

Blu California Privacy Notice

Updated: Effective January 1, 2022

This Blu (“**Blu**,” “**Company**,” “**us**,” “**we**,” or “**our**”) California Privacy Notice (“**Notice**”) is provided pursuant to the California Consumer Privacy Act (the “**CCPA**”). This Notice supplements Blu’s other privacy policies and notices, including our main [Privacy Policy](#). In the event of a conflict between any other Company policy, statement, or notice and this Notice, this Notice will prevail as to California consumers and their rights under the CCPA.

Consistent with the CCPA, the information in this Notice and the rights described do not apply to job applicants, current and former employees/contractors, or to people whose Personal Information we collected in the context of their employment at another business (“**business-to-business contact(s)**”). If you are an employee, job applicant, or business-to-business contact and you have questions about how we use your Personal Information, please contact us as provided below.

1. PERSONAL INFORMATION WE COLLECT & WHY WE COLLECT IT

“Personal Information” is information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with you. Personal Information does not include information that is publicly available, de-identified, or aggregated.

Within the past 12 months, we collected the following categories of Personal Information about California consumers. Note that the specific pieces of Personal Information we collected about you may vary depending on the nature of your interactions with us and may not include all of the examples listed below.

Category of Personal Information	Examples	Purposes for Collection
1. Identifiers	Name, title, alias, postal address, phone number, email address, online identifier, username and password for our Service, security question/answer combinations, IP address, mobile device identifiers,	To allow you to participate in the features we offer on the Service To process your orders To maintain your accounts with us To communicate with you, including about our products,

	<p>social media usernames, state ID card number</p>	<p>your orders, updates to our terms and policies, and to obtain your feedback</p> <p>To send you marketing materials and advertisements</p> <p>To recognize you when you use our Service</p> <p>To show you relevant ads while you browse the internet or use social media</p> <p>To send you relevant coupons</p> <p>To allow you to participate in promotions, sweepstakes, contests, and rewards programs</p> <p>Auditing, research and analysis, to maintain and improve the Service, and for any other internal business purposes</p> <p>To detect and prevent fraud against you and/or us</p>
<p>2. Personal Records Described in Cal. Civ. Code § 1798.80(e)</p>	<p>Name, signature, address telephone number, driver’s license or state identification card number, bank account number, credit card number, debit card number, or other financial information</p> <p><i>Some Personal Information included in this category may overlap with other categories</i></p>	<p>To allow you to participate in the features we offer on the Service</p> <p>To process your orders</p> <p>To maintain your accounts with us</p> <p>To communicate with you, including about our products, your orders, updates to our terms and policies, and to obtain your feedback</p> <p>To send you marketing materials and advertisements</p> <p>To recognize you when you use our Service</p>

		<p>To show you relevant ads while you browse the internet or use social media</p> <p>To send you relevant coupons</p> <p>To allow you to participate in promotions, sweepstakes, contests, and rewards programs</p> <p>Auditing, research and analysis, to maintain and improve the Service, and for any other internal business purposes</p> <p>To detect and prevent fraud against you and/or us</p>
<p>3. Protected classification characteristics under California or federal law</p>	<p>Age, birth date, gender, languages spoken</p>	<p>To allow you to participate in the features we offer on the Service</p> <p>To process your orders</p> <p>To send you relevant marketing materials and advertisements</p> <p>To tailor our communications to you</p> <p>To improve the Service, and our products, marketing and advertising</p> <p>Auditing, research and analysis, to maintain and improve the Service, and for any other internal business purposes</p> <p>To detect and prevent fraud against you and/or us</p>
<p>4. Commercial Information</p>	<p>Products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies, purchase channel (online or</p>	<p>To allow you to participate in the features we offer on the Service</p> <p>To process your orders</p>

	<p>retail), communication channel preferences, coupon and loyalty program usage, information from surveys, promotions and product reviews</p>	<p>To provide you with appropriate products and recommendations</p> <p>To help you find relevant products more quickly</p> <p>To tailor our communications to you</p> <p>To provide customer service and support</p> <p>To send you relevant coupons</p> <p>To allow you to participate in promotions, sweepstakes, contests, and rewards programs</p> <p>To improve the Service, and our products, marketing and advertising</p> <p>Auditing, research and analysis, to maintain and improve the Service, and for any other internal business purposes</p> <p>To detect and prevent fraud against you and/or us</p>
<p>5. Internet or other electronic network activity information</p>	<p>Browser type and language, operating system, internet or mobile network provider, website access time, duration of visit, referring website address, browsing and search history on our websites, webpages viewed immediately before and after our websites, information related to your interactions with our websites, social media pages, emails, online chat, text message communications, and advertisements</p>	<p>To allow you to participate in the features we offer on the Service</p> <p>To facilitate, manage, personalize, and improve your website or app experience</p> <p>To provide you with appropriate products and recommendations</p> <p>To show you relevant ads while you browse the internet or use social media</p> <p>To improve the Service, and our products, marketing and advertising</p>

		<p>To send you relevant coupons</p> <p>To allow you to participate in promotions, sweepstakes, contests, and rewards programs</p> <p>Auditing, research and analysis, to maintain and improve the Service, and for any other internal business purposes</p> <p>To detect and prevent fraud against you and/or us</p>
6. Geolocation Data	Your physical location based on information you provide directly or inferred from your IP address	<p>To allow you to participate in the features we offer on the Service</p> <p>To process your orders</p> <p>To deliver coupons to you</p> <p>Auditing, research and analysis, to maintain and improve the Service, and for any other internal business purposes</p>
7. Audio, electronic, visual, thermal, olfactory, or similar information	Audio recordings of customer care calls, video, or similar information	<p>To provide you with customer service</p> <p>To improve our products and the Service</p>
8. Inferences from other Personal Information	Your preferences, characteristics, psychological trends, predispositions, behavior, and attitudes based on other Personal Information collected about you	<p>To provide you with appropriate products and recommendations</p> <p>To improve the Service, and our products, marketing and advertising</p> <p>To provide you with a better website or app experience</p> <p>Auditing, research and analysis, to maintain and improve the</p>

		Service, and for any other internal business purposes To detect and prevent fraud against you and/or us
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We may also collect Personal Information about you that does not directly fit within one of the categories defined by the CCPA. For example, we collect the contents of communications you send to us by phone, email, text, online chat, etc. We use the information included in your communications to communicate with you about our products and services, your orders, updates to our terms and policies, and to obtain your feedback; to provide customer service and support; to improve our website, apps, products, and marketing; to allow you to participate in our promotions, sweepstakes, contests, and loyalty programs; and to detect and prevent fraud against you and/or us.

2. SOURCES OF PERSONAL INFORMATION

We may collect your Personal Information directly from you when you provide us information online, through electronic forms, over the phone, or through paper documents; automatically through our websites via cookies and other tracking technologies; from our service providers, vendors and suppliers, our affiliates, or other individuals and businesses; from third-party sources, such as data providers; and from public sources of data, such as government databases. More detail on the ways in which we collect Personal Information can be found in our [Privacy Policy](#).

3. DISCLOSURES AND SALES OF PERSONAL INFORMATION

We share Personal Information with our service providers, other vendors (including those that facilitate interest-based and other advertising and marketing), affiliates, and third parties.

Generally, we disclose the following categories of Personal Information for a **business purpose**:

1. Identifiers
2. Personal Records Described in Cal. Civ. Code § 1798.80(e)
3. Protected classification characteristics
4. Commercial Information
5. Internet or other electronic network activity information
6. Geolocation Data
7. Audio, electronic, visual, thermal, olfactory, or similar information
8. Inferences

The categories of persons to which we disclosed this Personal Information include affiliated and related companies, service providers, professional advisors, public authorities/government bodies, and external auditors. More information on how we share Personal Information can be found in our [Privacy Policy](#).

Although we do not sell Personal Information in exchange for money, some of the ways in which we share Personal Information for advertising or marketing may be considered “sales” under California law. The categories of Personal Information we “sell” are:

1. Identifiers
4. Commercial Information
5. Internet or other electronic network activity information
6. Geolocation Data

The categories of persons to which Personal Information is sold include third parties for co-marketing purposes or to promote other products and services that may interest you; advertising partners and social media platforms for the purposes of ad targeting, remarketing, and customized advertising content; and data cooperatives, exchanges, and data brokers.

We do not knowingly collect or sell the Personal Information of persons under the age of 21.

4. CALIFORNIA PRIVACY RIGHTS

California residents have the right to submit certain requests relating to their Personal Information as described below. Please note that when submitting a request, you may be asked to provide information to verify your identity before action is taken. You may designate an authorized agent to make the requests below on your behalf. An authorized agent must submit proof to us that he or she has been authorized by you to act on your behalf, and you will still need to verify your identity directly with us before we can process the request.

To submit a request, please use our Consumer Rights Request [form](#) or call (888) 342-6567.

A. THE RIGHT TO KNOW

If you are a California resident, you have the right to request more information regarding the following, to the extent applicable:

1. The categories of Personal Information we have collected about you
2. The categories of sources from which the Personal Information was collected
3. Our business or commercial purposes for collecting (or selling—if applicable) your Personal Information
4. The categories of third parties with which we shared your Personal Information

5. The categories of Personal Information about you that we sold in the preceding 12 months, and for each category identified, the categories of third parties to which we sold that particular category of Personal Information
6. The categories of Personal Information that we disclosed for a business purpose in the preceding 12 months, and for each category identified, the categories of third parties to which we disclosed that particular category of Personal Information
7. The specific pieces of Personal Information we have collected about you

You may submit a request for this information as described above. In connection with submission of your request, we will need to take steps to verify your identity before action is taken.

B. RIGHT TO OPT OUT OF “SALES” OF PERSONAL INFORMATION

Although we do not sell your Personal Information in exchange for money, some of the ways in which we share your Personal Information for advertising or marketing may be considered a “sale” under California law. If you are a California resident and would like to opt out of our use of your information for these purposes, you may do so by submitting a request through our [webform](#) or by downloading and using a browser supporting the [Global Privacy Control](#) (GPC) browser signal. If you choose to use the GPC signal, you will need to turn it on for each browser you use.

C. RIGHT TO DELETE

You may request that we delete your Personal Information that we have collected directly from you and are maintaining. Following receipt of a request to delete, we will let you know what Personal Information we can delete from our records, and we will direct any of our service providers that may have processed your Personal Information on our behalf to delete your Personal Information from their records. There may be circumstances where we cannot delete your Personal Information or direct service providers to delete your Personal Information from their records. For example, if we need to: (1) retain your Personal Information to complete a transaction or provide services to you; (2) keep you enrolled in our rewards program; (3) for purposes of a product warranty or recall; (4) detect security incidents; (5) protect against unlawful activities; (6) identify, debug or repair errors; or (7) comply with a legal obligation. You may submit a request to delete as described at the beginning of Section 4. In connection with submission of your request, we will need to take steps to verify your identity before action is taken.

D. NON-DISCRIMINATION

You have the right to not receive discriminatory treatment for exercising your CCPA privacy rights. We do not use the fact that you have exercised or requested to exercise any CCPA rights for any purpose other than facilitating a response to your request.

E. NOTICE OF FINANCIAL INCENTIVE

Blu operates the bluNation Rewards Program (“bluNation,” or the “Program”). A financial incentive notice covering the Program follows below. We may add or change Programs and/or their terms by posting notice on the program descriptions, so check them regularly.

(1) Summary of Financial Incentives

Program	Incentive Offered	Material Terms	How to Opt-In
<p>bluNation</p>	<p>Members earn points on eligible purchases of blu products and for completing other qualifying activities, such as completing polls. Points can be redeemed for discounts on future purchases of blu products except where prohibited by law.</p>	<p>bluNation is available to smokers who are 21 years of age or older and points accumulated can only be redeemed for discounts at blu.com or participating retailers. bluNation collects Personal Information to facilitate its operations and provide you with Program benefits including:</p> <ul style="list-style-type: none"> Identifiers, such as name, alias, postal address, online identifier, date of birth, or other similar identifiers. Personal Records, such as signature, telephone number, credit card number and other financial, medical, or health information. Protected classification characteristics under California or federal law, such as age, birth date, and gender. Commercial Information, such as records of products or services purchased, obtained, or considered and coupon or loyalty program usage. Internet Activity Information, such as browsing history, search history, and information regarding your interaction with an Internet Website, application, or advertisement. Geolocation data, your location inferred from your IP address. Sensory Data, such as audio recordings of customer care calls, video, or similar information. Inferences from Other PI, such as creating a profile about a Member reflecting preferences, characteristics, behavior, and attitudes. 	<p>Participating in bluNation is entirely optional but is subject to additional Program Terms and Conditions. You must opt-in by signing up for a bluNation account, here.</p> <p>Additional information about bluNation is available in the FAQs.</p>

(2) Value of the Consumer’s Data

The financial incentive we offer to adult consumers through the Program is reasonably related to the value of the adult consumer’s data. The Company has made a good faith estimate of the value

of adult consumers' data based on relevant expenses related to the collection and retention of adult consumers' Personal Information as part of the Program.

(3) Withdrawing from our Loyalty Program

California consumers may make a personal information deletion request under the CCPA. The consumer will then be sent an email requesting that they confirm that they want to delete their respective Program data.

You may, however, terminate Program participation at any time, as explained in the Program's terms or by calling us at (888) 342-6567. Upon a termination request, some Program data associated with the terminated account may be retained for recordkeeping, tax reporting, and other legally permissible purposes. You can opt-out of non-Program marketing emails or delete your Personal Information from our active marketing lists and retain your Program account and benefits.

5. THIRD-PARTY MARKETING

Separate from your CCPA rights, you may obtain a list of the third parties to which we have disclosed Personal Information, as defined under California Civil Code Section 1798.83(e) (a/k/a the "Shine the Light Law"), during the preceding calendar year for third-party direct marketing purposes. To submit a request, please email us at privacy@itgbrands.com or send a letter to us at 714 Green Valley Road, Greensboro, NC 27408-7018 (Attn: Legal Department). Requests must include "California Privacy Rights Request" in the first line of the description, and include your name, street address, city, state, and ZIP code. Please note that we are only required to respond to one request per customer each year, and we are not required to respond to requests made by means other than through the provided email address or mail address. Because these rights and your CCPA rights are not the same and exist under different laws, you must exercise your rights under each law separately.

6. HOW TO CONTACT US

For more information on your California privacy rights, please contact us [here](#), by mail to 714 Green Valley Road, Greensboro, NC 27408-7018 (Attn: Legal Department), or by phone at 1 (888) 342-6567.