

# Privacy Policy

Last Revised on March 1, 2023

Herbalife and its affiliates and subsidiaries (“we”, “us” or “our”) respect your concerns about privacy. This Privacy Policy informs you in a FAQ format of how Herbalife uses your personal information and of the rights you have in relation to your personal information. If you have additional questions regarding this policy, you can contact us at [privacy@herbalife.com](mailto:privacy@herbalife.com).

Please note that this policy only applies to Herbalife websites and applications (“Sites”) containing a link to this policy.

You may identify the Herbalife controller of your personal information by using the chart at the end of this policy based on your country of residence. The controller of your personal information determines the purposes and means of the processing of personal information.

Please be also advised that Herbalife products are sold exclusively through our Independent Members (“members”), who are controllers of the personal information that you provide to them. You should contact them directly to understand their data practices.

## Frequently Asked Questions (FAQ)

- For what purposes does Herbalife collect personal information?
- What personal information does Herbalife collect?
- How does Herbalife store personal information?
- How long will Herbalife store personal information?
- With whom does Herbalife share personal information?
- How does Herbalife transfer personal information?
- What is Herbalife's commitment to children's privacy?
- What are cookies?
- What are my rights with respect to my personal information?
- What about data security?
- Can Herbalife change this policy?
- What about links to third-party services?
- How can I contact the Herbalife controller of my personal information?

## For what purposes does Herbalife collect personal information?

Where we have a contractual relationship with you, we process your personal information to perform our contract with you, provide our products and services and manage our relationship, in particular:

- to prepare and enter into a membership agreement with you; the provision of personal data is voluntary but necessary to enter into a contract;
- to execute the membership agreement, including calculating your earnings and those of other members, resolving your inquiries, and maintaining and delivering information on your upline and downline (e.g., lineage reports);
- to process product orders, manage accounting, billing and collection activities;
- to deliver and take-back products and to manage contracts and warranties; and

- for payment purposes.

We also process your personal information to meet our legal obligations, in particular:

- for accounting and tax purposes;
- to conduct product call-back operations; and
- to respond to requests for information by competent public bodies and judicial authorities.

We process the personal information that you provide on the Sites for the following legitimate business purposes:

- to establish and manage your online account (e.g., your account on MyHerbalife);
- to communicate with you about your online account, including sending you transactional information about account features, security and enhancements;
- to provide our products and services, and to protect the integrity and security of our services;
- to maintain our websites and digital platforms;
- to carry out technical trouble-shooting activities, data security activities and related reporting and analyses;
- to perform member business management activities and provide members with tools to manage their independent business;
- to support members' business, including in connection with lineage reports, insights and statistics, and achieving goals, by sharing personal information we obtain about you and your customers with selected members, including members in your upline;
- to improve the user experience of our Sites by making them more accessible and user friendly and create content more relevant to you;
- to administer and improve our membership reward program, including assessing and predicting eligibility and requalification for status-related commissions, bonuses or discounts based on algorithmic-based analysis, training and predictive models; no decisions which produces legal effects or similarly significantly affects data subjects are based solely on automated processing, including profiling;
- to provide public recognition, awards, and/or celebrations for achievements and/or advancements made in the Herbalife sales & marketing plan, including through, among other channels, social media, our Sites, or at Company functions and events;
- to provide algorithmic-based product recommendations to members;
- to resolve member complaints, communicate with you, offer customer support and process claims in connection with our products and services;
- to operate, evaluate, and improve our products and services (including administering the Sites; developing new products and services; enhancing, improving and analyzing our products and services; managing our communications; analyzing our customer base and Sites; performing data analytics);
- to perform market research and surveys, advertise and market our products and services, and analyze the effectiveness of our advertising and marketing;
- to conduct intelligence reporting and analyses, understand the effectiveness of Herbalife's business programs, analyze and report the activity of our members and prospects and support the development of the company and its business;
- to perform identity verification, record management and reporting activities, including analyzing Herbalife accounts or profiles related to the same member;
- to maintain and enhance the safety and security of our Sites, products and services and prevent misuse;
- to carry out threat management activities and related monitoring, reporting and analyses to identify and thwart threats to Herbalife networks, systems, applications, and databases;

- to maintain business records and conduct information technology activities, including data storage;
- to exercise our rights and remedies and defend against legal claims;
- to protect against, identify and prevent fraud and other criminal activity, claims and other liabilities;
- protect Herbalife's interests in relation to marketing plan, inventory and bonus-related procedures, including by auditing sales, for example, by contacting a limited number of members' retail customers to confirm the sale;
- to enforce our Terms of Use, our member rules and our rights, including handling and investigating complaints and other inquiries; and
- to provide you with information and online advertising on our products, services, and special offers, as permitted by applicable law;

We use personal information for these purposes because we have a legitimate business interest in operating our business and providing services to our members and their customers. We take reasonable measures to ensure that the interests we pursue are balanced with your interests, rights and freedoms, which we are happy to explain upon request. You have a right to oppose certain uses of your personal information under applicable law; but in this case, you may not be able to fully benefit from our products and services.

Where required by applicable law, we will obtain your consent for the following purposes:

- to allow you to receive dedicated services, such as receiving information packs about our products and services, launches, offers and promotions;
- to allow you to get in contact with a Herbalife member for information about how to buy Herbalife products from them or an introduction into membership;
- to allow you to participate in events, surveys and challenges;
- to use your personal information in connection with the marketing of Herbalife products and services, including marketing activities in social media; and
- the use of certain cookies and similar technologies, as required by law.

You can withdraw your consent at any time by letting us know at the email address below, by opting out of advertising by e-mail or SMS, or by changing the privacy settings of your browser as set out below. If you withdraw consent, you may not be able to fully enjoy our products and services.

We may also use personal information in other ways for which we provide specific notice at the time of collection.

### **What personal information does Herbalife collect?**

We obtain the following types of personal information:

- Contact information, such as your name, telephone number, and postal and email address;
- User-generated content related to product preferences, comments, questions and answers;
- If you are a member, we also obtain your company name (if any), country, work location, billing and payment information, and other information required to establish your Herbalife membership and provide you information about our products and services;
- Other information you choose to provide, such as through our "Contact Us" feature or other forms available on our Sites.

While the personal information you choose to provide to us is voluntary, certain personal information is necessary to provide you with the relevant product or service. If you choose not to provide necessary information, this may affect our ability to provide you with certain products or services.

In addition, personal information that you provide directly to us will be apparent from the context in which you provide it. For example, when you fill out a form to request information about Herbalife products or Herbalife membership, or to establish contact with a member or to participate in a challenge or sweepstake, you will provide your name, contact details and any other information requested by the form. For instance, you may voluntarily provide health and wellness information, including physical characteristics or descriptions, and other data related to your body, diet, activities, or physiology, in response to a wellness profile questionnaire. On those occasions, we may provide you additional information and choices about our intended use of your personal information, if required. If you sign up to a feature on our Sites, you will provide your name and contact information and any other information necessary to access the feature. Each form on our Sites varies in the information required and collected. Required information is indicated with an asterisk (\*) on the form. You may choose to provide additional information within fields that are not required. We also collect your communication preferences, such as whether or not you wish to receive electronic marketing communications from us.

For registered members, Herbalife collects information about products you purchase online, volume and sales statistics, member's commissions, bonuses or discounts, level, event attendance, banking information to the extent necessary to comply with tax and accounting related statutory provisions, and information voluntarily uploaded by members on the Sites, such as their leads and marketing efforts.

We may receive additional information about you from public and commercially-available sources and other third parties. If you access third-party services, such as Facebook, Google, or Twitter through the Sites, to login to the Sites or to share information about your experience on the Sites with others, we collect information from these third-party services.

Some of the content or functionality of the Sites is being provided by third parties, such as Facebook and Twitter plug-ins. These third parties receive some information about your use of our website, including through the use of cookies and similar technologies (see section on cookies below). Please consult the websites of these third parties to understand how they use your information.

#### Information collected by automated means

You can visit the Sites without telling us who you are. However, we collect technical information through the Sites, such as your device IP address, unique device identifier, web browser characteristics, device characteristics, operating system, language preferences, referring URLs, clickstream data, and dates and times of website visits. We collect this information in order to make a connection and display our Sites, understand your journey through the Sites and record the options that you have chosen to select. The information collected does not directly identify you but may be helpful to us for marketing purposes and improving the services we offer.

#### Interest-Based Advertising

On our Site, we obtain information about your online activities to provide you with advertising about products and services that may be tailored to your interests. You may see our ads on other websites because we use third-party ad services. Through these ad services, we can target our messaging to users considering demographic data, users' inferred interests and browsing context. These services track your online activities over time and across multiple websites and apps by collecting information through automated means, including through the use of cookies, web server logs, web beacons and other similar technologies. The ad services use this information to show you ads that may be tailored

to your individual interests. The information ad services may collect includes data about your visits to websites that serve advertisements, such as the pages or ads you view and the actions you take on the websites or apps. This data collection takes place both on our Sites and on third-party websites and apps that participate in these ad services. This process also helps us track the effectiveness of our marketing efforts.

### Third-Party Analytics Services

We may use third-party analytics services on our Sites. The information we obtain through the Sites may be disclosed to or collected directly by these services.

### **How does Herbalife store personal information?**

Herbalife stores your personal information in a centralized repository together with other information we may have about you, if any. This allows us to avoid duplication, better manage our information resources and provide you with a better service. We use this information for the purposes mentioned above and in accordance with your choices.

### **How long will Herbalife store personal information?**

We retain your personal information for the duration of our relationship with you, plus a reasonable period to comply with applicable statute of limitations, unless a shorter retention period is required by applicable law.

### **With whom does Herbalife share personal information?**

We share personal information we obtain about you and your customers with:

- our affiliates and subsidiaries, and the distributors, agents and licensees of any of these entities;
- service providers that perform services on behalf of Herbalife, for example, companies that help us develop our website and keep it secure and companies that help us conduct data analytics and make our advertising more relevant, including through algorithmic-based analysis;
- other companies with which Herbalife has directly or indirectly arranged services for your benefit, for example fulfilling orders, delivering packages, email administrative functions, processing credit card payments, and providing customer service;
- selected Herbalife members, including Herbalife members in your upline for the sole purpose of supporting the members in further developing their Herbalife businesses, including in connection with lineage reports, insights and statistics, and achieving goals, and for use in marketing tools and platforms; and
- other parties as required by law, or to comply with a subpoena, legal proceedings, or similar legal or judicial process or arbitration, including disclosure to authorized third party auditors or governmental authorities, or to investigate or prevent fraud.

Most of our global service providers are based in the U.S. In addition, Herbalife engages local service providers in the countries where it does business. We require service providers by contract to process personal information only on our behalf and to implement measures to protect the security and confidentiality of personal information.

In addition, we may disclose personal information about you (a) if we are required or permitted to do so by law or legal process, for example due to a court order or a request from a law enforcement agency, (b) when we believe disclosure is necessary or appropriate to prevent physical harm or

financial loss, (c) in connection with an investigation of suspected or actual fraudulent or other illegal activity, and (d) in the event we sell or transfer all or a portion of our business or assets (including in the event of a reorganization, dissolution, liquidation, merger, acquisition or bankruptcy procedure).

### **How does Herbalife transfer personal information?**

Herbalife is headquartered in the U.S. In addition, members in your upline may be established in the U.S or other countries. We may transfer the personal information that we collect about you to recipients in countries other than the country in which the personal information originally was collected. Those countries may not have the same data protection laws as the country in which you initially provided the personal information. When we transfer your personal information to recipients in other jurisdictions (such as the U.S.), we will protect that personal information as described in this policy.

We will comply with applicable legal requirements by providing adequate protection for the transfer of personal information to data recipients in countries outside of your jurisdiction. To the extent that these data recipients are in countries that have not been recognized by the European Commission or another relevant body as providing an adequate level of data protection, we put in place appropriate safeguards aimed at ensuring such a level of data protection, including by entering into data transfer agreements (such as EU Standard Contractual Clauses) with the data recipients. To obtain a copy of the safeguards we have put in place, please contact us as indicated below.

### **Herbalife's commitment to children's privacy?**

The Sites are intended for general audience. In some instances, Herbalife may collect personal information from minors. Herbalife obtains the consent of the minor's parent or legal guardian as required by applicable law. We do not knowingly collect, use or disseminate any personal information from children under the age of 16 without the consent of the child's parent or legal guardian, taking into consideration the available technology for age verification.

### **What are cookies?**

A cookie is a text-only string of information that a website transfers to the cookie file of the browser on your computer's hard disk so that the website can remember who you are. Cookies can help a website to arrange content to match your preferred interests more quickly. Some cookies may allow us to recreate and replay user sessions on our Sites.

A cookie will typically contain the name of the domain from which the cookie has originated; the "lifetime" of the cookie; and a value, usually a randomly generated unique number. For more information, please see our [Cookie Policy](https://www.herbalife.ie/footer-pages/cookie-policy/) <https://www.herbalife.ie/footer-pages/cookie-policy/>.

### **What are my rights with respect to my personal information?**

Depending on the applicable law, you may have various rights in respect to your personal information, such as a right of access, rectification, restriction of or objection to the processing of your personal information (including objecting to direct marketing and profiling activities), portability of your personal information to another controller and erasure of your personal information in certain circumstances ('right to be forgotten'). Where you have given us consent to process your personal information, you have the right to withdraw your consent at any time, as explained above.

Some of our Sites allow you to review and update your personal information or cancel your membership of the service. Where this function is not available and for assistance with other personal information rights, please contact us [here](#). Please note that these rights are subject to limitations set out in law.

If you do not want to receive advertising by e-mail or SMS, you will be given an opportunity to opt-out in the communications you receive.

If you have additional questions about this policy and our practices or if you have complaints about Herbalife's use of your personal information, please contact us at:

Data Protection Officer – EMEA  
HN Global Business Services Center Kraków Sp. z o.o.ul. Puzkarska 7M, 30-644 Kraków, Poland  
[privacy@herbalife.com](mailto:privacy@herbalife.com)

For users and members in the European Union, if you have concerns about Herbalife's collection and use of your personal information that Herbalife cannot solve to your satisfaction, you have the right to file a complaint with the competent Supervisory Authority in your jurisdiction.

### **What about data security?**

We maintain administrative, technical and physical safeguards designed to protect the personal information we obtain against accidental, unlawful or unauthorized access, destruction, loss, alteration, disclosure or use. Personal information collected by Herbalife Sites is stored in secure operating environments that are not available to the public. Where necessary, the personal information is encrypted before you conduct your transaction, using appropriate secure technology.

### **Can Herbalife change this policy?**

Herbalife may amend this policy from time to time. We will indicate at the top of the policy when it was most recently updated. We recommend that you visit our website periodically to be aware of the latest version of our policy.

### **What about links to third-party services?**

Our Sites may provide links to other online services, and may include third-party features such as apps, tools, widgets and plug-ins. These online services and third-party features operate independently from us. The privacy practices of the relevant third parties, including details on the information they may collect about you, are subject to the privacy statements of these parties, which we strongly suggest you review. Herbalife is not responsible for these third parties' information practices.

### **How can I contact the Herbalife controller of my data?**

You may identify the Herbalife entity that is controller of your personal information by using the chart below based on your country of residence.

Austria	HERBALIFE INTERNATIONAL DEUTSCHLAND GmbH, Gräfenhäuser Straße 85., D-64293 Darmstadt, Germany
Belgium	INTERNATIONAL BELGIUM S.A./N.V., Drukpersstraat 4. B-1000 BRUSSEL – Belgium
Bulgaria	Herbalife Polska Sp. z o.o. Janki ul. Falencka 1B, 05-090 Raszyn (“Herbalife Polska”)

Croatia	Herbalife d.o.o. Radnička cesta 39 - 10000 Zagreb, Croatia (“Herbalife Croatia”)
Cyprus	HERBALIFE INTERNATIONAL GREECE S.A. 110 Pentelis Street, Marousi, 15126 Athens, Greece (“Herbalife Greece”)
Czech Republic	HERBALIFE CZECH REPUBLIC s.r.o., Identification No. (IČO): 028 55 089, Karolinská 661/4, Karlín, 186 00 Praha 8, Czech Republic (“Herbalife Czech”)
Denmark	Herbalife Denmark ApS, Hovedvagtsgade 6 1103 København K
Estonia	Filuet Baltica Ltd, Piedrujas 7a, Riga, LV-1073, Latvija (“Filuet”)
Finland	Herbalife International Finland OY (PL 211, 00131 Helsinki, Finland Herbalife Norway Products AS, Fornebuveien 46-48, 1366 Lysaker
France	HERBALIFE INTERNATIONAL FRANCE, S.A. , 3 rue Alexandre Volta B.P. 81020, 67451 MUNDOLSHEIM CEDEX
French Polynesia	HERBALIFE INTERNATIONAL FRANCE, S.A. , 3 rue Alexandre Volta B.P. 81020, 67451 MUNDOLSHEIM CEDEX
Germany	Herbalife International Deutschland GmbH, Gräfenhäuser Straße 85, 64293 Darmstadt, Germany
Greece	HERBALIFE INTERNATIONAL GREECE S.A., 110 Pentelis, 151 26 Marousi, Athens, Greece
Hungary	Herbalife Hungary Ltd., 1097 Budapest, Gubacsi út 6., Building “B”
Iceland	Herbalife (U.K.), Limited., The Atrium, 1 Harefield Road, Uxbridge, Middlesex, UB8 1HB
Ireland	Herbalife (U.K.) Limited, The Atrium, 1 Harefield Road, Uxbridge, Middlesex, UB81HB, United Kingdom
Italy	Herbalife Italia S.p.A., Viale Citta’ d’Europa 819, 00144 Roma, Italia
Latvia	Filuet Baltica Ltd, Piedrujas 7a, Riga, LV-1073, Latvija (“Filuet”)
Lithuania	Filuet Baltica Ltd, Piedrujas 7a, Riga, LV-1073, Latvija (“Filuet”)
Macedonia	Herbalife d.o.o. Radnička cesta 39 - 10000 Zagreb, Croatia (“Herbalife Croatia”)
Malta	Herbalife International Netherlands B.V., Postbus 8283, 3503 RG Utrecht, The Netherlands
Netherlands	Herbalife International Netherlands B.V., Postbus 8283, 3503 RG Utrecht, The Netherlands



Norway	Herbalife Norway Products AS, Fornebuveien 46-48, 1366 Lysaker
Poland	Herbalife Polska Sp. z o.o., Al. Jerozolimskie 134, 02-305 Warszawa
Portugal	HERBALIFE INTERNATIONAL S.A., Oeiras Lagoas Park Edifício 8 – 1º Piso 2740-244 Porto Salvo, PORTUGAL
Romania	Herbalife RO SRL, Str.Arhitect Louis Blanc nr. 1, etajul 7, Sector 1, cod postal 011751, Bucuresti, Romania
Serbia	Herbalife d.o.o. Radnička cesta 39 – 10000 Zagreb, Croatia (“Herbalife Croatia”)
Slovak Republic	Herbalife Slovakia s.r.o., ID No: 47 742 445, Karadžičova 8/A, 821 08 Bratislava, Slovak Republic (“Herbalife Slovakia”)
Slovenia	Herbalife d.o.o. Radnička cesta 39 - 10000 Zagreb, Croatia (“Herbalife Croatia”)
Spain	Herbalife International de España S.A. C/ Arequipa, 1, 28043 Madrid
Sweden	Herbalife Sweden AB, Box 556,101 31 Stockholm, Sweden Herbalife Norway Products AS, Fornebuveien 46-48, 1366 Lysaker
Switzerland	Herbalife International Deutschland GmbH, Gräfenhäuser Strasse 85, 64293 Darmstadt, Germany
United Kingdom	HERBALIFE (U.K.) LIMITED. The Atrium, 1 Harefield Road, Uxbridge, Middlesex, UB8 1HB. United Kingdom

Furthermore, Herbalife Europe Ltd. is a controller of certain personal information for engagements with a limited number of third-party service-providers and Herbalife Europe Ltd. has appointed Herbalife International Luxembourg S.à.r.l. as its representative in the European Union. You may contact Herbalife International Luxembourg S.à.r.l. by writing to 16, Avenue de la Gare L-1610 Luxembourg or [privacy@herbalife.com](mailto:privacy@herbalife.com).