# NextGen AgTech Privacy Policy

**Last updated: July 10, 2023**

NextGen AgTech, LLC (“NextGen AgTech,” “we,” or “us”) respects your privacy and is committed to protecting it through our compliance with this Privacy Policy. This Privacy Policy describes the types of information we may collect from you when you access or use the NGAT Feed App (the “App”), which enables you to access the Feedlot Manager platform (the “Platform”) from an iPad device, how we use the information we collect, with whom we share it, how we protect it, and the choices we offer you regarding our collection and use of such information.

We are bound by the privacy laws of the countries in which we operate (“**Applicable Privacy Laws**”). We will process personal information in accordance with the Applicable Privacy Laws.

This Privacy Policy does not apply to information that we collect offline or on any of our other apps or websites.

Please read this Privacy Policy carefully. By clicking the “agree” button, you accept and agree to be bound by this Privacy Policy. If you do not agree to the terms of this Privacy Policy of the website, do not use the website.

## **Types of Information We Collect**

When you download, install, or use the App, you will enter your username and passcode for your account with the Platform, which will be provided to the Platform. Upon receipt of your username and passcode, the Platform will provide the App with a token that will enable you to use the App to access the Platform at that time and in the future. A token is a separate identifier (for example, a random number) that is used for reference purposes but does not contain any personal information. NextGen AgTech retains your username and passcode for your account within the Platform in order for you to use the Platform to access your Feedlot data. Your Platform account will contain your username, passcode, address, contact information, and feed data regarding your Feedlot.

The items of personal information described above are within the following categories of personal information under the California Consumer Privacy Act of 2018: (a) identifiers and (b) personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)). These items of personal information are also known as user information.

NextGen AgTech may also collect information about you that does not uniquely identify you.

**The Purposes for Which Information Is Collected**

We may use your information to:

* provide you with the App and its contents and any other services you request;
* respond to your questions and comments and provide customer support;
* operate, evaluate, and improve our business and the services we offer;
* enforce our agreements with you, including our App EULA; and
* comply with applicable legal requirements and industry standards.

If you are located in the European Economic Area, including the United Kingdom (“**EEA**”), our legal basis for processing your user information in the course of your use of our services are for the purposes described above.

Additionally, if you are located in the EEA, our legal basis for collecting and using your user information will depend on the user information concerned and the specific context in which we collect it. However, we will normally collect personal information from you only where the processing is in our legitimate interests and not overridden by your rights, or where we have your consent to do so (which consent may be withdrawn at any time). In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person. If we rely on our legitimate interests, this interest is normally to perform the processing activities identified above.

We do not collect your information automatically, from your device on which you access the App, or through use of tracking technologies, such as cookies.

We may also combine the information we collect with publicly available information and with that of other users of the App. For example, we may use your and other users’ non-identifiable, aggregated data to improve the services we offer, for statistical analysis, and for other business purposes.

We also may use the information we obtain about you in other ways for which we provide specific notice at the time of collection.

## **Information We Share**

## We may disclose aggregated information about our users without restriction. We may disclose your personal information to the Platform, our affiliates, contractors, service providers, and other third parties we use to support our business for a business purpose. We may also disclose your personal information to: (a) comply with any court order, law, or legal process, including to respond to any government or regulatory request; (b) enforce or apply our agreements with you; and/or (c) if we believe disclosure is necessary or appropriate to protect the rights, property, or safety of NextGen AgTech, users of the App, or others.

We also reserve the right to transfer your personal information to a buyer or other transferee in the event of a reorganization, restructuring, merger, divestiture, dissolution, sale, or other transfer of some or all of our assets. Should such a reorganization or transfer occur, we will use reasonable efforts to direct the transferee to use your personal information in a manner that is consistent with our Privacy Policy.

## **Security**

NextGen AgTech has reasonable security measures in place in an effort to protect your personal information from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. Please note that no electronic transmission of information can be entirely secure. We cannot guarantee that the security measures we have in place will never be defeated or fail, or that such measures will always be sufficient or effective. Any transmission of information is at your own risk. We are not responsible for circumvention of any App privacy settings or our security measures.

**Cross Border Transfer of Your Personal Information**

We use service providers, many of whom process your personal information on servers located in the EEA and/or the United States of America, but your personal information may occasionally be stored in other countries. We may use one or more service providers to perform the same or similar services for us in the future.

Where your personal information is transferred between these service providers, we take appropriate safeguards to require that your personal information will remain protected in accordance with this Privacy Policy and Applicable Privacy Laws. These include implementing the European Commission’s Standard Contractual Clauses, which require personal information transferred outside the EEA to be processed in accordance with European Union data protection law.

**Children Under the Age of 18**

The App is not directed to, and NextGen AgTech does not knowingly collect or solicit personal information from, children under the age of 18. If we learn we have collected or received personal information from a child under the age of 18, we will delete that information. If you believe we might have any information from or about a child under the age of 18, please contact us at info@nextgenagtech.com.

**Your Data Protection Rights**

Depending on where you are located and the Applicable Privacy Laws that apply to our use or processing of your personal information, you may have one or more rights, including rights of access, correction, erasure, restriction, objection, and data portability as well as rights to withdraw consent and file a complaint with the local supervisory authority.

**Changes to Our Privacy Policy**

NextGen AgTech reserves the right to update or change this Privacy Policy at any time. The date this Privacy Policy was last revised is at the top of this page. You are responsible for periodically reviewing the App and this Privacy Policy to check for any updates or changes.

## **Contact Us**

If you have any questions about this Privacy Policy or our privacy practices, you may call us at (208) 258-2424, email us at info@ nextgenagtech.com, or write to us at:

NextGen AgTech, LLC

Re: NGAT Privacy Policy

580 E. Corporate Drive

Meridian, Idaho 83642