

10 January 2020

PRIVACY POLICY

1. Introduction

1.1 Welcome to JUUL Labs' Privacy Policy.

1.2 JUUL Labs respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our website or mobile app (regardless of where you visit it from) or when you contact our JUUL Care Team by telephone and tell you about your privacy rights and how the law protects you.

1.3 This privacy policy is designed to be transparent and accessible although some of the words and phrases used come from data protection regulations, please also use the Glossary to understand the meaning of some of the terms used in this privacy policy.

1.4 If there is anything within this privacy policy that you do not understand or cannot access, please contact support@juul.ie, using the details provided in the "Controller" section below.

2. Important information and who we are

2.1 Purpose of this privacy policy

- 2.1.1 This privacy policy aims to give you information on how Juul collects and processes your personal data through your use of Juul's website or when you call our JUUL Care Team, including any data you may provide through this website when you sign up to our newsletter mailing list or service.
- 2.1.2 This website is not intended for children and we do not knowingly collect data relating to children.
- 2.1.3 It is important that you read this privacy policy together with any other privacy policy or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements the other notices and is not intended to override them.

2.2 Who is the "Controller" of your personal data?

- 2.2.1 JUUL Labs is made up of different legal entities. This privacy policy is issued on behalf of the JUUL Group of companies so when we mention "JUUL", "we", "us" or "our" in this privacy policy, we are referring to the relevant company in the Juul Group of companies responsible for processing your data. JUUL Labs Ireland Limited is the controller and responsible for this website.

- We have a data privacy team who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact us at dataprivacy@juul.com.
- 2.2.3 You have the right to make a complaint at any time to the [Irish Data Protection Commission \(DPC\)](#). We would, however, appreciate the chance to deal with your concerns before you approach the DPC so please contact us in the first instance.

2.3 Changes to the privacy policy and your duty to inform us of changes

- 2.3.1 This version was last updated on 10 January, 2020.
- 2.3.2 It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

2.4 Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

3. The data we collect about you

3.1 Personal data, or personal information, means any information about a living individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

3.2 We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- 3.2.1 **“Identity” data** includes first name, last name, username (or similar identifier), marital status, title, date of birth and gender.
- 3.2.2 **“Contact” data** includes home address, email address and telephone numbers.
- 3.2.3 **“Technical” data** includes internet protocol (IP) address, mouse tracking, links clicked, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- 3.2.4 **“Profile” data** includes your username and password, your interests, preferences, feedback and survey responses.
- 3.2.5 **“Usage” data** includes information about how you use our website, products and services.
- 3.2.6 **“Marketing and Communications” data** includes your preferences in receiving marketing (as defined in Section 8 below) from us and your

communication preferences, provided always that any such material will only be sent to you where it is permitted by applicable law.

3.3 We also demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data or Technical Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

3.4 With the exception of any data which you volunteer to us via our website or app or when contacting the JUUL Care Team (e.g. health data), we do not collect any sensitive personal data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, social security measures, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

3.5 If you fail to provide personal data:

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services). In this case, we may have to cancel a service you have with us but we will notify you if this is the case at the time.

4. A note on age verification

4.1 We will only send you information about our company, activities or products, or that facilitate a purchase of our products, after you have certified that:

- 4.1.1 you are at least 18 years of age or older;
- 4.1.2 you wish to be added to our mailing list for the purpose of receiving information (including any permitted transactional offers and advertising) from a regulated company; and
- 4.1.3 that you understand that providing false information may constitute a violation of the law.

4.2 Before you can create an online account with us, we will verify your age through a non-affiliated third party company to perform an age and identity verification check in order to ensure that you are at least 18 years of age or older. We utilise these trusted verification services to verify the information that you provide and ensure that you qualify to access from our website. Where your data is shared with a third party company in order to perform an age and identity verification check such data sharing shall always be done by us in accordance with this policy.

4.3 In some cases, we might not be able to verify your age and/or identity through the verification service. If you are unable to verify your age with the requested information, you will be requested to upload a copy of appropriate photo-ID that our team can manually verify your date of birth. Photo ID's that are uploaded for this purpose will also always be used and stored in accordance with this policy.

4.4 Find out more about our youth prevention programme at [JUUL.ie](https://www.juul.ie).

5. How is your personal data collected?

We use different methods to collect data from and about you including through:

5.1 Direct interactions. You may give us your Identity and Contact Data (or other data which you volunteer to us) by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- 5.1.1 create an account on our website;
- 5.1.2 subscribe to our publications;
- 5.1.3 request marketing to be sent to you provided that the sending of such communications complies with applicable law;
- 5.1.4 enter a competition, promotion or survey to the extent permitted by applicable law; or
- 5.1.5 give us some feedback.

5.2 Automated technologies or interactions. As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our [cookie policy](#) for further details.

5.3 Third parties or publicly available sources. We may receive personal data about you from various third parties and public sources as set out in our age verification process as stated in paragraph 4 above.

5.4 Technical Data from the following parties:

- 5.4.1 analytics providers such as Google based outside the EU;
- 5.4.2 search information providers such as Google.

5.5 Identity and Contact Data from publicly-available sources such as Veratad.

6. How we use your personal data

6.1 We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- 6.1.1 Where we need to perform the contract we are about to enter into or have entered into with you.
- 6.1.2 Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- 6.1.3 Where we need to comply with a legal or regulatory obligation.

6.2 In the limited circumstances where you volunteer sensitive personal data (e.g. health data) when you contact us, we will only use such data to address the query you have raised in accordance with your explicit consent.

7. Purposes for which we will use your personal data

7.1 We have set out below, in a table format, a description of the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

7.2 Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type(s) of data (see paragraph 3 for further details)	Lawful basis for processing including basis of legitimate interest
To register you as a new customer	Identity; Contact; Profile	Performance of a contract with you
To deal with any retail post-purchase and/or customer service issues	Identity; Contact; Marketing and Communications	Necessary for our legitimate interests
To manage our relationship with you which will include: Notifying you about changes to our terms or privacy policy; Asking you to leave a review or take a survey	Identity; Contact; Profile; Marketing and Communications	Performance of a contract with you; Necessary to comply with a legal obligation; Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	Technical; Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To deliver relevant website content and advertisements	Identity; Contact; Profile; Usage;	Necessary for our legitimate interests (to study how customers

Purpose/Activity	Type(s) of data (see paragraph 3 for further details)	Lawful basis for processing including basis of legitimate interest
to you and measure or understand the effectiveness of the advertising we serve to you	Marketing and Communications; Technical	use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	Identity; Contact; Technical	Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise); Necessary to comply with a legal obligation
Age verification (for more details see further details at paragraph 4)	Identity; Contact	Performance of a contract with you; Necessary for our legitimate interests in acting as a prudent retailer to persons who are at least 18 years of age or older

8. Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising (where such marketing and advertising are permitted by applicable law).

8.1 Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide what information about our products, services, activities etc. may be relevant for you. In this Section 8, we call this “marketing”.

You will receive marketing communications where permitted by applicable law from us if you have requested information from us or purchased goods or services from us and, in each case, you have not opted out of receiving that marketing.

8.2 Opting out

You can ask us to stop sending you marketing messages at any time by contacting us at dataprivacy@juul.com or by clicking the opt-out button in the relevant e-mail and following the instructions.

Where you opt out of receiving these marketing messages, you will still receive non-marketing messages which we send to you in connection with a product/service purchase, warranty registration, product/service experience or other transactions.

8.3 Cookies

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 website may become inaccessible or not function properly. For more information about the cookies we use, please see our [cookie policy](#).

8.4 Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us at dataprivacy@juul.com.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

9. Disclosures of your personal data

9.1 We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 7 above.

- 9.1.1 Internal Third Parties (full details of which are included in the Glossary at the end of this policy). Note that these Internal Third Parties are not necessarily within the European Economic Area (EEA).
- 9.1.2 External Third Parties (full details of which are included in the Glossary at the end of this policy).
- 9.1.3 Specific third parties where such parties are mentioned in the table at paragraph 7 above (purposes for which we will use your personal data), e.g. with age verification partners
- 9.1.4 Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

9.2 We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

9.3 Please note: Our products are highly regulated by various governing agencies. It may become necessary to share the information that we collect in accordance with the

terms of this policy with such agencies to comply with laws, a judicial proceeding, court order, or other legal requests.

10. International transfers

10.1 We share your personal data within the JUUL Group. This will involve transferring your data outside the European Economic Area (EEA).

10.2 We ensure your personal data is protected by requiring our group companies to comply with the terms of specific contracts approved by the European Commission which give personal data the same level of protection it has in Europe. For further details, see [European Commission: Model contracts for the transfer of personal data to third countries](#).

10.3 Many of our external third parties are based outside the European Economic Area (EEA) so their processing of your personal data will involve a transfer of data outside the EEA.

10.4 Whenever we transfer your personal data out of the EEA to external third parties, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- 10.4.1 We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see [European Commission: Adequacy of the protection of personal data in non-EU countries](#).
- 10.4.2 Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see [European Commission: Model contracts for the transfer of personal data to third countries](#).
- 10.4.3 Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see [European Commission: EU-US Privacy Shield](#).

10.5 Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

11. Data security

11.1 We take the security of your information extremely seriously and employ physical, administrative, and technological safeguards designed to preserve the integrity and security of all information collected through our website. Our services support the industry standard Secure Socket Layer (SSL) encryption which is applied to all data transmitted so it cannot be read by others. In addition, if you are using a shared computer to access our website, we recommend that you log out of your account before

ending your browser session. This will also ensure that your account will not be used by anyone other than yourself.

11.2 We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

12. Data retention

How long will you use my personal data for?

12.1 We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

12.2 To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

12.3 In some circumstances you can ask us to delete your data: see the “request erasure” legal right below for further information.

12.4 In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

13. Your legal rights

13.1 Under certain circumstances, you have rights under data protection laws in relation to your personal data. Full details of these rights can be found in the Glossary at the end of this policy and on the European Commission website [here](#). In summary, these rights are the right to:

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact us at dataprivacy@juul.com.

13.2 No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). 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.

13.3 What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

13.4 Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

14. Glossary

LAWFUL BASIS

Legitimate interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us

Performance of contract means processing your data 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 means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

THIRD PARTIES

Internal Third Parties

JUUL Labs, Inc. acting as joint controllers and who are based the USA and provide IT and system administration services.

External Third Parties

- Service providers acting as processors based outside of the EEA who provide IT and system administration services including cookies/user experience/analytics.
- Professional advisers acting as processors including lawyers, bankers, auditors and insurers based outside the EEA who provide consultancy, banking, legal, insurance and accounting services.
- Tax agencies, tax collectors, regulators and other authorities acting as processors or joint controllers based in the EEA who require reporting of processing activities in certain circumstances.
- Jumiolnc and Veratad Technologies acting as processors who are based in the USA and provide age verification services.

If you had made an online purchase or created an online account with us before 10 January 2020, please see our previous [Privacy Policy](#) dated on 1 May 2019.