

## **PRIVACY POLICY**

The website <http://www.agphdsoils.com/> (the “**Site**”) is operated by Farmers Edge Inc. (also referred to as “**Farmers Edge**”, “**us**”, or “**we**”). We respect your right to control your personal information. That is why we have developed this Privacy Policy which governs and explains how we collect, use and disclose your personal information (the “**Privacy Policy**”).

This page contains the Privacy Policy for the Site, as well as for any other websites or microsites operated by Farmers Edge (collectively and together with the Site, the “**Sites**”), and for web applications, tools, forums, or social media pages offered by Farmers Edge on the Sites, and for any online services offered by Farmers Edge, including but not limited to the Ag pHd soils nutrient management portal offered by Farmers Edge (together with the Sites, the “**Service**”).

**By accessing or using the Service, you consent to the collection, use and disclosure of personal information by Farmers Edge in accordance with this Privacy Policy. You may choose not to provide us with personal information. However, if you make this choice we may not be able to provide you with the application, service or information that you requested.**

### **1. Definitions**

For the purposes of this Privacy Policy, the following words have the following meanings:

“**collection**” means the act of gathering, acquiring, recording or obtaining personal information from any source, including third parties, by any means.

“**consent**” means voluntary agreement with the collection, use and disclosure of personal information for defined purposes. Consent can be either express or implied and can be provided directly by the individual or by an authorized representative, such as a parent or guardian. Express consent can be given orally, electronically or in writing. Implied consent is consent that can reasonably be inferred from a user's action or inaction.

“**user**” means an individual who uses the Service provided by Farmers Edge, including anyone else who accesses or visits the Sites.

“**disclosure**” means making personal information available to a third party.

“**employee**” means an employee of Farmers Edge, and for the purpose of this Privacy Policy only, includes agents, independent and other contractors performing services for Farmers Edge.

“**personal information**” means information about an identifiable individual, but not aggregated information that cannot be associated with a specific individual.

“**registered user**” means a user who has created and registered an account with Farmers Edge, as well as a Subscribing Organization that has created and registered an account or accounts with Farmers Edge.

“**Subscribing Organization**” means a company, entity or organization, including any agricultural business, that has subscribed to the Service.

“**third party**” means an individual other than the user, or the user's agent, or an organization outside Farmers Edge or a Subscribing Organization.

“use” means the treatment, handling and management of personal information by and within Farmers Edge.

## **2. Collection**

Farmers Edge may collect any or all of the following personal information if the information is reasonably required to provide the services accessed or requested by you:

- (a) information that you provide when you become a registered user or otherwise complete forms on the Service, such as your name, email, postal address, telephone number, age, country of residence and occupation;
- (b) your log-in and password details in connection with your Farmers Edge account(s), including your username;
- (c) information that you provide to Farmers Edge when you subscribe to the Service, such as your billing address, payment method and credit card information;
- (d) your correspondence with Farmers Edge employees, including any questions, concerns or comments you may have about the Service or problems that you report;
- (e) your location information via your mobile device or certain of your farm equipment;
- (f) comments, videos, photographs, and any other content or information that you may post or submit to the Service, including, but not limited to, information about your farming operation, land, crops, and/or equipment;
- (g) information about your farming operation that may be automatically collected via the Service after you have subscribed to certain aspects of the Service, including, but not limited to (i) operational data such as seeding, field boundary delineations, shipping logistics, fertilizer application, ratios, soil samples, nutrient prescriptions, controller files, grid setups, spraying, harvesting, tillage, input supplies, service records, production histories, nutrient management, task management; (ii) equipment data such as fuel burned, fuel levels, engine RPM, GPS coordinates, heading, slippage, diagnostic trouble codes, engine hours, ground speed, pressure readings, depreciation, Power-Take Off (PTO), and working state; and (iii) soil data; and
- (h) details of your requests made through the Service.

## **3. Purpose of Collection and Use of Personal Information**

Farmers Edge collects your personal information and will use your personal information as is reasonably required for the following purposes:

- (a) if you are a registered user, to establish and maintain your Farmers Edge account;
- (b) to provide web applications, the Service, and/or the other services or information that you request, including, but not limited to, agricultural and agronomic analyses, reports, consulting services, and data management and analytics;
- (c) to verify your identity if you submit comments, videos, photographs, opinions, or any other content or information to the Service;

- (d) to respond to questions, comments, requests, job applications, or complaints that you submit to Farmers Edge;
- (e) to process payments made by you to Farmers Edge;
- (f) to collect amounts owing from you to Farmers Edge;
- (g) to track communications with you;
- (h) to analyze use of the Service and to improve the Service;
- (i) to send emails, newsletters, regular mail or other communications you have consented to receive from Farmers Edge;
- (j) to provide Service-related announcements or notifications to you;
- (k) to fulfill a purpose that we disclose to you when we request your personal information; and/or
- (l) to meet legal and regulatory requirements.

Farmers Edge staff are authorized to access personal information based only on their need to deal with the information for the reason(s) for which it was obtained. Personal information will only be collected and used by authorized staff in a manner consistent with the activities of Farmers Edge.

#### **4. Disclosure**

Farmers Edge may disclose your personal information to:

- (a) its employees, agents, partners and service providers as is reasonably necessary to enable these parties to perform a business, professional or technical support function for Farmers Edge;
- (b) a person who, in the reasonable judgment of Farmers Edge, is seeking the information as your agent; and
- (c) a third party or parties, where you consent to such disclosure or the disclosure is required by law.

We may also disclose your personal information in connection with a corporate re-organization, a merger or amalgamation with another entity, a sale of all or a substantial portion of our assets or stock, including any due diligence exercise carried out in relation to the same, provided that the information disclosed continues to be used for the purposes permitted by this Privacy Policy by the entity acquiring the information.

If you voluntarily submit or post any information, videos, photographs or other content (“**User Content**”) to the Service, certain of your personal information may be included in the posting, such as your user name and email address, and this information may be collected and used by others. Farmers Edge has no control over and is not liable for the collection, use or disclosure of any posted User Content or your included personal information by users of the Service. You are responsible for ensuring the protection of any of your personal information that you post to any

other user's Farmers Edge messaging account. The term "User Content" does not include aggregated non-personal data as described in Section 9 of this Privacy Policy.

## **5. Safeguarding Your Personal Information**

Farmers Edge is committed to safeguarding your personal information. Farmers Edge uses appropriate security measures to protect personal information against risks such as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction regardless of the format in which it is held. The methods of protection and safeguards used by Farmers Edge include, but are not limited to, locked filing cabinets, need-to-know access and technological measures, including the use of passwords, encryption and firewalls. While Farmers Edge cannot guarantee that risks such as loss, theft, unauthorized access or disclosure of personal information will not occur, Farmers Edge will make every effort to prevent such unfortunate occurrences.

Farmers Edge takes care in disposing of or destroying personal information to prevent unauthorized parties from gaining access to the information. Farmers Edge also ensures that its employees with access to personal information are made aware of the importance of maintaining the confidentiality of personal information. Finally, Farmers Edge protects personal information disclosed to third parties by contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used.

If you are a registered user and your Farmers Edge account becomes inactive, Farmers Edge may choose not to retain your User Content, personal information associated with your Farmers Edge account, or any other records associated with your Farmers Edge account, for a period longer than three years after your Farmers Edge account becomes inactive, in which case such information may be destroyed. If your Farmers Edge account becomes inactive, you are solely responsible for exporting any such information from your Farmers Edge account that you may wish to retain.

## **6. Accuracy**

Farmers Edge is committed to keeping your personal information as complete, up-to-date and accurate as is necessary for the purposes for which it is to be used. Farmers Edge will promptly correct or complete any personal information found to be inaccurate or incomplete. Where appropriate, Farmers Edge will transmit amended information to third parties having access to the personal information in question. Upon request, Farmers Edge will provide you with a reasonable opportunity to review the personal information in your file to review its accuracy. Such personal information will be provided within a reasonable time of the request and at a minimal or no cost to you.

Also upon request, Farmers Edge will provide an account of the use and disclosure of your personal information and, where reasonably possible, will state the source of the information. In providing an account of disclosure, Farmers Edge will provide a list of organizations to which it may have disclosed personal information about you when it is not possible to provide an actual list.

## **7. Complaints**

Farmers Edge will promptly investigate all complaints concerning our compliance with the Privacy Policy and our dealings with your personal information. If a complaint is found to be justified, Farmers Edge will take appropriate measures to resolve the complaint, including, if

necessary, amending our policies and procedures. You will be informed of the outcome of the investigation regarding your complaint.

## **8. Withdrawing Consent**

You may withdraw your consent to the collection, use or disclosure of your personal information by Farmers Edge at any time, subject to legal or contractual restrictions and reasonable notice. In certain circumstances, your withdrawal of consent will result in the inability of Farmers Edge to continue providing aspects of the Service to you. Please contact Farmers Edge for more information regarding the implications of withdrawing consent.

## **9. Non-Personal Information**

Non-personal information is information that does not identify you and which we are unable to connect to other information in order to identify you. Farmers Edge may collect any or all of the following non-personal information:

- (a) Aggregated data resulting from the combination and/or aggregation of certain raw data collected from lands and farm equipment (including, but not limited to, farm equipment information, operational data, field applications data, harvest data, field-centric weather data, soil data, and carbon data) with other data in a way that no longer personally identifies the user.
- (b) The Sites employ a web analytics service that uses "cookies," which are text files placed on your computer, to help the website analyze how users use the Sites and to override any security restrictions based on the IP address the visitor is coming from. The information generated by the cookies about your use of the Sites (including your IP address) will be transmitted to and stored by web analytics service providers on servers in the United States. The web analytics service providers will use this information for the purpose of evaluating your use of the Sites, compiling reports on Sites activity for the Sites' operators and providing other services relating to website activity and Internet usage. The web analytics service providers may also transfer this information to third parties where required to do so by law, or where such third parties process the information on the web analytics service providers' behalf. The web analytics service providers will not associate your IP address with any other data held by the web analytics service provider. The web analytics service is strictly necessary for the security operations of the Sites and cannot be turned off. By using the Sites, you consent to the processing of data about you by web analytics service providers in the manner and for the purposes set out above.

We make no attempt to link this non-personal information with the identity of individuals using the Service. Non-personal information may be permanently archived for future use in any manner whatsoever by Farmers Edge.

## **10. Inquiries**

To submit an inquiry, complaint, request a review of your personal information, correct or update your personal information, withdraw your consent or request more information or additional copies of the Privacy Policy contact:

**Farmers Edge Inc.**

**Mailing Address:** 25 Rothwell Road, Winnipeg, MB R3P 2M5

**Telephone No.:** 1 (888) 576-6777

**E-mail:** [support @farmersedge.ca](mailto:support@farmersedge.ca)

**11. Unsubscribe**

If you no longer wish to receive commercial electronic messages from Farmers Edge regarding our new products or services, promotions or other similar communications, you may unsubscribe here [support@farmersedge.ca](mailto:support@farmersedge.ca). Please note that, after you unsubscribe, Farmers Edge may still send electronic communications to you in certain limited circumstances, such as to provide you with Service notifications and billing information, or to provide information that Farmers Edge is legally obligated to provide you.

**12. Privacy Policy Changes**

To accommodate changes in our services, changes in technology and legal developments, this Privacy Policy may change over time without notice to you. We may add, change or remove portions of the Privacy Policy when we feel it is appropriate to do so. We encourage you to review our Privacy Policy periodically. Each time you submit personal information or use the Service you agree to be bound by terms of the Privacy Policy which is then current. Whenever we update the Privacy Policy, we will change the date below to indicate when the changes were made.

**Date: November 21, 2017**