



Privacy Policy Kem-Shield

Kem-Shield (a division of Kem Krest, LLC) (referred to as “us,” “our,” or “we”) is committed to protecting your privacy online. This “Privacy Policy” discloses the privacy practices for the kem-shield.com website (the “Site”) and all related services including, but not limited to, informational blogs and webpages, customer testimonials, customer accounts, and all other features accessed through the Site (collectively, “Services”). This Privacy Policy does not apply to information that we collect offline unless we specifically refer to this Privacy Policy in our offline communication with you. This Privacy Policy also does not apply to information that you provide to or that is collected by any third party. Please read the information below to learn how we collect, use, and disclose your personally identifiable information (“PII”) when you access or otherwise use the Site and Services. “PII” means any information that identifies or can be used to identify an individual directly or indirectly including, for example, first and last name, date of birth, email address, gender, occupation, and other demographic information.

By using the Site and Services, you consent to and agree that we may collect, process, use, retain, share, and transfer your PII as described in this Privacy Policy. This Privacy Policy supplements and is incorporated into our Terms of Use, which may be accessed here. By accessing, downloading, registering an account with, purchasing from, or otherwise using our Site or Services, you agree to this Privacy Policy and our Terms of Use, including any updates thereto. If you do not agree to this Privacy Policy or the Terms of Use, please do not access or use this Site or the Services.

We reserve the right to change this Privacy Policy at any time. Such changes, modifications, additions or deletions shall be effective immediately upon notice thereof, which may be given by means including, but not limited to, issuing an email to the email address we have on file for you and posting the revised Privacy Policy on this page. You acknowledge and agree that it is your responsibility to maintain a valid email address on your account profile, review this Site and this Privacy Policy periodically, and to be aware of any modifications. Your continued use of the Site or Services after such modifications will constitute your (a) acknowledgment of the modified Privacy Policy and (b) agreement to abide and be bound by the modified Privacy Policy.

1. Types of Information Collected

In order to better provide you with our Site and Services including our numerous services, we collect two types of information about our users: PII provided directly by you and PII automatically collected by us. Our primary purpose in collecting information from you is to provide our services to you and to provide you with a smooth, efficient, and customized experience while using our Site and Services. We will also use PII to enhance the operation of our Site and Services, fill orders, improve our marketing and promotional efforts, statistically analyze Site use, improve our product and service offerings, and customize our Site’s content, layout, and services. We may use PII to deliver information to you and to contact you regarding administrative notices. We may also use PII to resolve disputes, troubleshoot problems and enforce our agreements with you, including our Terms of Use, and this Privacy Policy. If your PII is aggregated or deidentified such that it cannot be associated with you, it becomes Non-PII.

Directly Provided PII: This refers to information that lets us know the specifics of who you are. When you engage in certain Services on this Site, such as registering for an account, ordering a product, chatting with an agent, completing a “contact us” web form, or sending us testimonials and feedback, we may ask you to provide certain information about yourself by filling out and submitting an online form. It is completely optional for you to engage in these activities. If you elect to engage in these activities,

however, we may ask that you provide us PII, such as your first and last name, mailing address (including zip code), email address, employer, job title and department, telephone and facsimile numbers, and other personal identifying information. When ordering products on the Site, you may be asked to provide a credit card number. You may also provide additional PII if you chat with our agent or complete a “contact us” form. Depending upon the activity, some of the information we ask you to provide is identified as mandatory and some as voluntary. If you do not provide the mandatory data with respect to a particular activity, you will not be able to engage in that activity.

Automatically Collected PII: This refers to information that does not by itself identify a specific individual. We gather certain information about you based upon which pages you visit on our Site in several ways. This information is compiled and analyzed on an aggregated basis. This information may include the Uniform Resource Locator (“URL”) of the website from which you just navigated, which URL you next go to, what browser you are using, and your Internet Protocol (“IP”) address. A URL is the global address of documents and other resources on the World Wide Web. An IP address is an identifier for a computer or device on a Transmission Control Protocol/Internet Protocol (“TCP/IP”) network, such as the World Wide Web. Networks like the Web use the TCP/IP protocol to route information based on the IP address of the destination. In other words, an IP address is a number that is automatically assigned to your computer whenever you are surfing the web, allowing web servers to locate and identify your computer. Computers require IP addresses in order for users to communicate on the Internet.

We do not sell PII. We may disclose the PII you directly provide to us to our vendors, contractors, or service providers for a legitimate business purpose such as to create your account, process your payments, or ship your products to you. We may disclose the PII we automatically collect with our vendors, contractors, or service providers for a legitimate business purpose such as for search engine optimization, Site processing, and Site performance and analytics.

2. Cookies and Tracking

PII that we collect automatically may be collected through the use of cookies and similar tracking technologies. A cookie is a small data text file, which a website stores on your computer’s hard drive (if your Web browser permits) that can later be retrieved to identify you to us. Our cookies store randomly assigned user identification numbers, the country where you are located, and your first name to welcome you back to our Site and Services. The cookies make your use of the Site and Services easier, make the Site and Services run more smoothly and help us to maintain a secure Site and Services. For example, we may monitor how many times you visit, which pages you go to, traffic data, location data and the originating domain name of a user’s internet service provider. This information helps us to build a profile of our users and provide more relevant information for our users. Some of this data will be aggregated or statistical, which means that we will not be able to identify you individually.

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 or refuse cookies, please note that some parts of this Site or the Services may become inaccessible or not function properly. More information on how to modify your browser settings or how to block, manage or filter cookies can be found in your browser’s help file or through such sites as www.allaboutcookies.org. You may opt out of non-essential cookies on our Site here.

We may use an outside ad service company to display banner advertisements on our Site and through our Services. As part of their service, they will place a separate cookie on your computer. We will not provide any third-party ad server with any of your PII or information about your purchases. We and our

third party ad server will collect and use Non-PII about you, such as your IP address, browser type, the server your computer is logged onto, the area code and zip code associated with your server and whether you responded to a particular ad. Other advertisers may also place banner ads on our Site in the same manner as above, but we will not disclose any PII to them.

Do Not Track: Please note that because there is no consistent industry understanding of how to respond to “Do Not Track” signals, we do not alter our data collection and usage practices when we detect such a signal from your browser.

Analytics: We use Google Analytics to help us understand how our customers use the Site and Services. You can read more about how Google uses your PII here: <https://policies.google.com/privacy?hl=en>. You can also opt-out of Google Analytics here: <https://tools.google.com/dlpage/gaoptout>.

Behavioral Advertising: We and third parties such as Google, use cookies or other third party identifiers to compile data regarding our advertisements. We may also use remarketing to advertise across other websites. For example, Google will show our advertisements across other websites that you are visiting based on your past visits to our website to ensure you receive advertisements that are relevant to you. Please refer to the Google Ads Privacy Notice and Google’s Ads Setting page for more information about the ability to opt out, <https://policies.google.com/privacy?hl=en>.

For more information about how targeted advertising works generally, you can visit the Network Advertising Initiative’s (“NAI”) educational page at <http://www.networkadvertising.org/understanding-online-advertising/how-does-it-work>.

You can opt out of targeted advertising by visiting:

FACEBOOK - <https://www.facebook.com/settings/?tab=ads>

GOOGLE - <https://www.google.com/settings/ads/anonymous>

BING - <https://advertise.bingads.microsoft.com/en-us/resources/policies/personalized-ads/>

Members of the Digital Advertising Alliance - <http://optout.aboutads.info/>

Members of the Network Advertising Initiative - <https://optout.networkadvertising.org/?c=1>

3. Privacy Policies of Third Party Websites

This document only addresses the use and disclosure of information we collect from you. Other websites accessible through our Site and Services, including social media links such as Facebook, Instagram, and LinkedIn, have their own privacy policies and data collection, use, and disclosure practices. The product sales, shopping cart, and affiliated features that allow you to make purchases from our Site are hosted by Shopify. The Shopify privacy policy can be accessed at <https://www.shopify.com/legal/privacy>. Additionally, certain third parties may use automatic information collection technologies, including cross-site tracking technologies, to collect PII about you or your device. These third parties may include, but are not limited to, your internet service provider, your web browser, your mobile service provider, your mobile device manufacturer, online advertisers, and data analytics companies.

Please consult each website’s privacy policy for information on the privacy practices applicable to that website. We are not responsible for the policies or practices of third parties.

4. Release of Information

We do not sell, trade, or rent your PII to others. We do provide some of our services through contractual arrangements with affiliates, services providers, partners and other third parties. We and our service partners use your PII to operate our Site and to deliver our Services. For example, we must release your credit card information to the card-issuing bank to confirm payment for products and services purchased on this Site; release your address information to the delivery service to deliver products that you ordered; and provide order information to third parties that help us provide customer service.

We may share your PII when required to do so by law, court order, or other legal process such as a subpoena. We generally do not disclose Personal Information unless we have a good faith belief that an information request by law enforcement or private litigants meets applicable legal standards. We may share your Personal Information when we believe it is necessary to comply with applicable laws, to protect our interests or property, to prevent fraud or other illegal activity perpetrated through the services or using our name, or to protect the safety of any person. This may include sharing PII with other companies, lawyers, agents, or government agencies. Nothing in this Privacy Policy is intended to limit any legal defenses or objections that you may have to a third party's, including a government's, request to disclose your information.

We may share your PII with a buyer or successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by us is among the assets being transferred.

We may also provide Non-PII about our customers' sales, traffic patterns, and related Site information to third party advertisers, but these statistics do not include any PII.

We may also share your PII at your direction or any time we have your consent to do so, including implicit and tacit consent. This includes sharing your Personal Information as we have disclosed in this Privacy Policy.

5. Updating and Correcting Information

We believe you should have the ability to access and edit the PII that you have provided to us. You may change any of your PII in your account online at any time by logging in to your account in accordance with instructions posted elsewhere on this Site. You may also access and correct your PII and privacy preferences by submitting a Verifiable Consumer Request as described below in the "Notice to California Residents Section."

We encourage you to promptly update your PII if it changes. You may ask to have the information on your account deleted or removed; however, because we keep track of past transactions, you cannot delete information associated with past transactions on this Site. In addition, it may be impossible to completely delete your information without some residual information because of backups.

6. User Choices on Collection and Use of Information

We may, from time to time, send you emails regarding our products and services. In addition, if you indicated upon registration that you are interested in receiving offers or information from us and our partners, we may occasionally send you direct mail about products and services that we feel may be of interest to you. Only Kem-Shield (or agents working on behalf of Kem-Shield and under confidentiality agreements) will send you these direct mailings and only if you indicated that you do not object to these

offers. If you do not want to receive such mailings, simply tell us when you give us your PII. Or, at any time you can easily edit your account information to no longer receive such offers and mailings.

7. Notice to California Residents

Each capitalized term used, but not defined, in this section shall have the meaning given to such term in the California Consumer Privacy Act of 2018 (“**CCPA**”). “**Personal Information**” includes PII as defined in other sections of this Privacy Policy. If you are a resident of California, you have the right to access the Personal Information we hold about you, to ask that your Personal Information be corrected, updated, ported, or erased, and to opt out of the sale of your Personal Information. If you would like to exercise these rights, please contact us through the means indicated at the end of this Privacy Policy. However, know that we do not sell any Personal Information, as defined by California law. Thus, it is not necessary for you to opt out of the sale of your Personal Information. These rights do not apply to job applicants, employees, or business entities.

If you would like to designate an authorized agent to submit these requests on your behalf, please contact us through the means indicated at the end of this Privacy Policy.

Right of Access to Specific Information: You have the right to request that we disclose certain information to you about our collection and use of your Personal Information over the past 12 months. Once we receive and confirm your Verifiable Consumer Request, we will disclose to you:

- The categories of Personal Information we collected about you;
- The categories of sources for the Personal Information we collected about you;
- Our business or commercial purpose for collecting, sharing, or selling that Personal Information;
- The categories of third parties with whom we share that Personal Information;
- The specific pieces of Personal Information we collected about you (also called a data portability request) and provide a copy to you in an electronic or paper format; and
- The categories of Personal Information, if any, we disclosed for a business purpose to a third party.

Deletion Request Right: You have the right to request that we delete any of your Personal Information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your Verifiable Consumer Request, we will delete (and direct our Contractors and Service Providers to delete) your Personal Information from our (and their) records, unless an exception applies (as described below).

As permitted by CCPA we may delete your Personal Information by (a) permanently and completely erasing the Personal Information on our existing systems with the exception of archived or back-up systems; (b) de-identifying the Personal Information; or, (c) aggregating the Personal Information.

We may deny your deletion request if retaining the information is necessary for us or one of our Contractors or 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, 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, 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.);
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us;
- Comply with a legal, regulatory or law enforcement obligation; or
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Access, Data Portability, Correction, and Deletion Rights: To exercise the access, data portability, and deletion rights described above, please submit a Verifiable Consumer Request to us by calling using the contact information at the end of this Privacy Policy. Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a Verifiable Consumer Request related to your Personal Information. You may only make a Verifiable Consumer Request for access or data portability twice within a 12-month period. To be verifiable, the Consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative of that person and
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm that the Personal Information relates to you. Making a Verifiable Consumer Request does not require you to create an account with us. We will only use Personal Information provided in a Verifiable Consumer Request to verify the requestor's identity or authority to make the request.

Upon receiving a data access, correction, data port or deletion request from you, we will verify your identity based on the information we have on file for you. Upon verification of your identity, we will proceed to process your request (subject to the exceptions stated above).

We endeavor to confirm receipt of your request within ten (10) days of receiving it. We will respond to a Verifiable Consumer Request within forty-five (45) days of its receipt. If we require more time (up to an additional forty-five (45) days), we will inform you of the reason and extension period in writing.

We will deliver our written response via email to the email address associated with you or, if we are unable to determine your email address, via mail.

Any disclosures we provide will only cover the 12-month period preceding the Verifiable Consumer Request receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your Personal Information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your Verifiable Consumer Request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Non-Discrimination: We will not discriminate against you simply for exercising your rights under the CCPA.

8. Notice to Nevada Residents

If you are a Nevada resident who wishes to exercise your sale opt-out rights under Nevada Revised Statutes Chapter 603A, you may submit a request to the contact information listed at the end of this Privacy Policy. However, please know we do not currently sell PII triggering that statute's opt-out requirements.

9. Notice to Residents of Non-U.S. Countries

Our headquarters is in the United States. The PII we or our service providers and contractors collect may be stored and processed in servers within or outside of the United States and wherever we and our service providers and contractors have facilities around the globe, and certain PII may be accessible by persons or companies outside of the United States who provide services for us. As such, we and our service providers and contractors may transfer your Personal Information to, or access it in, jurisdictions that may not provide equivalent levels of data protection as your home jurisdiction. We will take reasonable steps to ensure that your Personal Information receives an adequate level of protection in the jurisdictions in which we process it.

If you are a resident of a country other than the United States, you acknowledge and consent to our collecting, transmitting, transferring, processing, storing, and otherwise using your Personal Information outside of the country in which you reside. Your acceptance of this Privacy Policy or use of our Site or Services constitutes consent, either express, implied, or tacit to collect, use, and share your Personal Information as indicated herein.

10. Notice to European Union and United Kingdom Residents

If you are a resident of the European Union or the United Kingdom (also referred to as a **"Data Subject"**), the General Data Protection Regulation (**"GDPR"**) provides you with additional rights regarding our use of your personal information. This section is provided pursuant to the GDPR. Each capitalized term used, but not defined, in this section shall have the meaning given to such term in the GDPR. This section describes how we collect, share, disclose, and process the Personal Data of residents of the European Union and United Kingdom. **"Personal Data"** means any information relating to an identified or identifiable natural person (referred to 'data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person and includes all "PII" referred to in this Privacy Policy.

Rights of European Union and United Kingdom Residents

If you are located in the European Union or the United Kingdom, you have certain rights regarding the Personal Data that we maintain about you, which in certain circumstances you will be able to exercise. The rights are as follows:

- Access. You may request a copy of the Personal Data that we maintain about you.

- Portability. If we maintain your Personal Data based on your consent or so that we can enter into or perform under a contract with you, you have the right to obtain your Personal Data from us that you consented to give us, that is necessary to enter into or perform the contract, or that is necessary to provide member benefits to you. We will give you your Personal Data in a structured, commonly used and machine-readable format.
- Correction. If you believe your Personal Data is incorrect, you may request that we correct, amend or delete your Personal Data that is inaccurate or incomplete.
- Deletion or Restriction of Processing. You may request that we erase or restrict the processing of your Personal Data.
- Object to Processing. You may object to the processing of your Personal Data in certain circumstances when we process your Personal Data for the purposes of our legitimate interests.
- Right to Complain. You have the right to file a complaint with a supervisory authority, in particular in the European member state of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of your Personal Data infringes upon your rights.
- Withdraw Consent. If we are processing your Personal Data based on your consent to do so, you may withdraw that consent at any time.

Some of these rights can be exercised online via your account. For example, you can review and modify certain information relating to your use of our Services and view your purchase history. If you are unable to manage your request via your online account, then please contact us via the contact information at the end of this Privacy Policy.

Collection of Personal Data

We only collect Personal Data that is reasonably necessary for us to provide our Services. Subject to applicable exceptions, we will obtain your Consent before collecting, using and disclosing your Personal Data for the specified purposes. In addition to circumstances in which you Consent to the use of your Personal Data, the Personal Data we collect may be used or processed where we have a legitimate interest in or other legal basis for processing such data.

The categories of, purposes for which, and means of collecting the Personal Data that we collect are listed above in the section entitled “*Types of Information Collected.*” With whom and why we disclose your Personal Data is described above in the section entitled “*Release of Information*” and in other sections of this Privacy Policy. If we use Personal Data in ways other than described in this Privacy Policy, we will provide you with specific notice at the time of collection.

Processing Personal Data

We only process Personal Data when we have a legal basis to do so including

- when you have consented to the processing of your Personal Data;
- when processing is necessary to perform a contract with you or fulfil a request you have made;
- when processing is necessary to comply with a legal obligation that applies to us; or
- when processing is necessary for purposes that are in our legitimate interests and you have given any required explicit or implicit Consent to such processing, including protecting the security of our Services, improving the functioning of our Services, or providing you with information about products in which you have expressed interest.

If we need to process your Personal Data to fulfil or enter into a contract with you, failure to provide that Personal Data will mean that we cannot perform or enter into a contract with you. If we collect your Personal Data for one purpose and need to process it for second purpose, we will provide you with

additional information regarding this secondary purpose to ensure fair and transparent processing before we engage in further processing.

11. Notice to Canadian Residents

Our collection, use, and disclosure of your Personal Information is generally consistent with our privacy practices for EU and United Kingdom residents and complies with the Personal Information Protection and Electronic Documents Act (“PIPEDA”). Personal Information, as defined in PIPEDA, includes the references to PII, Personal Information, and Personal Data herein.

12. Security of Information

At our Site you can be assured that your PII is secure, consistent with current industry standards. The importance of security for all PII associated with our user is of utmost concern to us. Your PII is protected in several ways. Access by you to your PII is available through a password and unique customer ID selected by you. This password is encrypted. We recommend that you do not divulge your password to anyone. In addition, your PII resides on a secure server that only selected Kem-Shield personnel and contractors have access to via password. We encrypt your PII when it is transmitted to us and thereby prevent unauthorized parties from viewing such information.

Information that you provide that is not PII also resides on a secure server and is only accessible via password. Since this information is not accessible from outside Kem-Shield, you will not be asked to select a password in order to view or modify such information.

In order to most efficiently serve you, credit card transactions and order fulfillment are handled by established third party banking, processing agents and distribution institutions. They receive the information needed to verify and authorize your credit card or other payment information and to process and ship your order.

Unfortunately, no data transmission over the Internet or any wireless network can be guaranteed to be 100% secure. As a result, while we strive to protect your PII, you acknowledge that: (a) there are security and privacy limitations of the Internet which are beyond our control; (b) the security, integrity and privacy of any and all information and data exchanged between you and us through this Site or the Services cannot be guaranteed; and (c) any such information and data may be viewed or tampered with in transit by a third party.

13. Data Retention

When you access our Site or Services, we will retain your PII as long as it is necessary for the processing purpose in question or in accordance with our data retention policy. We may retain your PII for longer periods if required by law, if you give us your permission, or in case of a legal dispute in which your PII may be used as evidence.

14. Automatic Decision-making

We do not profile or use automated decision making.

15. Minors

You must be at least 18 years old to have our permission to use this Site or the Services. Our policy is that we do not knowingly collect, use or disclose PII about visitors that are under 18 years of age. If we learn that we have collected or received PII from a child under 18 without verification of parental

consent, we will delete that information. If you believe a child has provided us with PII, please contact us through the means indicated below to request deletion.

16. Contact Information

If you have any questions about this Privacy Policy, the practices of this Site, or your dealings with this Site or the Services, please contact us at:

Kem-Shield
Attn: Legal Administrator
1080 Middleton Run Road
Brighton, MI 48116
webmaster@kemkrest.com
888-403-8448

