

Helena Agri-Enterprises, LLC  
Privacy Policy



**Summary**

Helena Agri-Enterprises, LLC (“Helena”) and its Affiliates, defined below, collect information from you when you visit our website, purchase or use products or services, obtain financing, or otherwise interact with us. We may obtain information on or about you, your equipment, or your devices from third parties to add to our files or to complete transactions. We generally refer to all of this information as “Information We Collect on You.” The purpose of this Privacy Policy is to explain to you what information we collect, how we collect this information, and how we use this Information We Collect on You. This Privacy Policy does not apply to third party websites that may be linked to our website.

Helena and each of its Affiliates, as applicable, may be referred to as “our,” “us” or “we” in this Privacy Policy. As used in this Privacy Policy, “Affiliates” means any subsidiary or other entity that is directly or indirectly controlled by or under common control of Helena.

This Privacy Policy is subject to the terms and conditions set forth in the Offerings – Enrollment Agreement and to any other agreement you have with Helena for specific products and services provided by Helena. In other words, in the event the terms of this Privacy Policy conflict with terms set forth in other agreements you have with Helena, the terms in the other agreements are controlling.

Please know we have a formal information security program to protect Information We Collect on You. (See the Security of the Information We Collect on You below.) Also, you can limit the Information We Collect on You. (See Opting In / Opting Out Section below.)

For additional information on our privacy practices, please contact us at: [privacypolicy@helenaagri.com](mailto:privacypolicy@helenaagri.com) or 225 Schilling Boulevard, Ste. 300, Collierville TN 38017, Attn: Privacy Policy/Legal Dept.

For transactions subject to the Federal Crop Insurance Act (7 U.S.C. 1501- 1524), please be advised of the following: **COLLECTION OF INFORMATION AND DATA (PRIVACY ACT) STATEMENT, Agents, Loss Adjusters and Policyholders.** The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a): The Risk Management Agency (RMA) is authorized by the Federal Crop Insurance Act (7 U.S.C. 1501- 1524) or other Acts, and the regulations promulgated thereunder, to solicit the information requested on documents established by RMA or by approved insurance providers (AIPs) that have been approved by the Federal Crop Insurance Corporation (FCIC) to deliver Federal crop insurance. The information is necessary for AIPs and RMA to operate the Federal crop insurance program, determine program eligibility, conduct statistical analysis, and ensure program integrity. Information provided herein may be furnished to other Federal, State, or local agencies, as required or permitted by law, law enforcement agencies, courts or adjudicative bodies, foreign agencies, magistrate, administrative tribunal, AIP’s contractors and cooperators, Comprehensive Information Management System (CIMS), congressional offices, or entities under contract with RMA. For insurance agents, certain information may also be disclosed to the public to assist interested individuals in locating agents in a particular area. Disclosure of the

information requested is voluntary. However, failure to correctly report the requested information may result in the rejection of this document by the AIP or RMA in accordance with the Standard Reinsurance Agreement between the AIP and FCIC, Federal regulations, or RMA- approved procedures and the denial of program eligibility or benefits derived therefrom. Also, failure to provide true and correct information may result in civil suit or criminal prosecution and the assessment of penalties or pursuit of other remedies. **NONDISCRIMINATION STATEMENT.** The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720- 2600 (voice and TDD). To file a complaint of discrimination, write to: USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250- 9410, or call (800) 795- 3272 (voice) or (202) 720- 6382 (TDD).

### **The Information We Collect on You**

The Information We Collect on You includes Personal Information and Raw Data. Personal Information is information that can be used on its own or with other publicly available information to identify, locate or contact you. For example, Personal Information includes information that allows us to identify and to communicate with you, such as your name, phone number, username, mailing address, and email address. Personal Information also includes relationship information which helps us understand your preferences so that we may offer you products and services that may interest you. Relationship information includes farm or business information, your general location, and other demographic information. Personal Information also includes financial information such as credit card information and information about equipment financing and leasing activities.

Raw Data is data generated or collected by your equipment and devices or by equipment and devices owned/operated by third parties. Raw Data includes land data, field boundaries, images, yield data, lab results, soil and tissue samples, agronomic data, information or data that you or your agents provide to us, and data generated by any devices used over, under or on the property upon which you operate; provided, however, Raw Data shall not include any information that is either publicly available or capable of being obtained from a third party source without such third party source violating its obligations of confidentiality.

We may also collect information on how you interact with us and our Service Providers (defined below) with respect to purchases, inquiries, and customer accounts. As part of this, we may collect financial information to complete your purchase. Additional terms apply to financial information collected in connection with financing obtained from us. For information on our handling of information collected in connection with financing, please contact your local Helena salesman, who will put you in touch with your Credit Manager.

Information We Collect on You does not include information or data which has been generated, processed, or modified by Helena whether or not related to any information we have collected on you. Examples of information which is not Information We Collect on You include, without

limitation, features, functionality, tools, analyses, results, estimates, recommendations and other information generated, published, displayed, transmitted or made available in or by Helena other than Personal Information and Raw Data.

### **How We Collect the Information on You**

We collect information directly from you as well as from third parties. We will ask you for Personal Information and general business information when you interact with us, such as when you register on our website, sign up to receive a newsletter, or purchase one of our products or services. We also collect information on you when you use our mobile applications or contact us for customer service. We may also collect Raw Data from your equipment and devices when providing you with certain services. The equipment and devices may include farm machinery, implements, cameras, and drones.

If you interact with us online, we may place cookies on your computer and use other data collection technologies to collect certain information about your equipment, browsing actions and patterns. Cookies are small text files that websites send to your computer or other Internet-connected device to uniquely identify your browser or to store information or settings in your browser. Cookies allow us to recognize you when you return. Cookies also enable us to collect information about the device you use to access our website, your operating system type, browser type, domain, and other system settings, as well as the language your system uses and the country and time zone where your device is located. Our server logs also may record details of your visit to our website, including the IP address of the device you use to connect to the Internet, traffic data and other communication data and resources that you access and use on the website. The information we collect automatically may include Personal Information, and we may maintain it or associate it with Personal Information that we collect about you in other ways or receive from third parties.

### **How We Use the Information We Collect on You**

We use the Information We Collect on You to fulfill orders for products or services, to improve products or services, and for other services related to your order, such as product delivery, maintenance, warranty service, financing, leasing, and credit services. We may use the Information We Collect on You to provide support, including monitoring and managing your machines, to deliver notices, upgrades and product improvement program communications, for diagnostics and repairs, to carry out our obligations and enforce our rights arising from any contracts entered into between you and us, and in any other way that we may describe when you provide the information. We may provide you with SMS, email and other communications and offers for products and services from our dealers, suppliers and partners, including offers based on your interests, personal and business characteristics, stated preferences and location. We may also use the Information We Collect on You for surveys, contests, loyalty programs and other promotional events, announcements, reminders, technical service bulletins, payment processing and financial account management, product development, product safety, contract management, website administration, web- forum management, order or contract fulfillment, analytics, fraud prevention, corporate governance, reporting and legal compliance. Helena may retain the Information We Collect on You for the duration of your business relationship with Helena, and for a period of time thereafter to analyze the information for Helena's own operations, and for historical and archiving purposes associated with Helena's business needs.

## **With Whom We Share the Information We Collect on You**

We will not share the Information We Collect on You with others without your consent except as provided in this Privacy Policy. We may share the Information We Collect on You with our Affiliates, Service Providers, authorized Helena dealers and distributors, and other business partners, which may use it for the purposes listed in this Privacy Policy. We may share this information with Service Providers for their own use. "Service Providers" may include suppliers, dealers, companies and consultants that provide website hosting, software development, payment processing, order fulfillment, information technology and related infrastructure support, customer service, email delivery, credit card processing, legal and financial advice, and auditing. We may disclose the Information We Collect on You where needed to complete the sale or transfer of business assets, to enforce our rights, protect our property, or protect the rights, property or safety of others, or as needed to support external auditing, compliance and corporate governance functions. We will also disclose the Information We Collect on You when required to do so by law, such as in response to a subpoena, including to law enforcement agencies and courts in the United States and other countries. We may also disclose information and data about you that is not personally identifiable, such as pooled agronomic field data. We may also publish reports that contain aggregated and statistical data about our customers and equipment. These reports do not contain information that would enable the recipient to contact, locate or identify you.

California 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. To make such a request, please send an e-mail to [privacypolicy@helenaagri.com](mailto:privacypolicy@helenaagri.com), or write us at 225 Schilling Boulevard, Ste. 300, Collierville TN 38017 Attn: Privacy Policy/Legal Dept.

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

We use automated devices and applications, such as Google Analytics, to evaluate usage of our website. We also may use other analytic means to evaluate our website. We use these tools to help us improve our website's performance and user experiences. These tools may use cookies and other tracking technologies, such as web beacons or local storage objects (LSOs), to perform their services. To learn more about Google's privacy practices, please review the Google Privacy Policy at <https://www.google.com/policies/privacy/>. You can also download the Google Analytics Opt-out Browser Add-on to prevent their data from being used by Google Analytics at <https://tools.google.com/dlpage/gaoptout>.

### ***Third Party Ad Networks***

We use third parties such as network advertisers to serve advertisements on our website and on third-party websites or other media (e.g., social networking platforms). This enables us and these third parties to target advertisements to you for products and services in which you might be interested. Third-party ad network providers, advertisers, sponsors and/or traffic measurement services may use cookies, JavaScript, web beacons (including clear GIFs), Flash LSOs and other tracking technologies to measure the effectiveness of their ads and to personalize advertising content to you. These third-party cookies and other technologies are governed by each third party's specific privacy policy, not this one. We may provide these third-party advertisers with

information, including Personal Information, about you.

Users in the United States may opt out of many third-party ad networks. For example, you may go to the Digital Advertising Alliance (“DAA”) Consumer Choice Page for information about opting out of interest-based advertising and your choices regarding having information used by DAA companies. You may also go to the Network Advertising Initiative (“NAI”) Consumer Opt-Out Page for information about opting out of interest-based advertising and your choices regarding having information used by NAI members.

Opting out from one or more companies listed on the DAA Consumer Choice Page or the NAI Consumer Opt-Out Page will opt you out from those companies’ delivery of interest-based content or ads to you, but it does not mean you will no longer receive any advertising through our website or on other websites. You may continue to receive advertisements, for example, based on the particular website that you are viewing (i.e., contextually based ads). Also, if your browsers are configured to reject cookies when you opt out on the DAA or NAI websites, your opt out may not be effective. Additional information is available on the DAA’s website at [www.aboutads.info](http://www.aboutads.info) and the NAI’s website at [www.networkadvertising.org](http://www.networkadvertising.org).

### **Opting In / Opting Out**

By accessing or using this website or otherwise interacting with us as described in this Privacy Policy, you agree to abide by the terms of this Privacy Policy and to Terms of Use available at [www.helenaagri.com](http://www.helenaagri.com). You can limit the information you provide to us. You can also limit the communications that we send to you. To opt- out of marketing emails, you can visit our website and communicate your choice to the relevant privacy contact. Alternatively, you may opt- out of receiving future marketing emails by clicking "unsubscribe" at the bottom of marketing emails we send you.

Please note that even if you opt- out of receiving marketing material, we may still need to contact you with important information about your account or your equipment. For example, even if you opt- out of marketing emails, we will still send you a confirmation when you purchase something from our website, as well as product safety communications.

You can manage cookie preferences and opt- out of having cookies and other similar collection technologies used by adjusting the settings on your browser or interface. All browsers and interfaces are different, so visit the "help" section of your browser or interface to learn about cookie preferences and other privacy settings that may be available. Currently, our systems do not recognize browser “do-not-track” requests.

You can manage how your mobile device and mobile browser share location information with us, as well as how your mobile browser handles cookies and related technologies, by adjusting your mobile device privacy and security settings. Please refer to instructions provided by your mobile service provider or the manufacturer of your device to learn how to adjust your settings.

### **Accessing and Correcting Personal Information**

If you desire to change or correct your Personal Information, please contact us at [privacypolicy@helenaagri.com](mailto:privacypolicy@helenaagri.com).

## **The Security of the Information We Collect on You**

We have information and data security programs that contain administrative, technical and physical controls designed to reasonably safeguard the Information We Collect on You. We use industry-standard encryption technology to secure the Information We Collect on You when it is collected or transmitted over the Internet. Unfortunately, the transmission of information via the Internet is not completely secure. Although we use measures to protect your Personal Information, we cannot guarantee the security of information transmitted to our website. Any transmission of information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on our website.

## **Privacy Policies of Third Parties**

This Privacy Policy only covers the use and disclosure of information and data by us. Other websites that may be accessible through our website have their own privacy policies and practices. In addition, our independent dealers, suppliers and business partners have their own privacy policies and practices. We encourage you to familiarize yourself with the privacy policies and statements provided by all third parties prior to providing them with information.

## **Use of Online Services by Minors**

Helena's services are not directed to individuals under the age of eighteen (18), and we request that these individuals not provide us with any of their information or use our online services.

## **Changes to this Privacy Policy**

From time to time, we may update this Privacy Policy to reflect new or different privacy practices. We will place a notice on our homepage when we make material changes to this Privacy Policy. Your continued interaction with us after we make changes is deemed to be acceptance of those changes, so please check this Privacy Policy periodically for updates.

*This Privacy Policy was last updated May, 2019.*