# Protection of Personal Information Policy



POL-04-02.1-AGR-E

Owner:	Senior Vice President, Human Capital and Communications
Approval Date:	2023-09-22
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**Purpose:** Define the rules governing the collection, use, disclosure and conservation of Personal Information in a manner that recognizes the right to privacy of Individuals with respect to their Personal Information.





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# 1. Purpose

Agropur values the protection and privacy of Personal Information of any Individual with whom it interacts.

This Protection of Personal Information Policy (the "**Policy**") is intended to define the rules governing the collection, use, disclosure and conservation of Personal Information in a manner that recognizes the right to privacy of Individuals with respect to their Personal Information and the need of Agropur to use said information in the course of its activities and the pursuit of its business objectives as a cooperative and a dairy processor.

# 2. Scope

The Policy applies to any Personal Information collected, used, disclosed or retained by Agropur in the course of its activities and the pursuit of its business objectives with respect to its employees, Directors, Members and Shareholders, clients, suppliers, consultants and users of Agropur's websites (including consumers of its products who interact with Agropur and employment candidates).

# 3. Policy Statement

## 3.1. What is Personal Information?

Personal Information refers to any information that allows the identification of an Individual, whether directly or indirectly. It includes the most basic information regarding an Individual, such as his/her full name, but also covers his/her email address, date of birth, username, bank account number, etc.

The level of protection awarded to some types of Personal Information will vary in accordance with applicable legislation and the sensitivity of the information. For example, information which is public by law or that refers to the Individual's work information will not require the same level of protection, if any, as medical or social insurance number.

# **3.2.** Collection and Use of Personal Information

Agropur shall only collect, use or disclose Personal Information identified as necessary to carry out its activities and pursue its business objectives. Said information shall be obtained by legitimate means.

## 3.2.1. What Personal Information Is Collected and for What Purposes?

The Personal Information collected by Agropur may vary from one Individual to another depending on the nature of the relationship between such Individual and Agropur. The appendixes to the Policy provide detailed explanations as to the type of Personal Information collected by Agropur and the purposes of such collection for employees, Directors, Members and Shareholders, clients, suppliers, consultants and users of Agropur's websites (including consumers of its products who interact with Agropur and employment candidates).

## 3.2.2. How Does Agropur Collect Personal Information?

Agropur collects Personal Information directly from the Individual with whom it interacts.



Personal Information may also be collected by Agropur from third parties such as governmental bodies or third-party service providers. While doing so, Agropur will take reasonable measures to ensure that this disclosure is either authorized by the Individual whose information is collected, or obtained in compliance with legal requirements.

# 3.2.3. When Does Agropur Obtain Consent to Collect Personal Information?

The knowledge and consent of the Individual are required for the collection, use or disclosure of Personal Information, except where said knowledge and consent are not deemed necessary. Where sensitive Personal Information is concerned, express consent is obtained.

Agropur shall disclose the purposes for which it collects Personal Information at the time of the collection, and subsequently on request of the Individual. Also, Agropur shall notify the relevant Individuals if the identified purposes of the collection eventually change or if new purposes are added.

Any Individual below the age of 14 years old is required to obtain the express consent of his/her parent or legal guardian before disclosing Personal Information to Agropur.

If Agropur uses a technology allowing the identification, location or profiling an Individual, it will make a distinct notification to such Individual. Also, any biometric information collected by Agropur for identification purposes will be subject to a distinct, express and specific consent.

# 3.2.4. When Is the Knowledge or Consent of an Individual Deemed Not Necessary?

Agropur shall collect, use or disclose Personal Information without the Individual's knowledge or consent only:

- a) when authorized by law;
- b) if it is clearly in the Individual's interest, especially for legal, medical or security reasons, and consent is not available in due time;
- c) for an emergency that threatens an Individual's life, health or security.

# 3.3. Disclosure of Personal Information

Agropur can disclose Personal Information to third parties in accordance with the applicable legislation and in the course of carrying out its activities and pursuing its business objectives. Such third parties include but are not limited to :

- a) Government or regulatory entity when required by law;
- b) Third-party service providers who assist Agropur in carrying out the purposes disclosed in the appendixes to the Policy including but not limited to the following categories :
  - a. technological service providers (software, application, cloud storage, telecommunications, etc);
  - b. professional service providers (accounting, law, IT, etc.);
  - c. financial and banking service providers;



- d. benefits providers;
- e. communication service providers;
- f. analytics and marketing service providers;
- g. staffing agencies;
- c) Parties involved in a proposed Commercial Transaction.

Additionally, Agropur may use and disclose an Individual's information when Agropur believes such use or disclosure is permitted, necessary or appropriate:

- under applicable law, including laws outside the Individual's country of residence;
- to comply with legal processes;
- to respond to requests from public and government authorities, including public and government authorities outside the Individual's country of residence;
- to protect Agropur's operations; and,
- to protect Agropur's rights, privacy, safety or property, and/or those of the Individual or others.

If Agropur otherwise intends to disclose an Individual's Personal Information to a third party, Agropur will identify that third party and the purpose for the disclosure and obtain the Individual's consent.

When Personal Information is disclosed to third parties, Agropur shall enter into appropriate undertakings which will ensure that such Personal Information is protected and handled in accordance with the Policy and applicable laws. For example, Agropur will require that the third-party service providers :

- a) maintain the confidentiality of Personal Information;
- b) keep Personal Information secure;
- c) use an Individual's Personal Information solely to carry out their mandate; and
- d) dispose of the Personal Information upon expiry of their mandate.

## 3.4. Conservation & Localization of Personal Information

Personal Information shall be safeguarded on Agropur's servers, at Agropur's head office or other Agropur facilities, including offices, plants, distribution centres, etc. Personal Information may also be stored on third-party service providers' hosting services and at their locations. Considering that Agropur has facilities located in various countries and conducts business worldwide, Personal Information may be stored and processed outside of Québec, Canada and the United States of America.



While such information is outside of the Individual's country, it is subject to the laws of the country, state, province in which it is located, and may be subject to disclosure to the governments, courts or law enforcement or regulatory agencies of such other country, pursuant to the laws of such country. However, Agropur's practices regarding Personal Information will at all times continue to be governed by this Policy and by applicable laws.

Irrespective of the medium used to store Personal Information, it shall be protected against loss or theft, as well as unauthorized access, disclosure, copying, use or modification. Access to Personal Information shall be restricted to Agropur employees and third parties who require such access to perform their duties or services. Agropur employees should refer to applicable rules and policies on information classification and handling.

Also, Agropur or its third party service providers shall provide the appropriate security safeguards, which include:

- a) physical measures, e.g. locked filing cabinets, restricted office access;
- b) organizational controls, e.g. security clearances, need-to-know-basis access;
- c) technological tools, e.g. passwords, encryption.

Despite the measures outlined above, no method of information transmission or information storage is 100% secure or error free, so Agropur cannot guarantee absolute security. If an Individual has reason to believe that their interaction with Agropur is no longer secure (for example, that the security of any information provided to Agropur has been compromised), please contact the Privacy Officer immediately.

# 3.5. Retention & Destruction of Personal Information

Subject to legal requirements, Agropur shall keep Personal Information for the duration necessary to fulfill the purposes for which the information was collected and for a minimum three (3) years and maximum seven (7) years after such purposes have been fully fulfilled or after the termination of the relationship between Agropur and the Individual, whether it was an employment, commercial or any other form of relationship. Thereafter, said information shall be destroyed or anonymized. Anonymized Personal Information will only be kept if it is used for serious and legitimate purposes, and according to generally accepted best practices, criteria and terms determined by regulation.

# 3.6. Accuracy of Personal Information

To ensure that his/her Personal Information is accurate, complete and up to date, an Individual is responsible for notifying Agropur immediately of any changes, especially when they relate to contact information or information that can affect his/her compensation, insurance coverage or beneficiaries and retirement plans. Agropur shall ensure that its records are up-to-date and accurate when notified by the Individual.

Where applicable, employees are required to update their Personal Information directly through Workday. Employees may also ask for assistance by using the Employee Service Center virtual desk.

# **3.7.** Requests & Complaints

An Individual has the following rights with regards to Personal Information held by Agropur :

a) To access: an Individual may access information relating to the collection, use or disclosure of their Personal Information and obtain a copy of such.

- b) To rectify: if an Individual believes their Personal Information Agropur has on file is inaccurate, incomplete or equivocal, or that the collection, communication or keeping of Personal Information is not authorized by law, the Individual may ask Agropur to correct that Personal Information. If the Individual successfully demonstrates that the Personal Information Agropur has on file is inaccurate, incomplete or equivocal, or that the collection, communication or keeping of this information is not authorized by law, Agropur will amend the personal information as requested. Where appropriate, Agropur will also provide the amended information to third parties who have access to the Individual's Personal Information.
- c) To withdraw consent: an Individual has the right to withdraw consent for use and communication of his/her Personal Information at any time. Withdrawing consent may in some instances result in the Individual's inability to execute their contractual commitments, participate in certain programs, features or promotions.

Written requests can be sent to the Privacy Officer at this email address: privacyofficer@agropur.com or by mail at :

Director Employee Service Centre and Privacy Officer Agropur cooperative 4600 Armand-Frappier St. Saint-Hubert, Quebec J3Z 1G5

The Privacy Officer shall reply within a reasonable timeframe. If Agropur refuses such a request, Agropur will provide the concerned Individual with a written refusal. Such refusal will indicate the provision of law on which the refusal is based on, the remedies available to the Individual under applicable laws and the time limit for exercising them. Agropur will assist the Individual in understanding the refusal, if necessary. If Agropur does not respond to a request within 30 days of its receipt, it will be deemed to have refused the request.

Agropur may require a reasonable charge where an Individual requests transcription, reproduction or transmission of the requested information. In any case, Agropur will provide an estimate of the costs when requiring a charge. Agropur will also take reasonable measures to ensure that Personal Information requested is communicated using a technology that is generally accessible and available.

Any complaint regarding the interpretation, application or alleged violation of the Policy must be submitted in writing to the Privacy Officer. If the complaint has merit, the Privacy Officer shall take the appropriate procedures to resolve the situation and ensure the protection of Personal Information in accordance with the Policy.

# 3.8. Confidentiality Incidents

If any Individual is made aware of or suspects that a Confidentiality Incident could be taking place either within Agropur's operations or through the operations of a third party who is handling Personal Information disclosed by Agropur, it must promptly report the incident and take the following actions :

- a) Contact :
  - the Employee Service Centre through the virtual desk or by phone at 1-866-445-8885; OR
  - the IT Department through the IT Portal or by phone at 1-866-332-7470 (Canada) or 1-507-593-1555 (United States);



- b) Provide all information that has led that Individual to believe that a Confidentiality Incident has taken place and the measures such Individual has taken as a result;
- c) Take all reasonable measures to limit or eliminate the risks associated with the Confidentiality Incident; and
- d) Collaborate with the IT and HC teams to manage the Confidentiality Incident.

Prompt measures are essential to an effective response to a Confidentiality Incident. Agropur will take reasonable measures to reduce the risks of negative consequences and prevent such an incident from reoccurring. Where an incident presents a risk of serious harm, Agropur will promptly notify the relevant privacy authorities. Where required by applicable law, Agropur will notify any Individual whose Personal Information is concerned by the Confidentiality Incident. Agropur may also choose to notify any person or body that could reduce the risk and keep a record of any such communications. Agropur may not notify an Individual whose Personal Information is concerned by the Confidentiality Incident if doing so could hamper an investigation conducted by a person or body responsible by law for the prevention, detection or repression of crime or statutory offences.

## 3.9. Roles and Responsibilities

## 3.9.1. Responsibilities of the Privacy Officer

- Ensure and promote the application of the Policy within Agropur;
- Manage and review the Policy on a regular basis;
- Participate in Privacy Impact Assessments when required by applicable laws;
- Manage requests and complaints received in accordance with section 3.7 of this Policy;
- Manage Confidentiality Incidents, including assessing the risks associated with the Confidentiality Incident and taking the necessary measures to limit or eliminate such risks;
- Notify relevant governmental authorities when required by applicable legislation;
- Maintain and update the Confidentiality Incident register.

#### 3.9.2. Responsibilities of Managers

- Demonstrate leadership in applying the Policy;
- Attend training sessions in regards of the Policy when required;
- Take reasonable and prompt measures to prevent or eliminate the risks of a Confidentiality Incident;
- Promptly report to the Privacy Officer any Confidentiality Incident brought to their knowledge;
- Promote safe practices within their team;



- Ensure that the disclosure of Personal Information within their team is on a need-to-know basis;
- Ensure that disclosure of Personal Information to third parties is made in compliance with the Policy.

# 3.9.3. Responsibilities of the Human Capital Department

- Support managers in applying and promoting the Policy;
- Ensure that employees are provided with the relevant information regarding the Policy's content;
- Attend training sessions in regards of the Policy when required;
- Establish procedures for ensuring that Personal Information is collected, used and disclosed by the Human Capital Department in compliance with the Policy;
- Assist the Privacy Officer in implementing measures to limit or eliminate the risks associated with a Confidentiality Incident.

## 3.9.4. Responsibilities of the IT Department

- Promote the safe use of technological tools to ensure the protection of Personal Information, including by ensuring compliance with the Digital Security Policy;
- Ensure that access to Personal Information is limited on a need-to-know basis;
- Support the Privacy Officer in managing Confidentiality Incidents, including implementing measures to limit or eliminate the risks;
- Support the completion of Privacy Impact Assessments;
- Ensure that new technological tools involving the use and conservation of Personal Information are safe and up to standards;
- Notify the Privacy Officer if they become aware of a possible Confidentiality Incident.

# **3.9.5.** Responsibilities of authorized signatories and negotiators of agreements on behalf of Agropur

- Selecting third party service providers that have acceptable Personal Information protection measures and programs if Personal Information will be shared in the course of the execution of the agreement;
- Ensure that a Privacy Impact Assessment is conducted if a project to acquire, develop or overhaul an information system or electronic service delivery system involving the collection, use, communication, keeping or destruction of Personal Information is considered;
- Collaborate with the IT Department to ensure that new technological tools involving the use and conservation of Personal Information are safe and up to standards;



• Notify the Legal Affairs Department of any contractual agreement involving the collection, use or disclosure of Personal Information that would not include Agropur's standard confidentiality and non-disclosure undertakings in accordance with section 3.3 of the Policy.

# **3.9.6.** Responsibilities of Employees

- Attend training sessions in regards of the Policy when required;
- Protect the Personal Information collected, used, disclosed, kept and destroyed in the course of his/her duties in accordance with guidelines, procedures and policies determined by Agropur;
- Use Personal Information in compliance with the use disclosed at the time of the collection of said information or with the consent given by the Individual;
- Disclose Personal Information on a need-to-know basis and in accordance with applicable legislation and this Policy;
- Promptly report any Confidentiality Incident to the Privacy Officer.

# 4. Governance

<u>Owner</u> :	Senior Vice President, Human Capital and Communications.	
Officer in charge:	Privacy Officer.	
Type of amendment:	Not applicable.	
Departments consulted	Legal Affairs, Information Technology and Finance.	
Approvers:	Senior Vice President, Human Capital and Communications & Chief Executive Officer.	
Authorized Signatories:	Senior Vice President, Human Capital and Communications & Chief Executive Officer.	
Revision schedule:	Agropur reserves the right to modify or supplement the Policy at any time. The Policy should be reviewed at least every two (2) years.	

For any questions relating to the application or interpretation of the Policy, you may contact the Officer in charge at privacyofficer@agropur.com.



# 5. Approval

This Policy has been approved by the Approver and will come into force on the Approval Date.

Authorized Signatories:

[Executed]

Liette Vigneault, Senior Vice President, Human Capital and Communications 2023-09-22

[Executed]

Émile Cordeau Chief Executive Officer 2023-09-22



Appendix A – Definitions		
Agropur:	The Cooperative and its subsidiaries in which it directly or indirectly holds all the shares with voting rights.	
Agropur US:	Agropur inc. – The expression Agropur US also includes Agropur Asia Pte Ltd. and Agropur Dairy Mexico S.A de C.V, unless otherwise specified.	
Amendment Date:	Date on which the Authorized Signatories approved the amended version of the Policy after approval of the amendment by the Approver. Unless otherwise specified, the Amendment Date is the date on which the amended version of the Policy comes into force.	
Approval Date:	Date on which the Authorized Signatories signed the Policy after the initial approval by the Approver. Unless otherwise specified, the Approval Date is the date on which the Policy comes into force.	
Approver:	The person or persons who are responsible for approving the Policy, among other things by ensuring that its content complies with the Cooperative's overall strategies and business goals. However, a Minor Amendment made to the Policy may be approved by the Policy's Owner, without the need to refer to the Approver.	
Authorized Signatories:	The people indicated in the "Authorized Signatories" column of the diagrams presented in section 3.2.2.7 of the Policy regarding the Management of Policies, depending on the Owner of the Policy.	
Board:	The Board of Directors of the Cooperative.	
Cancellation Date:	Date on which the Authorized Signatories signed the confirmation of cancellation of the Policy after it was cancelled by the Approver. Unless otherwise specified, the Cancellation Date is the date on which the Policy terminates, and hence the date on which it ceases to have effect.	
Chief Executive Officer:	The Chief Executive Officer of the Cooperative	
Chief Financial Officer:	The Chief Financial Officer of the Cooperative.	
Commercial Transaction:	The alienation or leasing of all or part of an enterprise or of its assets, a modification of its legal structure by merger or otherwise, the obtaining of a loan or any other form of financing by the enterprise or of a security taken to guarantee any of its obligations.	
Confidentiality Incident:	The unauthorized access, use or communication of Personal Information, the loss of Personal Information or any other breach of the protection of Personal Information.	
Cooperative:	Agropur Cooperative.	



Department:	A sector of Agropur under the authority of a President, Senior Vice-President or Vice-President. Where required by the context, the Board, the US Board or the Management Committee may constitute a Department.
Department Consulted:	A Department that is affected in a significant way by the approval or revision of the Policy, whose support has been obtained by the Owner of the Policy with a view to submitting it to the Approver.
Directors:	All Individuals who are a part of the Board, including guest members.
Highest Ranking Officer:	The Vice-President or Senior Vice-President responsible for a Department, who is also a member of the Management Committee. Where required, the Chief Executive Officer, President of the Board and President of the US Board may also be the Highest Ranking Officer for the Management Committee, the Board or the US Board respectively.
Individual:	A natural person whose Personal Information is collected.
Major Amendment:	Any amendment to the Policy that is not a Minor Amendment.
Management:	The Chief Executive Officer, the Chief Financial Officer and the Secretary.
Management Committee:	The administrative management board (AMB) of the Cooperative.
Member and/or Shareholder	A member of the Cooperative (including its representative) and/or the holder of investment shares of the Cooperative (including its representatives).
Minor Amendment:	An amendment made to the Policy in order to change an individual's title, change the name of a Department, change the title of an Act or regulation or correct a typing, spelling or syntax mistake, and any other similar change that has no impact on the substance and scope of the Policy.
Officer in Charge:	The individual entrusted by the Owner of the Policy with responsibility for managing the Policy's life cycle (preparation, revision and cancellation).
Owner:	The Highest Ranking Officer of the Department responsible for the Policy.
Personal Information:	Any information that can identify directly or indirectly an Individual.
Policy:	This Protection of Personal Information Policy.
President of the Board:	The President of the Board.
President of the US Board:	The President of the US Board.
Privacy Impact Assessment:	Analysis conducted to assess the impacts of a measure on the protection of Personal Information by taking into consideration the following factors: legal compliance, risk identification, risk management, the sensitivity of the Personal



	Information, the contemplated use, contractual undertakings and, where applicable, the jurisdiction in which the Personal Information will be stored.	
Privacy Officer:	Person designated by the Chief Executive Officer who is responsible for overseeing the protection of Personal information in compliance with applicable legislation.	
Revision schedule:	The minimum interval in the revision process, at the end of which the Owner mus revise the Policy to decide whether one or more amendments should be made.	
Secretary:	The Cooperative's Secretary.	
US Board:	The Board of Directors of Agropur US.	

# Appendix D – Collection and Use of Personal Information – Clients and Suppliers (Including Consultants)

The nature of Personal Information that may be collected by Agropur with respect to clients or suppliers (including consultants) can include:

- a) First and last name;
- b) Contact information;
- c) Financial and credit information;
- d) Government issued information, including government-issued identity cards and tax number information;
- e) Professional information, including membership of a professional association, permit or certification;
- f) Electronic and technological information;
- g) Any other information related to Agropur's business.

Unless otherwise authorized by the applicable legislation or the Individual in question, Agropur shall collect, use or disclose Personal Information in the course of, or for the purposes identified below:

- a) Entering into a commercial relationship, including in the context of a call for tender;
- b) Conducting Privacy Impact Assessments;
- c) Managing the records of clients, suppliers and consultants, including keeping track of their professional status, permit or certifications;
- d) Processing payment of fees, bills and reimbursement of expenses;
- e) Carrying out commercial activities or operations in the course of a commercial relationship;
- f) Complying with any laws or regulations and to cooperate with law enforcement inquiries; and
- g) Applying other provisions set forth in this policy.



# Appendix E – Collection and Use of Personal Information – User of Agropur's Websites

The nature of Personal Information that may be collected by Agropur with respect to users of Agropur's websites, including consumers of Agropur products and candidates to employment, can include:

- a) First and last name;
- b) Contact information and home address;
- c) Resumes, including languages spoken, education, employment history, membership of a professional association, skills and professional social media profile;
- d) Electronic and technological information;
- e) Background, education and credit information when necessary;
- f) Any other information related to Agropur's business.

Unless otherwise authorized by the applicable legislation or the Individual in question, Agropur shall collect, use or disclose Personal Information in the course of or for the purposes identified below:

- a) Updating and verifying Personal Information that may already be in Agropur's database;
- b) Responding to inquiries and comments;
- c) Registering Individuals for certain features on our websites;
- d) Administering Agropur's programs;
- e) Conducting surveys, contests and promotions (in the case of contest entry information, Agropur reserves the right to publish the winner's name on its websites);
- f) Distributing, marketing, providing and informing consumers about Agropur products by sending newsletters, promotional information, product samples, coupons, and/or e-mails provided the Individual has subscribed to receive such marketing materials or contacted Agropur's customer service;
- g) Helping Agropur understand the interests of an Individual and developing new products and services that meet their needs;
- h) Staffing and recruitment activities;
- i) Complying with any laws or regulations and to cooperate with law enforcement inquiries; and
- j) Applying other provisions set forth in this Policy.

## Information gathered with technology

Agropur uses a feature called "cookies" which identifies the browser of an Individual each time he/she visits one of Agropur's websites. Agropur may use and disclose the information provided by cookies to affiliates and other third



parties to manage and improve its websites and programs. Agropur may also collect the IP address when an Individual visits Agropur's websites. The IP address is collected so that Agropur knows the number of visits made to its websites per Individual. Cookies cannot profile the system or collect information from an Individual's hard drive. Although an Individual may receive cookies from many different sites, each cookie can only be read by the Web server that originally issued such cookie. Agropur's websites are initially set up to refuse cookies, but an Individual can set his/her browser to accept cookies.

An Individual may opt out of being contacted and withdraw consent from having his/her Personal Information used for marketing purposes or from having their Personal Information used for market research purposes. Newsletters, promotional material and e-mails sent by Agropur will detail how an Individual may opt out of being contacted.

Also, please note that Agropur is not responsible for the content or privacy practices of non-Agropur websites to which Agropur or any other Agropur websites may link.

If Agropur makes any changes to this Policy, such changes will be posted on its websites. Agropur recommends that Individuals regularly review the Policy to ensure they are up to date on Agropur's conditions for the collection, use and disclosure of their Personal Information.



# Appendix G – Policy History

Date	Action	Summary
2023-09-22	Adoption	
YYYY-MM-DD	Select an element.	
YYYY-MM-DD	Select an element.	
YYYY-MM-DD	Select an element.	