

## Food Fling LLC Privacy Policy

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(Last Updated December 10, 2020)

### Overview

All personal data collected from this site complies with the principles of the EU GDPR data protection act and the California Consumer Protection Act CCPA. By accessing this site you agree to the terms of this privacy policy and consent to the collection, processing, use or transfer of data as set out in this policy.

Food Fling LLC, Inc. (“Food Fling LLC,” “we,” “us,” or “our”) is committed to protecting your privacy. This Privacy Policy (“Policy”) explains how we collect, use, disclose and protect Personal Information (as it is defined below) of our customers and users. It applies to all Personal Information collected by us on [foodfling.co](http://foodfling.co) (the “Site”), the Food Fling LLC, and any other websites or mobile applications that link to this Policy, as well as during any written, electronic, and oral communications (collectively, the “Services”). Food Fling LLC may collect Personal Information to help you in accessing restaurants’ meals and to improve the Food Fling LLC service.

Your access to and use of our Services are subject to our [Terms and Conditions](#), which define some of the terms used throughout this Policy. Please make sure that you have carefully read and understand the Terms and Conditions before you use our Services. By using our Services, you accept the Terms and Conditions, and accept our privacy practices described in this Policy. If you do not feel comfortable with any part of this Policy or our Terms and Conditions, you must not use or access our Services.

For the purpose of processing personal data, we may engage data processors and/or, at its sole discretion, hire other persons to perform certain functions on behalf of Food Fling LLC. In such cases, we shall take necessary measures to ensure that such data is processed by the personal data processors in accordance with instructions of and applicable European Union legislation. Shall also require the personal data processors to implement appropriate measures for the security of personal data. In such cases, we shall ensure that such persons will be subject to the non-disclosure obligation and will not be able to use this information for any other purpose, except to the extent necessary to perform the functions assigned to them.

### 1. Collection of Personal Information

When you use our Services, we may collect or receive Personal Information about you to provide our services and operate our business. The types of Personal Information that we may collect about you are:

#### a. Information You Provide to Us Directly

You may provide your Personal Information to us when you use our Services, including when you register with Food Fling LLC, search within our Services, contact us with inquiries, respond to surveys, or otherwise access our Services. This information may include:

- *User Profile* – We collect profile information associated with our Customer Food Fling LLC account. This includes information such as name, email address, delivery address, and phone number.
- *Order Details* – When you place an order through our Services we collect information related to that order. This may include information such as items purchased, special instructions, date and time of order, and subtotal.
- *Surveys* – From time-to-time, we invite our customers and users to participate in surveys or contests. When a customer or a user participates, we may request certain Personal Information such as name and email address.

b. *Information Received From You as Part of Your Communications*

When you use our Services (for example on our Site), complete electronic forms, contact us, by online chat, email, phone or text, we may automatically collect and store certain information about you and the activity you engaged in, for example: your name and contact information; information that you voluntarily provide to us; the nature of your communication; the purpose of the interaction, and the action we took in response to your inquiry or request.

c. *Information Collected Automatically*

We also may receive and store certain information about you and your device(s) automatically when you access or use our Site and Services. This information may include:

- *Technical Information* – We collect technical information associated with your activity on our Site and may include information related to your browser and operating system, IP address (the Internet address of your computer) unique device identifiers, and other information such as your device type. We use such information for diagnostic and statistical purposes and to administer our Services.
- *Site Usage Information* – We collect information to better understand customer traffic patterns and Site usage. This may include the webpage that you were visiting before accessing our Site or mobile application, the pages or features of our Site or mobile application that you browsed to inform us which part of our Site, app and Services you visit and how much time you spend there. This information is used to analyze and improve our Site and to provide our customers with a better user experience.
- *Site Preferences* – We collect information about your preferences to make your use of the Site more productive through the use of cookies.

d. *Location Information*

When you use the Services, we may collect and store general location information (such as IP address). If you permit the Services to access location services through the permission system used by your mobile operating system (“Platform”) or browser, we may also collect and store the precise location of your device when the Food Fling LLC app is running in the foreground or background of your device. This information may be used to help you select your delivery address, to provide more accurate deliveries of your orders, to provide recommendations to you, and to enhance your user experience and improve the services. You can choose whether to enable the location tracking feature through the settings on your

device or Platform or when prompted by the Food Fling LLC mobile app. If you choose to disable the location feature, we will not receive precise location information from your device, which may compromise the accuracy of deliveries in some situations, for instance, if you are located in a large area, such as a park.

e. Personal Information from Publicly Available Sources and Third Parties

We may collect or receive Personal Information about you from publicly available sources, social network providers, marketing partners, and/or third parties. This may include:

- *Social Network Information* – We may receive information about you from other services. For example, we receive certain information from Facebook when you use their service to login to Food Fling LLC.
- *Demographic Information* – This characteristic information could include information such as income, marital status, spending habits, and other information pertaining to customers.

## **2. Use of Cookies and Other Tracking Technologies**

We use cookies, web beacons, pixels, session replay/screen capture, and similar technologies to collect information and personalize your experience with our Services.

a. Cookies

Cookies are small web files that a site or its provider transfers to your device's hard drive through your web browser that enables the site's or provider's system to recognize your browser and remember certain information.

How We Use Cookies – We use first-party and third-party cookies for the following purposes:

- to make our Services function properly;
- to improve our Services;
- to recognize you when you return to Food Fling LLC and to remember information you have already provided, such as items already in your order cart;
- to collect information about your activities over time and across third party websites or other online services in order to deliver content and advertising tailored to your interests; and
- to provide a secure browsing experience during your use of our Services.

How to Manage Cookies – You may disable the use of cookies by modifying your browser settings. If you choose to disable cookies you may not be able to fully experience the interactive features of our Services. For more information on cookies and how to disable cookies visit [www.ftc.gov/ftc/cookies.shtm](http://www.ftc.gov/ftc/cookies.shtm) or [https://www.usa.gov/optout\\_instructions.shtml](https://www.usa.gov/optout_instructions.shtml).

b. Web Beacons

Web beacons, also known as web bugs, pixel tags or clear GIFs, are tiny graphics with a unique identifier that may be included on our Site to deliver or communicate with cookies, in order to track and measure the performance of our Site and Services, monitor how many web visitors we have, and to monitor the

effectiveness of our advertising. Unlike cookies, which are stored on the user's hard drive, web beacons are typically embedded invisibly on webpages (or in an email).

*c. Online Analytics and Advertising Technologies*

We and our third-party vendors may use automated technologies (including cookie identifiers on our Site), along with other collected information, to tailor ads or deliver content when you are on our Services or on other devices, apps or websites.

*d. Interest-Based Advertising*

We (or our service providers) may use the information we collect, for instance, IP addresses and unique mobile device identifiers, to locate or try to locate the same unique users across multiple browsers or devices (such as smartphones, tablets, or computers), or work with providers that do this, in order to better tailor content and features and provide you with a seamless experience across devices. If you wish to opt out of cross device tracking for purposes of interest-based advertising, you may do so through your device settings. We may also use cross-device targeting to help identify our users and serve advertising. This type of advertising is often called "interest-based" or "personalized" advertising—and when it occurs on mobile apps, "cross-app" advertising.

You can learn more about interest-based advertising and how to opt-out of receiving tailored advertising by visiting (i) the Network Advertising Initiative's Consumer [Opt-Out link](#) or (ii) the Digital Advertising Alliance's Consumer [Opt-Out link](#). To opt out of Google Analytics for display advertising or customize Google display network ads, you can visit the [Google Ads Settings page](#).

Please note that even if you opt-out, you may still receive advertisements from us. However, in that case, the advertising will not be tailored to your interests. Also, we do not control any of the above opt-out links or whether any particular company chooses to participate in these opt-out programs.

*e. Mobile Applications*

Depending on your permissions, we may receive your Personal Information from your Internet service and mobile device providers. Users of mobile devices who do not want to receive interest-based advertising may opt-out in several ways. Learn more about your choices for mobile devices by visiting <http://www.aboutads.info/appchoices>. Each operating system, (iOS for Apple phones, Android for Android devices, and Windows for Microsoft devices) provides its own instructions on how to prevent the delivery of tailored in-application advertisements. You should view your device or system "Settings" to determine how you can opt out of use of your device ID for "cross-app" personalized advertising.

### **3. Use of Your Personal Information**

We may use the information we collect or receive about you for various purposes.

*a. To Provide You with the Services*

We use your information to provide you the Services. If the applicable information is to be provided or Service is to be performed by a third party, then we will disclose the applicable Personal Information to the third party providing the information or performing applicable Services. Your information may be available or provided to third-party service providers and that are contractually obligated to protect your information as disclosed in this Policy.

*b. To Maintain, Improve, and Personalize the Services*

We use your information for our everyday business operations such as auditing, administration of the Services, forum management, fulfillment, and analytics. Your information may also be used to improve the content and/or functionality of the Services. We may use your information to help us improve offerings for Food Fling LLC and/or our Merchants. We also use your information to personalize your experience. For example, we may personalize the content and features you see when visiting our Services. In addition, we may personalize advertisements, marketing communications, and recommendations to make them more tailored to your interests.

*c. To Communicate with You*

We use your information to communicate with you. For example, we may send you text messages or other notifications about the status of your orders and deliveries. We may also contact you with promotional offerings or other communications that may be of interest to you. If we send you marketing emails about services that may interest you, each email will contain instructions permitting you to “opt-out” of receiving future email marketing communications.

In the event you contact us, we use certain information to respond to your questions and assist you with any issues that may arise in your use of the Services. We track messages for fraud prevention, to ensure appropriate charging of fees, to enforce our Terms and Conditions, and for quality and training purposes. As part of this process, Food Fling LLC and its service provider will receive in real time and store data about your text message, including the date and time of the text message, your phone number, and the content of the text message.

*d. For Account and Network Security Purposes*

We care about keeping you secure and safe while using our Services. Keeping you safe requires us to process your Personal Information, such as your device information, activity information and other relevant information. We use such information to combat spam, malware, malicious activity or security risks; improve and enforce our security measures; and to monitor and verify your identity so that unauthorized users do not gain access to your information.

*e. To Maintain Legal and Regulatory Compliance*

Our Services are subject to certain laws and regulations which may require us to process your Personal Information. For example, we process your Personal Information to pay our taxes, to fulfill our business obligations, ensure compliance with employment and recruitment laws or as necessary to manage risk as required under applicable law.

*f. To Enforce Compliance with Our Terms and Conditions and Policies*

When you access or use our Services, you are bound to our Terms and Conditions and this Policy. To ensure you comply with them, we process your Personal Information by actively monitoring, investigating, preventing and mitigating any alleged or actual prohibited, illicit or illegal activities on our Services. We also process your Personal Information to: investigate, prevent or mitigate violations of our internal terms, agreements or policies; enforce our agreements with third parties and business partners.

*g. To Protect You, Others, and Our Business*

We use your information to protect you, others, and our business, including, without limitation, using information for fraud prevention, for enforcement of our Terms of Service, to comply with the law, and to protect against security risks.

*h. For Our Business Purposes*

We may use your information for any other purpose disclosed to you at the time we collect or receive the information, or otherwise with your consent.

**4. Sharing of Personal Information with Third Parties**

We share your Personal Information as described below.

*a. Service Providers*

We may share your information with our third-party service providers for certain business purposes. This information is provided in order for them to provide us services such as advertising services, marketing partners, web analytics, data processing, IT services, customer support and other services. These third-party service providers have access to your Personal Information only for the purpose of performing services on our behalf and are expressly obligated not to disclose or use your Personal Information for any other purpose.

*b. Related Entities*

We may share your information with our affiliates (entities that control or are under the control of Food Fling LLC) for business purposes. We will require these entities to comply with the terms of this Policy with regard to their use of your information.

For purposes of clarity, Food Fling LLC may share certain functionalities such as a uniform login experience where users of both applications will need to use a single username and password.

*c. When Required by Law*

We recognize that information related to your orders could contain private information. However, we may be required to disclose your information to third parties including law enforcement agencies when required to protect and defend our legal rights, protect the safety and security of users of our Services, prevent fraud, comply with the law, respond to legal process, or a request for cooperation by a government entity. We have developed a process that strikes a balance between protecting customer privacy and responding to valid law enforcement requests that can be found at [foodfling.co](http://foodfling.co).

*d. Corporate Transactions*

In the event of sale, transfer, merger, reorganization, dissolution, or similar event we may transfer your information to one or more third parties as part of that transaction, including during the negotiation of an actual or contemplated transaction.

*e. With Your Consent*

We also may share or disclose your information with your consent or at your direction.

## **5. Security**

Food Fling LLC has implemented administrative, technical, and physical security controls that are designed to safeguard Personal Information. However, no online activity is ever fully secure or error-free. While we strive to protect your information, we cannot guarantee that your Personal Information is absolutely secure. Please keep this in mind when disclosing any information to Food Fling LLC.

## **6. Data Retention**

We will retain your Personal Information for as long as your account is active or as needed to provide you services and to maintain a record of your transactions for financial reporting purposes. We will also retain and use your Personal Information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

## **7. Third-Party Sites**

Some of the functionality may be provided by third parties and the Services may link to other third-party websites that are not controlled by Food Fling LLC. These third parties are not under our control and Food Fling LLC is not responsible for their privacy policies or practices. If you provide any Personal Information to any third party or through any such third-party website, we recommend that you familiarize yourself with the privacy policies and practices of that third party.

## **8. Social Media Usage**

You may choose to enable or log in to our Services via various online services, including social networking services like Facebook and Google. Our Services also may enable you to access social networking services such as Facebook, Twitter, or Instagram (collectively, "Social Network") directly or indirectly through our Services.

When you link a Social Network account to Food Fling LLC or log into our Services using your Social Network account, we may collect relevant Personal Information necessary to enable our Services to access that Social Network and your information contained within that Social Network. We also may share your information with the operator of that Social Network to facilitate or enhance delivery of that Social Network or other services to you. A Social Network may provide us with access to certain information that you have provided to them, and we will use, store, and disclose such information in accordance with this Policy. Additionally, a Social Network may collect Personal Information and information about your use of our Site or Services automatically. The manner in which a Social Network collects, uses, stores, and discloses your information is governed by the policies of such third parties and Food Fling LLC shall have no liability or responsibility for the privacy practices or other actions of any Social Network that may be enabled within our Services.

You may also have the option of posting your activities on our Services and other content to a Social Network when you access content through our Services. For example, you may post to Facebook that you placed an order with Food Fling LLC. Keep in mind that your usage of Social Network features is governed by applicable Social Networks and not by Food Fling LLC, and may be visible or accessible to the public.

## 9. Children's Information

Our Services are not intended for children under 13 years of age and we do not knowingly collect Personal Information from children under the age of 13. If you are a parent or guardian of a child under the age of 13 and believe he or she has disclosed personally identifiable information to us please contact us at [foodflingllc@gmail.com](mailto:foodflingllc@gmail.com). A parent or guardian of a child under age 13 may review and request deletion of the child's Personal Information.

## 10. Your Choices

We provide our customers and their authorized agents with the ability to access and delete Personal Information. In order to exercise these rights you must login to your account to confirm your identity, which helps us ensure that Personal Information is only made accessible to appropriate parties. Customers will not receive discriminatory treatment for exercising their rights and can return to the service after deleting their information.

### a. Your Rights

This section lists the privacy-related rights ("Rights") we extend to all Food Fling LLC customers. Your right to know and right to deletion are not absolute and are subject to certain exceptions. For instance, we cannot disclose specific pieces of Personal Information if the disclosure would create a substantial, articulable, and unreasonable risk to the security of the Personal Information, your account with us or the security of our systems.

- Right to Know – You have the right to know the Personal Information we collect, use, disclose, and sell about you.
- Right to Deletion – You have the right to request that we delete any Personal Information we have collected from you or maintain about you. We may save Personal Information when permitted by applicable law including, without limitation, when the information is needed for a legal purpose.
- Right to Rectification – If you are a registered Food Fling LLC user you may modify certain of your Personal Information by logging into our Site using your username and password and visiting the "Account" page. Registered Food Fling LLC users may also access the "Account" page to manage their subscriptions.
- Right to Opt-Out of the Sale of Your Personal Information – You have the right to opt-out of having your Personal Information sold. Food Fling LLC does not sell or rent Personal Information to third parties, as we understand those terms based on the California Consumer Privacy Act and its implementing regulations.
- Right to Non-Discrimination – Food Fling LLC will not discriminate against those who exercise their Rights. Specifically, if you exercise your Rights, we will not deny you goods or Services, charge you different prices or rates for goods or Services or provide you a different level or quality of goods or Services.

### b. Asserting Your Rights

You may exercise your right to know or your right to deletion. To verify your identity, you must log-in to your account prior to accessing or deleting your information. If you have both a Food Fling LLC customer



account, then the information associated with both accounts will be deleted to the extent we can identify that the accounts are owned by the same user. You may also designate an authorized agent to make a request to know or a request to delete. In order to be able to act, authorized agents have to submit written proof that they are authorized to act on your behalf, or have a power of attorney. We may deny requests from authorized agents who do not submit proof that they have been authorized by you to act on their behalf.

#### **11. GDPR Statement For EEA Users**

This applies only to natural persons residing in the European economic area (for the purpose of this section only, "you" or "your" shall be limited accordingly). It is Food Fling LLC's policy to comply with the EU'S general data protection regulation (GDPR). In accordance with the GDPR, we may transfer your personal information from your home country to the United States (or other countries) based upon the following legal frameworks:

- **Legitimate business interests:** we could not provide our services or comply with our obligations to you without transferring your personal information to the United States
- **Consent:** we may transfer your personal information when we receive your express, revocable consent.
- Our use of standard contractual clauses (also known as "model clauses") where appropriate.
- **You have the right to:** opt out of non-essential cookies (see our cookie policy); access, correct, delete, restrict, or object to our use of your personal information; be forgotten; port your data; and withdraw consents.

We enable exercise of these rights primarily through our services (which we reserve the right to modify). We also fulfil our obligations in response to direct requests. We will endeavor to process requests within one month. Please note that we may not be able to comply with requests to the extent that they would cause us to violate any law or infringe any other person's rights. We reserve the right to request appropriate identification. We will process requests free of charge unless they would impose an unreasonable cost on us.

If you have a request, complaint or inquiry, please contact our data protection officer at the address listed below. We are committed to working with you to obtain a fair resolution of any issue. You also have the right to file a complaint with the supervisory data protection authority of your jurisdiction.

#### **12. California Residents**

Pursuant to the California Consumer Privacy Act of 2018, below is a summary of the Personal Information we collected from consumers, the reason we collected the Personal Information, where we obtained the Personal Information we collected, and the third parties with whom we may share consumer Personal Information. The section references relate to the sections above in this Policy.

#### **13. Do Not Track Disclosure**

Food Fling LLC does not have a mechanism in place for responding to browser "do not track" signals or other similar mechanisms used to limit collection of information for use in Online Behavioral Advertising.

#### **14. International Users**

Food Fling LLC is based in the United States and, regardless of where you use our Services, the information collected as part of that use will be transferred to and maintained on servers located in the United States. Any information we obtain about you will be stored in accordance with U.S. privacy laws, regulations, and standards, which may not be equivalent to the laws in your country of residence. By using our Services, you consent to this collection, transfer, storage, and processing of information to and in the United States.

#### **15. Contact Us**

If you have any concerns relating to this Policy, please contact us through;

Food Fling LLC, Inc.

[foodfling.co](http://foodfling.co)

4631 Helen,

Dearborn Michigan, 48126, USA

Email: [foodflingllc@gmail.com](mailto:foodflingllc@gmail.com)

Telephone Number: +1 (313) 899-0055