.

| Personal information category   | Purposes   | Sell and share |
|---|--|----------------|
| <b>Identifiers</b> such as a name, postal address, unique personal identifier, online identifier, IP address, email, account name, or other similar identifiers | <ul style="list-style-type: none"><li>• To provide you with products and services</li><li>• To operate our businesses</li><li>• To conduct marketing, personalization, and advertising</li><li>• For <a href="#">Interest-Based Advertising</a> purposes including cross-context advertising</li><li>• To communicate with you including to provide product recall notices</li><li>• For research purposes</li><li>• To design and develop new product and service offerings</li><li>• To conduct business analytics</li><li>• For safety and security purposes</li><li>• To improve how we do business, products and services, and customer experience</li><li>• For other internal business purposes</li></ul> | Yes            |



|   |  |       |
|---|--|-------|
|   | <ul style="list-style-type: none"> <li>• To fulfill our legal obligations.</li> <li>• To fulfill or meet the request</li> <li>• To fulfill other notified purposes</li> </ul>  |       |
| <p><b>California Customer Records personal information</b>, including any personal information described in subdivision (e) of Section 1798.80 of the California Civil Code such as your name, address, telephone number, signature or financial information (i.e., bank account number, credit card number, debit card number, or any other similar information)</p> | <ul style="list-style-type: none"> <li>• To provide you with products and services</li> <li>• To operate our businesses</li> <li>• To conduct marketing, personalization, and advertising</li> <li>• To communicate with you including to provide recall notices</li> <li>• For research purposes</li> <li>• To design and develop new product and service offerings</li> <li>• To conduct business analytics</li> <li>• For safety and security purposes</li> <li>• To improve how we do business, products and services, and customer experience</li> <li>• For other internal business purposes</li> <li>• To fulfill our legal obligations.</li> <li>• To fulfill or meet the request</li> <li>• To fulfill other notified purposes</li> </ul> | Yes*  |
| <p><b>Characteristics of protected classifications under California or federal law</b>, such as gender or age.</p>  | <ul style="list-style-type: none"> <li>• To provide you with products and services</li> <li>• To operate our businesses</li> <li>• To conduct marketing, personalization, and advertising</li> <li>• To communicate with you</li> </ul>  | Yes** |

|  |  |     |
|--|--|-----|
|  | <ul style="list-style-type: none"> <li>• For research purposes</li> <li>• To design and develop new product and service offerings</li> <li>• To conduct business analytics</li> <li>• For safety and security purposes</li> <li>• To improve how we do business, products and services, and customer experience</li> <li>• For other internal business purposes</li> <li>• To fulfill our legal obligations.</li> <li>• To fulfill or meet the request</li> <li>• To fulfill other notified purposes</li> </ul>  |     |
| <p><b>Commercial information</b> such as products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies</p> | <ul style="list-style-type: none"> <li>• To provide you with products and services</li> <li>• To operate our businesses</li> <li>• To conduct marketing, personalization, and advertising</li> <li>• For <a href="#">Interest-Based Advertising</a> purposes including cross-context advertising</li> <li>• To communicate with you including to provide recall notices</li> <li>• For research purposes</li> <li>• To design and develop new product and service offerings</li> <li>• To conduct business analytics</li> <li>• For safety and security purposes</li> <li>• To improve how we do business, products and services, and customer experience</li> </ul> | Yes |

|   |   |     |
|---|---|-----|
|   | <ul style="list-style-type: none"> <li>• For other internal business purposes</li> <li>• To fulfill our legal obligations.</li> <li>• To fulfill or meet the request</li> <li>• To fulfill other notified purposes</li> </ul>   |     |
| <b>Biometric information</b>  | N/A: We do not collect biometric information in California.   | N/A |
| <b>Internet or other electronic network activity information</b> , such as browsing history, search history, and information regarding your interactions with our websites, applications, or advertisements | <ul style="list-style-type: none"> <li>• To provide you with products and services</li> <li>• To operate our businesses</li> <li>• To conduct marketing, personalization, and advertising</li> <li>• For <a href="#">Interest-Based Advertising</a> purposes including cross-context advertising</li> <li>• To communicate with you</li> <li>• For research purposes</li> <li>• To design and develop new product and service offerings</li> <li>• To conduct business analytics</li> <li>• For safety and security purposes</li> <li>• To improve how we do business, products and services, and customer experience</li> <li>• For other internal business purposes</li> <li>• To fulfill our legal obligations.</li> <li>• To fulfill or meet the request</li> <li>• To fulfill other notified purposes</li> </ul> | Yes |

|  |   |           |
|--|---|-----------|
| <p><b>Geolocation data</b></p>                                       | <ul style="list-style-type: none"> <li>• To provide you with products and services</li> <li>• To operate our businesses</li> <li>• To conduct marketing, personalization, and advertising</li> <li>• To communicate with you</li> <li>• To design and develop new product and service offerings</li> <li>• To conduct business analytics purposes, including measuring the effectiveness of marketing and promotional activities</li> <li>• For safety and security purposes</li> <li>• To improve how we do business, products and services, and customer experience</li> <li>• For other internal business purposes</li> <li>• To fulfill our legal obligations.</li> <li>• To fulfill or meet the request</li> <li>• To fulfill other notified purposes</li> </ul> | <p>No</p> |
| <p><b>Sensory data</b> such as recordings of customer care calls</p> | <ul style="list-style-type: none"> <li>• To operate our businesses</li> <li>• To conduct business analytics</li> <li>• For safety and security purposes</li> <li>• To improve our products and service offerings</li> <li>• For other internal business purposes</li> <li>• To fulfill our legal obligations.</li> <li>• To fulfill or meet the request</li> <li>• To fulfill other notified purposes</li> </ul>  | <p>No</p> |

|   |   |     |
|---|---|-----|
| <b>Professional or employment-related information</b>   | <ul style="list-style-type: none"> <li>For research purposes</li> </ul>   | No  |
| <b>Non-public education information</b> as defined in the Family Educational Rights and Privacy Act   | N/A   | N/A |
| <b>Inferences from personal information collected</b> such as a profile about a consumer reflecting the consumer's preferences, characteristics, and interests. | <ul style="list-style-type: none"> <li>To provide you with products and services</li> <li>To operate our businesses</li> <li>To conduct marketing, personalization, and advertising</li> <li>For <a href="#">Interest-Based Advertising</a> purposes including cross-context advertising</li> <li>To communicate with you</li> <li>For research purposes</li> <li>To design and develop new product and service offerings</li> <li>To conduct business analytics</li> <li>For safety and security purposes</li> <li>To improve how we do business, products and services, and customer experience</li> <li>For other internal business purposes</li> <li>To fulfill our legal obligations.</li> <li>To fulfill or meet the request</li> <li>To fulfill other notified purposes</li> </ul> | Yes |

(\*) We do not sell or share signatures or financial information (i.e., bank account number, credit card number, debit card number, or any other similar information).

(\*\*) In some cases, we may advertise (or facilitate advertising) to groups of individuals comprised of certain demographics like age or gender in a manner that is likely considered selling or sharing under California law.

| Sensitive Personal Information Category   | Purpose   | Sell or share |
|---|---|---------------|
| <b>Complete account access credentials</b> (such as usernames, account numbers, or card numbers with required access/security code or passwords). | <ul style="list-style-type: none"><li>• To provide you with products and services reasonably expected (access to your accounts and make payments from your online account)</li><li>• To prevent, detect, and investigate security incidents.</li><li>• For short term transient use to, for example, process your payment if you do not save your card on your account</li><li>• To resist malicious, deceptive, fraudulent, or illegal actions directed at us</li><li>• To verify or maintain the quality or safety of a product or service</li><li>• Other notified purposes where the collection and processing is not for the purpose of inferring</li><li>• To fulfill our legal obligations</li></ul> | No            |

## Retention

Except as otherwise permitted or required by applicable law or regulation, we will retain your personal information for as long as reasonably necessary to fulfill the purposes for which we collected it or for other compatible purposes that we have disclosed.

## 3. Other CCPA Disclosures

The following is a description of our online and offline information practices over the previous 12 months and other disclosures required by the CCPA.

## **A. Personal information collected**

The categories of personal information and sensitive personal information that we have collected about consumers in the past 12 months are the same as the categories described in our [Notice at Collection](#).

## **B. Sources of personal information**

Please refer to [How we collect your personal information](#), which describes the sources of personal information.

## **C. Purpose for collecting personal information**

Please see our [Notice at Collection](#) for an explanation of the reasons we collect personal information.

## **D. Information about personal information that we have sold or shared**

Vitacost is committed to delivering great products, great experiences, and great values. From time to time, we may use or disclose your information in a manner that is considered a “sale” or “sharing” under California law to provide the most relevant product recommendations and deliver marketing messages and personalized offers through select companies (e.g., analytics, advertising, and technology companies). Those companies help us match your interests with brands who want to send promotions and offers that we believe save you money on products you buy frequently, and help you discover new products or services that you might like. When we work with these companies, your privacy, data integrity and security remain a priority.

The table below identifies the categories of information we have sold or shared and the categories of third parties to whom information was sold or shared during the last 12 months. We do not knowingly sell or share the personal information of consumers under the age of 16.

In cases where we have sold or shared personal information, we have done so for the following purposes:

- To operate our business
- To conduct marketing, personalization, and advertising
- For [Interest-Based Advertising](#) including cross-context behavioral advertising purposes
- To conduct business analytics

| <b>Sold or Shared During Prior 12 Months</b>   |  |
|--|--|
| <b>Personal Information Category</b>   | <b>Categories of third parties</b>   |
| Identifiers  | Adtech partners or vendors, social networks, internet service providers, technology vendors, analytic providers, third-party matching agents |
| California Customer Records personal information   | Adtech partners or vendors, internet service providers, technology vendors, analytic providers, third-party matching agents                  |
| Characteristics of protected classifications under California or federal law (i.e., gender, age) | Adtech partners or vendors   |
| Commercial information   | Adtech partners or vendors, social networks, internet service providers, technology vendors, analytic providers                              |
| Internet or other electronic network activity information.                                       | Adtech partners or vendors, social networks, internet service providers, technology vendors, analytic providers                              |
| Inferences from personal information collected   | Adtech partners or vendors, social networks, internet service providers, technology vendors, analytic providers, third-party matching agents |

### **Personal information that we have disclosed for a business purpose**

During the prior 12 months, we have disclosed personal information for the following business purposes:

- To provide you with products and services
- To provide product recall notifications.
- To operate our businesses
- To conduct marketing, personalization, and advertising
- To communicate with you



- For research purposes
- To design and develop new product and service offerings
- To conduct business analytics
- For safety and security purposes
- To improve our products and service offerings
- For other internal business purposes
- To fulfill our legal obligations.
- To fulfill or meet the request

The table below describes the categories of recipients to whom information was disclosed for a business purpose during the prior 12 months:

| Disclosed During the Prior 12 Months   |  |
|--|--|
| Personal Information Category  | Categories of recipients   |
| Identifiers  | Adtech partners or vendors, internet service providers, technology/SaaS providers, analytic providers, third-party matching agents                                 |
| California Customer Records personal information                             | Adtech partners or vendors, internet service providers, technology/SaaS providers, analytic providers, third-party matching agents                                 |
| Characteristics of protected classifications under California or federal law | Adtech partners or vendors, internet service providers, technology/SaaS providers  |
| Commercial information   | Adtech partners or vendors, internet service providers, Technology/SaaS providers, analytic providers, third-party matching agents, professional service providers |
| Internet or other electronic network activity information                    | Adtech partners or vendors, internet service providers, technology/SaaS providers, analytic providers  |

|  |   |
|--|---|
| Geolocation data                               | Technology vendors, delivery providers  |
| Sensory data                                   | Professional service providers, Technology/SaaS providers, Government agencies                        |
| Professional or employment-related information | Technology/SaaS providers   |
| Inferences from personal information collected | Adtech partners or vendors, internet service providers, technology/SaaS providers, analytic providers |

#### **4. Your California Privacy Rights**

The CCPA provides California consumers (residents) with specific rights regarding their personal information including:

- The right to know about personal information we collect about you and how it is used and disclosed
- The right to delete personal information (with some exceptions)
- The right to correct inaccurate personal information
- The right to opt-out of the sale and sharing of your personal information for cross-context behavioral advertising
- In some cases, the right to limit the use or disclosure of sensitive personal information. We do not use or disclose any sensitive personal information except in some cases, where we are permitted to use such data under the CCPA without offering you the right to limit use.
- The right to non-discrimination for exercising your CCPA rights

##### **A. Your Right to Know**

You have the right to know what personal information we have collected about you. Once we receive your request and verify your identity (as described below), we will disclose to you:

- The categories of personal information
- The categories of sources from which the personal information has been collected
- The business or commercial purpose for collecting or selling personal information

- The categories of third parties with whom we disclose your personal information.
- The specific pieces of personal information we have collected about you
- If we sold your personal information or shared your personal information for cross-context behavioral advertising, the categories of personal information we have sold or shared.

## **B. Your Right to Delete**

You have the right to request that we delete personal information that we have collected from you and retained, subject to certain exceptions. Once we receive your request and verify your identity, we will review the request to see if an exception applies that allows us to retain some or all your information. We may deny your deletion request if retaining the information is necessary for us or our service providers to:

- Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech or to ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

We will delete or deidentify personal information not subject to one of these exceptions from our records and will direct our service providers to take similar action. If an exception applies, we will provide you information about that exception.

### **C. Your Right to Correct**

You have the right to correct inaccurate personal information that we maintain about you. In some cases, we may ask that you provide additional documentation to support your request. Once we receive your request and verify your identity, we may deny your request to correct personal information if we believe that the personal information that we maintain is more likely than not accurate based upon the totality of the circumstances.

### **D. Your Right to Opt Out of Sales and Sharing for Cross-Context-Behavioral Advertising**

We do not sell or share personal information of consumers who we know are younger than 16 years of age.

Some of our websites or mobile apps use cookies or other tracking technologies which may be considered a sale under the CCPA or may be used for cross-context behavioral advertising. Apart from our websites, we may disclose or otherwise make your data available to others in a manner that is considered a sale under the CCPA.

You may request that we stop selling and sharing your personal information (“opt-out”). With some exceptions, we cannot sell your personal information after we receive your opt-out request unless you later provide authorization allowing us to do so again. We must wait at least 12 months before asking you to opt back into the sale of your personal information.

### **E. Your Right to Limit Use of Your Sensitive Personal Information**

We do not provide a right to limit your sensitive personal information in cases where we are permitted to use such data under the CCPA without offering you the right to limit your use.

### **F. Right to Non-Discrimination**

You have the right not to be discriminated against for exercising any of your CCPA rights.

## ***5. How to Exercise Your CCPA Rights***

### **A. Your right to know, delete, or correct**

To exercise your right to know, delete, or correct as described above, please submit a request by either:

- Selecting the privacy right you wish to exercise on our [privacy request form](#)
- Calling us at [1-800-381-0759](tel:1-800-381-0759)

We will only use personal information provided in a consumer request to verify the request. We will not further disclose the personal information and will retain it only as necessary for the purpose of verification and to meet our legal obligations. We cannot fulfill your request if we cannot verify your identity or authority to make the request and confirm the personal information that is the subject of the request relates to you.

## **B. Your right to opt-out of sales and sharing**

To exercise the right to opt-out, you (or your authorized representative) may submit a request to us by visiting our Privacy Preference Center.

### **Opt-Out Preference Signals**

You may also opt out of the sales or sharing on our websites through an opt-out preference signal. To process your request through an opt-out preference signal, you must use a browser supporting the preference signal. If you choose to use an opt-out preference signal, we will opt you out of sales and sharing in the context of cookies and tracking technologies from the browser for which you have the opt-out preference signal enabled.

## **6. Who May Submit Requests?**

Only you, or someone legally authorized to act on your behalf (an authorized agent), may make a request under the CCPA on another consumer's behalf. You may also make a verifiable consumer request on behalf of your minor child.

### Requests to know, correct or delete:

If you use an authorized agent to submit a request, we may require that the authorized agent provide us with proof that you gave the agent signed permission to submit the request. In addition, we may also require you to do either of the following: (1) verify your own identity directly with us; or (2) directly confirm with us that you have provided the authorized agent permission to submit the request on your behalf. These requirements of proof do not apply if the agent has a power of attorney pursuant to California Probate Code.

We may deny a request from an authorized agent if the agent cannot meet the above requirements. Further, before responding to a request from an authorized agent, we will still require the authorized agent provide us with enough information so that we can verify your identity.

### Requests to opt-out and limit sharing

You may also use an authorized agent to exercise opt-out rights and to limit the use of sensitive personal information. In each case the agent must provide us with

documentation demonstrating that you have provided signed permission to the agent to exercise these rights with us on your behalf. We may deny the request if we do not receive such proof.

### ***7. How Often Can You Submit Requests?***

With limited exceptions, you may only make a verifiable consumer request to know your personal information twice within a 12-month period.

### ***8. How Do We Verify Requests?***

Before fulfilling your request, we take steps to verify you are who you say you are or that you have authority to act upon someone else's behalf. One way we verify you is through your account. If you do not provide your account number, we may request additional information that we need to verify you and, if you are submitting a request on behalf of someone else, to verify that you are permitted to act on that person's behalf.

When we contact you to request verification information, please respond and provide the information that we have requested. Depending on the nature of the request you make, we may require you to verify your identity to either a "reasonable degree of certainty" or "high degree of certainty". This means that we need to match two or three pieces of information that we hold about you with information that you provide to us. In addition, we may ask for knowledge-based qualifiers during the verification process. This data we need to match or ask for you to provide could include, but is not limited to, email address, mailing address, phone number, date of last purchase and purchase amount.

In some cases, we may require you to sign a declaration under penalty of perjury that you are the consumer whose personal information is the subject of the request or that you are authorized to make the request on behalf of someone else.

In addition to providing the information we need to verify you or your authority, you must provide us with enough information so that we can understand, evaluate, and respond to your request. We cannot respond to your request or provide you with personal information if we cannot confirm the personal information relates to you.

We will only use personal information provided in the request to verify the requestor's identity or authority to make it.

### ***9. CCPA Metrics Report***

We have prepared a report on the status of CCPA privacy requests for the previous year. This report details the number of requests to know, requests to delete, requests to opt out of sale and sharing, requests to correct and requests to limit the use of sensitive personal information that we received, complied with, and denied as well as the mean number of

days within which we responded to each privacy request. To view the CCPA metrics report, click [here](#).

## **10. Other California Disclosures**

### **A. Shine the Light**

California's "Shine the Light" law (Civil Code Section § 1798.83) permits California residents to opt out of our disclosure of your personal information to third parties for their direct marketing purposes. You may do so by submitting an "opt out" of sales and sharing request via our CCPA request form [Privacy Request Form](#).

Californians may request information about our compliance with this law by contacting us [KrogerPrivacyOffice@Kroger.com](mailto:KrogerPrivacyOffice@Kroger.com) or by sending a letter to:

The Kroger Co.  
1014 Vine Street  
Cincinnati, Ohio 45202  
Attention: Privacy Officer

Any such request must include your name and "California Shine the Light Privacy Rights Request" in the first line of the description and, if sent by mail, must include your street address, city, state, and zip code.

Please note that "Shine the Light" rights and CCPA rights are granted by different laws and must be exercised separately.

### **B. Do Not Track**

We do not respond to "Do Not Track" (DNT) signals. However, we do honor opt-out preference signals (global privacy control) as described [above](#).

## **Other State Consumer Privacy Disclosures**

The disclosures in this section supplement our general privacy notice and are made pursuant to the following state consumer privacy laws:

- Colorado Privacy Act
- Connecticut Data Privacy Act
- Delaware Personal Data Privacy Act
- Florida Digital Bill of Rights
- Iowa Consumer Data Protection Act
- Montana Consumer Data Privacy Act

- Nebraska Data Privacy Act
- New Hampshire Privacy Act
- New Jersey Privacy Act
- Oregon Consumer Privacy Act
- Texas Data Privacy and Security Act
- Utah Consumer Privacy Act
- Virginia Consumer Data Protection Act

For the purposes of this section, these laws will be referred to collectively as State Consumer Privacy Laws. References to “personal information” in our general privacy notice describe our practices with respect to “personal data” as defined under these State Consumer Privacy Laws.

#### *Categories of Personal Data and Purposes of Processing*

You can learn more about the categories of personal data and sensitive data that we collect about consumers and the purpose for processing your personal data and sensitive data by visiting our [CCPA Notice at Collection](#).

#### *Categories of Personal Data Shared with Third Parties*

We may use, disclose, or make available the categories of personal data listed below for targeted advertising purposes or in a manner that we have determined is likely considered a “sale” under the State Consumer Privacy Laws:

- Personal identifiers
- Contact information
- Transaction and commercial information
- Online and other technical information
- Inferences

When we disclose or otherwise make available such information, we may do so to the following categories of third parties: adtech partners or vendors, social networks, internet service providers, technology vendors, analytic providers, third-party matching agents, and/or data brokers. You can learn more about how third-parties may process personal data by visiting the [How We Share Your Information](#) section above.

#### **Your Rights Under State Consumer Privacy Laws**

If you are a resident of a state that has enacted a State Consumer Privacy Law, then, subject to certain conditions and exclusions, you have the following rights with regard to your personal data:



1. Right to access. You have the right to request access to and obtain a copy of any personal data that we may hold about you.
2. Right to correct. You have the right to request that we correct inaccuracies in your personal data. Although Iowa and Utah laws do not grant its residents this right, we grant Iowa and Utah residents the right to request correction of their data.
3. Right to delete. You have the right to request that we delete personal data that we have collected from or obtained about you.
4. Right to opt out of the sale of personal data. You may request that we stop disclosing or making available your data in a way that is considered a “sale”.
5. Right to opt out of targeted advertising. You may request that we stop disclosures of your personal data for targeted advertising.
6. Right to withdraw consent/opt out of the processing of sensitive data. If you have previously granted us consent to process your sensitive data, you have the right to withdraw consent/opt out of the processing of sensitive data.
7. Right to opt out of profiling. You have the right to opt out of profiling in furtherance of decisions that produce legal or similarly significant effects. *We do not profile in a manner that would result in legal or similarly significant effects and as such do not offer this right.*
8. Right to appeal. If you live in Colorado, Connecticut, Delaware, Florida, Iowa, Montana, Nebraska, New Hampshire, New Jersey, Oregon, Texas or Virginia and are unsatisfied with our decision not to take action on your requests to exercise one of your privacy rights, you may appeal our decision. Although Utah law does not grant its residents this right, we accept appeals from Utah residents using the same process.
9. Right to non-discrimination. If you choose to exercise any of the privacy rights described above, we will not deny our products or services to you, charge you different prices or provide a different level or quality of products or services to you unless those differences are related to the value of your personal data.
10. Oregon Residents. If you live in Oregon, you have the right to request a list of third parties to which we disclosed personal data.
11. Delaware Residents. If you live in Delaware, you have the right to request a list of the categories of third parties with whom we disclose your personal data.

## **How to Exercise Your Rights Under State Consumer Privacy Laws**

You may exercise your privacy rights, by either:

- Submitting a request on-line:
  - For Opt out of sale or targeted advertising by going to our Privacy Preference Center

- For all other privacy requests by going to our [privacy center request form](#).
- Calling us at [1-800-381-0759](tel:1-800-381-0759)

We will only use personal data that you provide in a request to authenticate the request. We will not further disclose the personal data and will retain it only as necessary for the purpose of authentication and to meet our legal obligations. We cannot fulfill your request if we cannot authenticate it and confirm the personal data that is subject of the request relates to you.

### **Opt-Out Preference Signals**

You may also be able to opt out of the sale of your personal data or targeted advertising through an opt-out preference signal. To process your request through an opt-out preference signal, you must use a browser supporting the preference signal. If you choose to use an opt-out preference signal, we will opt you out of the sale of your personal data and targeted advertising in the context of cookies and tracking technologies from the browser for which you have the opt-out preference signal enabled.

### **Authorized Agents**

In certain states, you may use an authorized agent (a person or entity acting on your behalf) to submit a request to opt-out out of our processing of personal data for the purposes of targeted advertising or sales. If you use an authorized agent to submit a request, we will not act on that request unless we are able to authenticate, with commercially reasonable effort, both your identity and the authorized agent's authority to act on your behalf.

### **Oregon**

The following Kroger Family of Companies act as a controller of Oregon residents' personal information:

| <b>Banner/Brand</b> | <b>Entity Registered with Oregon Secretary of State</b> |
|---------------------|---|
| 84.51               | 84.51 LLC   |
| Fred Meyer QFC      | Fred Meyer Stores, Inc.                                 |
| Fred Meyer Jewelers | Fred Meyer Jewelers, Inc.                               |
| Home Chef           | Relish Labs, LLC  |

|        |                |
|--------|----------------|
| Kroger | The Kroger Co. |
|--------|----------------|

## 15. Notice to Our International Visitors

Vitacost is based in the United States. If you are using our websites or apps outside the United States, please be aware that the personal information we collect about you is being processed in the United States or other jurisdictions outside your own. By continuing to use our websites and mobile applications and providing your personal information, you acknowledge that your personal information may be processed in and further transferred to jurisdictions other than your own. The data protection laws and regulations that may apply to your personal information processed in United States or other countries are likely different from the laws in your home country. References to “personal information” in our general privacy notice describe our practices with respect to “personal data,” as defined under the General Data Protection Regulation (GDPR).

### Visitors from the European Economic Area and United Kingdom

We recognize the privacy rights of people from the European Economic Area and United Kingdom who use our services. In addition to the information we provide throughout this privacy notice, the following rights and supplemental disclosures are applicable to you.

Vitacost.com, Inc., 4700 Exchange Court Suite 200, Boca Raton, FL 33431, USA is the data controller for personal information we receive through our websites and mobile applications.

### ***Legal Basis and Processing Purposes***

We rely on the following legal bases for processing the personal information of people from the European Economic Area and United Kingdom.

- *Contractual Necessity* – Processing personal information is necessary to get you the products you buy and ensure they are satisfactory. When you buy products from us, we require certain pieces of personal information to be able to get the product to you, including your name, contact details, and payment information.
- *Our Legitimate Interests* – We process personal information to achieve our legitimate interests of providing, improving, and personalizing the experiences of users of our websites, apps, and other services. We also process personal information to help ensure the security and integrity of our websites, mobile applications, and network. When we rely on our legitimate interests, we take into account the effects that these actions might have on you.
- *Our Legal Obligations* – We may be required to process personal information to meet our legal or regulatory obligations.

- *Your Consent* – We may ask for your consent for certain personal information processing. For example, we may rely on consent to use non-essential cookies, to provide you with marketing communications, or if we need to collect sensitive personal information from you.

### ***Rights and Choices***

European data subjects have the right to access personal information maintained about them and to impose certain limits on the use and disclosure of such personal information. You may ask us to take the following actions in relation to your personal information that we maintain:

- Provide you with information about our processing of your personal information and give you access to your personal information;
- Update or correct inaccuracies in your personal information;
- Delete your personal information;
- Transfer a machine-readable copy of your personal information to you or a third party of your choice;
- Restrict the processing of your personal information;
- Object to our processing of your personal information for direct marketing purposes; and/or
- Object to our reliance on our legitimate interests as the basis for processing of your personal information.
- In cases where we have asked for your consent, you may withdraw your consent.

You can submit these requests by:

- emailing [CustomerSupport@vitacost.com](mailto:CustomerSupport@vitacost.com) and put “Privacy Request” in the subject line;
- calling our customer care line at 1-800-381-0759; or
- writing to us at Vitacost.com, Attention: Customer Support - Privacy  
4700 Exchange Court Suite 200, Boca Raton, FL 33431, USA.

We may request specific information from you to help us confirm your identity prior to processing your request. Applicable law may require or permit us to decline your request. If we decline your request, we will tell you why, subject to legal restrictions.

You also have the right to lodge a complaint with a supervisory authority. Learn more about how to contact your supervisory authority in the [European Economic Area](#) and in the [United Kingdom](#).

### ***Retention of Personal Information***

In general, we aim to keep your personal information for no longer than is necessary to achieve the purposes for which the personal information was collected, or as may otherwise be permitted or required under applicable law. To determine the appropriate retention period, we will consider the amount and sensitivity of the personal information; the potential risk of harm from unauthorized access to, use, or disclosure of the personal information; the purposes for which we process the personal information; whether we can achieve our purposes through other means; our business needs; your expectations; and applicable legal requirements.

### ***Cookies and other Tracking Technologies***

For information about website cookies and other tracking technologies, click [Privacy Preference Center](#).