

PRIVACY POLICY NOTICE

Date: June 25, 2020

At Farmers Edge Inc., privacy is a priority. This Privacy Policy explains how Farmers Edge Inc. and its group of subsidiary companies (including, Farmers Edge (US), Inc., Farmers Edge Australia PTY Ltd., Farmers Edge (Brasil) Consultoria Em Atividades Agrícolas Ltda., Farmers Edge. LLC, Farmers Edge Ukraine LLC, DigiAg Risk Management Inc. and DigiAg Risk Management (US), LLC), also referred to as “Farmers Edge”, “us”, “our”, and “we”) collect, use, and disclose your personal information when you access our websites, mobile applications, or services, including the following websites (the “Sites”):

- farmersedge.ca
- farmersedge.ca/ru/
- digiagriskmanagement.com
- farmersedge.ca/au/
- FarmersEdge.ca/pt-br/
- farmersedgeusa.com
- farmcommand.com

This Privacy Policy reflects the collection and use of personal information of individuals who are 18 years of age and older. It is not our intention to collect, use or store personal information of individuals who are younger than 18 years of age.

We recommend that you read this entire Privacy Policy to ensure that you are fully informed. However, you can access specific sections of the Privacy Policy by selecting the topic to take you directly to that section.

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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 is permission granted by an individual taking a positive step to signify consent and 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 services 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.
- **“services”** means any one or more services provided by Farmers Edge to you relating to agricultural and agronomic analyses, reports, consulting services and data management and analytics including those provided through web applications, the Sites, tools, forums, or social media pages offered by Farmers Edge.
- **“Subscribing Organization”** means a company, entity or organization, including any agricultural business, that has subscribed to receive services.
- **“third party”** means an organization outside Farmers Edge or a Subscribing Organization.
- **“use”** means the treatment, processing and management of personal information by and within Farmers Edge.

2. What are your personal information protection rights?

Farmers Edge would like to make sure that you are fully aware of all your personal information protection rights. Every person is entitled to the following:

The right to access

You have the right to ask us if we are processing your personal information. If we are processing your personal information, you can request access to details of your personal information including, but not limited to, how we use and disclose your personal information. You also have a right to a copy of your personal information.

You will not have to pay a fee to access your personal information (or to exercise any of the rights in this Section 2). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

The right to rectification

You have the right to request that Farmers Edge corrects any personal information that you believe is inaccurate. You also have the right to request that Farmers Edge completes personal information that you believe is incomplete. 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 personal 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.

The right to erasure

You have the right to request that Farmers Edge erase or anonymize some or all of your personal information, subject to legal requirements which may restrict the ability of Farmers Edge to do so. Farmers Edge will advise you if it is unable to erase or anonymize your personal information for such reasons.

The right to restrict processing

You have the right to request that Farmers Edge restrict the processing of your personal information or request portability of your personal information. Similarly, if we have collected and processed your personal information with your consent, then you can withdraw your consent at any time. However, please note that withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted lawfully on grounds other than consent.

The right to object to processing

You have the right to object to processing of your personal information where our processing is necessary for the performance of a task carried out in the public interest or processing is necessary for our or a third party's legitimate interests.

You also have the right to object to Farmers Edge processing your personal information, including a right to object to the processing of personal information for direct marketing purposes.

The right to object to automated decisions

You shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects which concern or significantly affect you, unless you have expressly consented to it or it is necessary for entering into, or performance of, an agreement for the provision of services to you or otherwise authorized by applicable law.

The right to data portability

You have the right to request that Farmers Edge transfer your personal information that we have collected to another organization, or directly to you in a machine-readable format.

To exercise the rights described above, please contact our Privacy Officer as set out in Section 14 below. We will do our best to respond to your request within 30 days and, in any event, we will respond within the time period required by applicable data protection laws. Please note that your ability to exercise these rights may be limited in certain circumstances.

3. What personal information do we collect?

In order to provide the services you requested or as may be required by applicable law or regulation, we collect the following personal information:

- Personal information that you provide when you become a registered user, complete forms using the services, or become a subscriber to our services, such as your name, email, postal address, telephone number, age, country of residence, etc.;
- your log-in and password details in connection with your Farmers Edge account(s), including your username;
- your correspondence with Farmers Edge employees, including any requests, questions, concerns or comments you may have about the services or problems that you report;
- your location information via your mobile device or your farm equipment;
- comments, videos, photographs, and any other content or information that you may post or submit to the services, including, but not limited to, information about your farming operation, land, crops, and/or equipment;
- information about your farming operation, land, crops and/or equipment that we may collect when our employees, agents or representatives visit with you or otherwise communicate directly with you in connection with providing the services; and

- technical information (some of which in certain circumstances may be considered personal information) such as IP address of your computer, resolution of screen, operating system, location, language settings in browsers and the site you came from and searched for keywords if arriving from a search engine information collected through cookies and other tracking technologies. Please see our **Cookie Policy**, which forms part of this Privacy Policy, that outlines the details of the personal information collected through your cookies.

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 non-personal information such as aggregated data resulting from the combination and/or aggregation of 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.

We make no attempt to link this non-personal information with the identity of individuals using the services. Non-personal information may be permanently archived.

4. What legal basis do we rely upon for collecting and using your personal information?

Our legal basis for collecting and using personal information described in this Privacy Policy will depend on the personal information concerned and the specific context in which we collect it.

Below are the types of lawful basis that, depending on the circumstances, we may rely on to process your personal information:

Consent

You have given consent to us for the processing of your personal information for one or more specific purposes. Where we rely upon consent, you may withdraw your consent to the collection, use or disclosure of personal information by Farmers Edge by providing notice in accordance with and subject to the provisions of Section 11.

Legitimate Interest

Processing your personal information to enable us to, for example, provide and improve the services to you, administer our relationship with you and our business, comply with laws that apply to us, understand and improve our business or customer relationships generally, and/or manage corporate transactions, such as mergers or acquisitions. Where we rely on legitimate interests as a lawful ground for processing your personal information, we balance those interests against your interests, fundamental rights and freedoms.

Performance of a Contract

Processing your personal information where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a Legal or Regulatory Obligation

Processing your personal information where it is necessary for compliance with a legal or regulatory obligation that we are subject.

5. How do we collect your personal information?

You directly provide Farmers Edge with most of the personal information we collect. We collect personal information and process personal information when you:

- Register for our services or any of our products including FarmCommand, etc.
- Use or view our website through browser's cookies, please see our **Cookie Policy**, which forms part of this Privacy Policy, that outlines the details of the personal information collected through your cookies.
- Farming operation information may be automatically collected via the services after you have subscribed to certain aspects of the services, including, but not limited to (i) operational data such as seeding, fertilizer application, spraying, harvesting, tillage, input supplies, labor costs, hours, service records, production histories, 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; (iii) field-centric weather data; (iv) soil data; and (v) carbon data.

6. How we will use your personal information?

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

- if you are a registered user, to establish and maintain your Farmers Edge account;
- to provide web applications, the services or information that you consent to using or having us provide to you under a written agreement;
- to verify your identity if you submit comments, videos, photographs, opinions, or any other content or information to the services;
- to respond to questions, comments, requests, job applications, or complaints that you submit to Farmers Edge;
- to track communications with you;
- to analyze use of the services and to improve the services;
- to send emails, newsletters, regular mail or other communications you have consented to receive from Farmers Edge;
- to provide services-related announcements or notifications to you;
- to fulfill a purpose that we disclose to you when we request your personal information; and/or
- to meet legal and regulatory requirements.

Personal information will only be collected, accessed, and used by authorized employees in a manner consistent with the activities of Farmers Edge.

7. How do we protect your personal information?

Farmers Edge is committed to safeguarding your personal information against loss or theft, unauthorized access, disclosure, copying, misuse, modification or destruction and any other unlawful form of processing of the personal information. Farmers Edge takes appropriate security measures to protect and keep your personal information secure. The methods of protection and safeguards used by Farmers Edge include, but are not limited to, 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 the disposal and destruction of your personal information to prevent unauthorized access to your personal and confidential information. Farmers Edge also ensures that its employees with access to personal information demonstrate 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.

We cannot ensure or warrant the security of any personal information we collect either directly or automatically from you. You provide us with your personal information at your own risk. We also cannot guarantee that such personal information may not be accessed, disclosed, altered, or destroyed by breach of any of our security safeguards. To the degree that personal information is of a sensitive nature, and in the event of a breach, there may be a risk of significant harm to you which includes bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on the credit record and damage to or loss of property.

8. For how long will we store your personal information?

We will retain your user information for as long as your account is active or as needed to provide you the services you requested, unless you have revoked your consent or requested to delete certain personal information; and we may retain certain personal information for specific legitimate interests where we have an ongoing business need (for example, relating to core Site functionalities (e.g., fraud-prevention; account recovery), or to comply with applicable tax, legal or accounting requirements).

When we have no ongoing legitimate business need to use your personal information, we will either delete or anonymize it or, if this is not possible (for example, because your personal information has been stored in back-up archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

9. Do we share your personal information?

Farmers Edge may disclose your personal information to:

- its authorized 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;

- a person who, in the reasonable judgment of Farmers Edge, is seeking the personal information as your agent;
- comply with applicable law, or to respond to legal processes; and
- a third-party or parties, with your consent. All third-party companies may only use your personal information as described in the service agreement that you have with Farmers Edge. Although, some third-parties obtain different personal information, there is an agreement in place and your consent. The company is vetted to include a Privacy Policy like this one.

In addition, your personal information may be stored and processed in any country where we engage third party service providers (e.g. United States, Canada, Brazil). While such personal information is outside of your country of residence, it is subject to the law of the country in which it is held, and may be subject to disclosure to the governments, courts, or law enforcement or regulatory agencies of such other country, pursuant to the laws of such country. However, at all times, our practices will continue to be governed by this Privacy Policy. Farmers Edge has measures in place to ensure that when your personal information is transferred internationally, it is in accordance with and subject to appropriate safeguards in applicable data protection laws. These measures typically include contractual safeguards stipulating the confidentiality of the information and the purposes for which it is to be used.

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 personal information disclosed continues to be used for the purposes permitted by this Privacy Policy by the entity acquiring the personal information.

If you voluntarily submit or post any information, videos, photographs or other content in our community forums within the services, certain 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 content posted by you on a blog or community forum or your included personal information by users of the services. 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 "content" does not include aggregated non-personal information.

10. How do we use cookies and similar technologies?

For details of cookies and similar technologies used by Farmers Edge and how to opt out of same, please see our **Cookie Policy**, which forms part of this Privacy Policy.

11. 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.

You have the right to make a complaint at any time to your local data protection authority. In the European Union/European Economic Area, you have the right to make a complaint to the applicable Supervisory Authority in your jurisdiction. In Canada, you have the right to make a complaint at any time to the Office of the Privacy Commissioner of Canada by calling 1-800-282-1376 or by visiting <https://www.priv.gc.ca/en/>.

We would, however, appreciate the chance to deal with your concerns directly before you approach the relevant data protection authority so please contact us as provided under Section 14.

12. Withdrawing Consent

Subject to legal or contractual restrictions and the provision of reasonable notice, you may withdraw your consent to the collection, use or disclosure of personal information by Farmers Edge by providing notice to us at privacy@farmersedge.ca. By withdrawing your consent, Farmers Edge may no longer be able to provide aspects of the services or the services provided after the withdrawal of consent may not longer be optimized.

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 by emailing privacy@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.

13. 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 services you agree to be bound by terms of the Privacy Policy which is then current. The date at the beginning of this notice will reflect when this Privacy Policy was last revised.

If we make significant changes to this Privacy Policy, we will provide at least 30 days' notice through our Services, or by other means, to provide you the opportunity to review the changes and provide your required consent before they become effective. A significant change may be using personal information for a new purpose or disclosures to new third parties.

14. How to contact us:

Farmers Edge Privacy Officer

Mailing Address: 25 Rothwell Road, Winnipeg, Manitoba R3P 2M5

Telephone No.: 403-519-8043

E-mail: privacy@farmersedge.ca