

# Herbalife GoHerbalife.com Privacy Policy

Herbalife International of America, Inc. and its U.S. affiliate entities (“**Herbalife**”) comply with the U.S.-EU Safe Harbor Framework and the U.S.-Swiss Safe Harbor Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information from European Union member countries and Switzerland. As a sign of its commitment to provide a high level of protection for the personally-identifiable information it collects and uses, Herbalife has certified that it adheres to the Safe Harbor Privacy Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement. To learn more about the Safe Harbor program, and to view Herbalife's certification, please visit <http://www.export.gov/safeharbor/>.

In addition to the above, Herbalife will at all times comply with the Protection of Personal Information Act 4 of 2013 (“**POPI Act**”) and other South African laws applicable from time to time in respect of the processing of personal information.

The purpose of this Privacy Policy is to inform you about what information may be collected from you when you visit our website (the “**Site**”), how such information will be used by Herbalife and/or other persons or entities with whom such information may be shared, your choices regarding the collection, use and distribution of such information, your ability to edit, update, correct or delete such information and the security procedures that we have implemented to protect your privacy.

## NOTICE

### Collection of Information

At different occasions you may be asked for certain types of personally-identifiable information (e.g., your first and last name, mailing address, city, state, province, zip code, telephone number, email address, credit card number, bank information in connection with automatic deposit/debits, etc.). We hope you will provide us with this information. However, if you do not want to disclose your personally-identifiable information to us, please do not submit it. This means that in some cases we will not be able to provide you the service you have requested.

We may also collect information about your use of the Site (e.g., your IP address, browser type, domain name, etc.). This information is collected and analyzed in the aggregate in order to improve the function and content of the Site.

### Use of Information

We use the information that is collected about you for a variety of purposes. You will be informed about these purposes at the time of collection. In general, however, we foresee the following uses:

#### Website visitors

With your express consent, information about you may be used to add you to our email subscription list, provide your name to Herbalife Members in connection with your expressed interest in our products or a business opportunity and to send you informational and promotional materials about Herbalife and other companies. Information about your use of the Site may be used to analyze trends and statistics, enhance the operation of the Site, and serve content and advertisements.

## **Members**

Information about Herbalife Members will also be used to provide Member services associated with this Site.

## **CHOICE**

We have existing business relationships and may develop other relationships in the future with business partners. In these instances, we may share or otherwise allow access to information that is collected about you that will enable our business partners to contact you regarding products and services that may be of interest.

At the time we collect your information you will be given the choice to accept or refuse the disclosure of your information for such marketing purposes, and for marketing by Herbalife.

## **ONWARD TRANSFERS**

We may employ vendors to perform functions on our behalf. Examples of such functions include fulfilling orders, delivering packages, email administrative functions, processing credit card payments, and providing customer service. These vendors are under a contractual obligation to use confidential data received from Herbalife only for purposes that fall within the functions for which they were hired.

We may disclose information that we collect about you when we have reason to believe that this is necessary, e.g. to identify, contact or bring legal action against persons or entities who may be harming you, us or others. We may also disclose information when we believe the law requires it.

## **INTERNATIONAL TRANSFERS OF YOUR INFORMATION**

In accordance with the terms of this Privacy Policy, your personally identifiable information may be transferred to Herbalife affiliate entities or to third parties outside of South Africa and the European Economic Area and may, in certain instances, be accessible by foreign courts, law enforcement authorities and national security authorities in those locations. All international transfers will be governed either by the POPI Act and U.S.-EU Safe Harbor Framework, made pursuant to agreements that include EU approved model contractual clauses or made pursuant to agreements that include provisions relating to the further transfer of personal information that are compliant with the POPI Act. We will provide sufficient technical security and organizational measures to protect the information against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access.

## **SECURITY**

We take reasonable steps to ensure that the personal information we collect about you remains accurate, timely and secure. Unfortunately, no data transmission over the Internet can be guaranteed to be 100% secure and while we strive to protect your personal information, we cannot guarantee or warrant its complete security. We shall not be responsible for harm that you or any person may suffer as a result of a breach of confidentiality in respect to your use of the Site or any information you transmit to the Site. You acknowledge and understand that if you suspect any interference with the protection of data, you may submit a complaint to the office of the Information Regulator as defined in the POPI Act, once it has been established.

## **DATA INTEGRITY**

Personally-identifiable information will be kept in active files or systems as long as needed to meet the purposes for which it was collected or as required to perform the contractual relationship with the Member and his/her up-line, and the commercial relationship with the customer.

Herbalife will make reasonable efforts to ensure that the information is accurate and complete.

## **ACCESS OR CORRECTIONS TO YOUR INFORMATION**

If you would like to request access to the personally-identifiable information we hold about you, or identify any inaccuracy in your personal information, or need to make a change or would like to verify such information, or wish to opt-out of any of our marketing communications, please contact us so that we may update your information in our records or you may go online to one of Herbalife's websites and update your own information. Our contact information is set forth below.

## **COMPLAINTS**

Herbalife takes privacy concerns seriously. If you believe that Herbalife has not complied with this Privacy Policy, you may write to the address below or call us. Please describe in as much detail as possible the ways in which you believe that the Herbalife Policy has not been complied with. We will investigate your complaint promptly. If you do not receive acknowledgment of your complaint, or your complaint is not satisfactorily addressed, you should contact the Office of the Chief Privacy Officer, which will serve as a liaison with Herbalife to resolve your concerns. Contact details for the Office of the Chief Privacy Officer are as follows: +1 310-410-9600 or [privacy@herbalife.com](mailto:privacy@herbalife.com).

## **WEBSITE SPECIFIC**

### **Protection of Children**

The Site is a general audience web site that is not specifically designed or targeted at children. We do not knowingly collect, use or disseminate any personally-identifiable information from children under the age of 18. If, however, we become aware that personally-identifiable information regarding a child under the age of 18 has been collected at the Site, we will use such information for the sole purpose of contacting a parent or guardian of the child to obtain verifiable parental consent. If we cannot obtain consent after a reasonable period of time, or if when contacted a parent or guardian requests that we do not use or maintain such information, we will make reasonable efforts to delete it from our records. Upon request by a parent or guardian, Herbalife will provide a description of the specific types of personal information collected from a child who is under the age of 18.

### **Cookies and Tracking**

Cookies are small pieces of information that are stored on computer hard drives. We may use cookies to recognize you when you return to the Site in order to provide you with a better user experience. Our cookies do not contain any directly identifying information, such as your name, or sensitive information, such as your credit card number. We may allow third parties to use cookies on the Site but we do not control the use or contents of third party cookies. Web browsers often allow you to erase existing cookies from your hard drive, block the use of cookies and/or be notified when cookies are encountered. If you elect to block cookies, please note that you may not be able to take full advantage of the features and functions of the Site.

### **Third-Party Links**

The Site may contain links to web sites operated and maintained by third parties over which we have absolutely no control. Any information you provide to third party websites will be governed under the terms of each website's privacy policy, if any, and we encourage you to investigate and ask questions before disclosing any information to the operators of third party websites. We have no responsibility or liability whatsoever for the content, actions or policies of third party websites. The inclusion of links to third party websites on our Site in no way constitutes an endorsement of such websites' content, actions or policies.

## **MODIFICATIONS TO POLICY**

This Privacy Policy is effective as of 7 August 2015, as amended from time to time. Herbalife reserves the right to change this Privacy Policy at any time. Any changes to this Policy will be effective immediately upon notice, which may be provided to you via e-mail or by posting the latest version on our Site. Your subsequent use of the Site be deemed acceptance of such changes. Be sure to review this Privacy Policy periodically to ensure familiarity with its most current version. You can easily confirm whether any revisions have been posted since your last visit by checking the date on which the Policy was last revised, which is set forth at the bottom of this Policy. If you object to such changes, we will honor our prior privacy policies as to any data previously collected. If you disagree with the changes in our policy, however, please do not use the Site after the posting of such changes online. By using the Site following the posting of changes to this Privacy Policy, you agree to all such changes.

## **QUESTIONS OR COMMENTS OR TO CONTACT US**

If you have questions or comments about this Privacy Policy, or you wish to access or make changes to information we have about you, please call Distributor Relations at +27 11 554 1000 or [mssa@herbalife.com](mailto:mssa@herbalife.com) (only for Members) or contact us at: Building 32, Ground Floor, Woodlands Office Park, Woodlands Drive, Woodmead or [privacy@herbalife.com](mailto:privacy@herbalife.com).

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