

## **CALIFORNIA PRIVACY NOTICE**

### **Supplemental California Consumer Privacy Act Disclosures**

E. & J. Gallo Winery (hereinafter "Winery," "we," or "our,") provide these Supplemental California Consumer Privacy Act Disclosures ("CCPA Disclosures"), to disclose information about our data processing practices as required by the California Consumer Privacy Act of 2018 ("CCPA") and supplementing the disclosures in our [Privacy Policy](#) (which apply also in California) and any CCPA Notice at Collection issued in addition to the CCPA Notice at Collection Online provided in Section III below. These CCPA Disclosures are effective **January 1, 2022**.

#### **I. Who and what information is subject to these CCPA Disclosures?**

California residents are protected as "consumers" by the California Consumer Privacy Act of 2018 with respect to personal information.

A number of statutory exceptions apply under the CCPA and to these CCPA Disclosures, including the following:

- (1) personal information reflecting a written or verbal communication or a transaction between the business and the consumer, where the consumer is a natural person who is acting as an employee, owner, director, officer, or contractor of a company, partnership, sole proprietorship, non-profit, or government agency and whose communications or transaction with the business occur solely within the context of the business conducting due diligence regarding, or providing or receiving a product or service to or from such company, partnership, sole proprietorship, non-profit, or government agency
- (2) personal information that is collected by a business about a natural person in the course of the natural person acting as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or contractor of that business to the extent that the natural person's personal information is collected and used by the business solely within the context of the natural person's role or former role as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or a contractor of that business
- (3) personal information that is collected by a business that is emergency contact information of the natural person acting as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or contractor of that business to the extent that the personal information is collected and used solely within the context of having an emergency contact on file
- (4) personal information that is necessary for the business to retain to administer benefits for another natural person relating to the natural person acting as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or contractor of that business to the extent that the personal information is collected and used solely within the context of administering those benefits.

These CCPA Disclosures do not reflect our collection, use, or disclosure of California residents' personal information, or data subject rights, where an exception under the CCPA applies.

#### **II. How can a consumer with a disability access these CCPA Disclosures?**

Consumers who have a visual disability may be able to use a screen reader or other text-to-speech or text-to-Braille tool to review the contents of this notice. If this notice is needed in an alternative format, please call us at **1-888-295-0247**.

#### **III. CCPA Notice at Collection Online**

In this CCPA Notice at Collection Online, we are addressing disclosure requirements under California Civil Code §1798.100(b) and California Attorney General Regulations § 999.305 at or before the point of online collection. Our CCPA Privacy Policy, is available immediately [below](#).

We collect the following categories of personal information about consumers for the following business or commercial purposes:

- **Contact information and Geographic Location**, including name, title, street address (home, work, billing, shipping), postal code, country, telephone numbers (home, work, cell, etc.), email address (home, work), company name and other similar information, and your geographic location for example in connection with QR code scanning.
- **Personal/demographic information**, including birthday/age/age group, gender, birth date, salary range, occupation, level of education, contest- or promotion-specific information (e.g., for wedding promotions, we ask for your wedding date, location, etc.).
- **Authentication information**, including user IDs, log-in names, passwords, password reminders, copy of ID, social security number (in addition to other personal information such as contact information, birth date).
- **Transactional and financial information**, including products or services you purchase, inquire about or request, payment information, and debit/credit card information.
- **Preferences, views and comments**, including beverage preferences and consumption frequency, subscriptions/communications preferences, feedback in response to surveys, language preference.
- **Participation information**, including event attendance, sweepstakes/contest entries (including all information submitted on an entry such as clothing size), information provided when requesting or receiving discounts/coupons/rebates, registrations, information relating to use of online communities (for example social media IDs) and all other user submissions and content you provide.
- **Cookies, web beacons and navigational and location data collection** (clickstream, log files, server logs). Your Internet browser automatically transmits some of this information, such as device ID, the URL of the website you just visited and the Internet Protocol (IP) address and browser version currently being used by your computer. Such technologies help us to keep track of your interactions with our website and provide you with a more customized experience.
- We use personal information about customers to conduct and follow up on transactions, in connection with registration, such as for events, memberships, accounts, to permit your participation in online communities/provision of user-generated content, to follow up with you after you have completed a form, business reply card or survey, to allow you to contact us with questions, comments or concerns and to address your communications, to provide materials you request, to permit your participation in contests, sweepstakes and other promotions, for marketing purposes (unless you have asked us not to), to analyze trends, administer our website, track users' movements and online activity and gather demographic information for

aggregate use, web beacons in emails and newsletters so that we know when such communications have been opened and to otherwise help us tailor our communications to individual users.

#### IV. CCPA Privacy Policy

Beyond the disclosures in the preceding "Notice At Collection" segment, we are providing additional disclosures about consumer rights and our personal information handling practices in the preceding twelve months, as required by the CCPA and regulations of the California Attorney General, including §999.308 (Privacy Policy).

##### 1. Right to Know About Personal Information Collected, Disclosed, or Sold

This Supplemental CCPA Privacy Policy describes the personal information we generally collect, use, disclose and sell about California residents. You have the right to request that we disclose what personal information we collect, use, disclose and sell about you specifically ("right to know"). To submit a request to exercise the right to know, please use the webform on the [Contact Us](#) portion of this website, call our toll-free phone number **1-888-295-0247** or submit an email request to [DataPrivacy@ejgallo.com](mailto:DataPrivacy@ejgallo.com) and include "California Request to Know" in the subject line. Please specify in your request the details you would like to know, including any specific pieces of personal information you would like to access.

We will ask that you provide certain information to verify your identity, such as a code sent to an email address we may have on file for you. If you have a password-protected account with us, we may verify your identity through our existing authentication practices for your account. The information that we ask you to provide to verify your identity will depend on your prior interactions with us and the sensitivity of the personal information at issue. If you use an authorized agent, we may request that you verify your identity directly with us and directly confirm with us that you provided the agent permission to submit a request. We will respond to your request in accordance with the CCPA. If we deny your request, we will explain why.

##### 2. Our Personal Information Handling Practices in 2021

We have set out below the categories of personal information we have collected about California residents in the preceding 12 months and, for each category of personal information collected, the categories of sources from which that information was collected, the business or commercial purposes for which the information was collected, and the categories of third parties with whom we shared the personal information.

Category of personal information	We collected such personal information to use for the following business or commercial purposes:	We have collected such personal information from the following categories of sources:	We shared such personal information with the following categories of third parties:
Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security	To conduct and follow up on transactions, in connection with registration, such as for events, memberships, accounts, to permit your participation in online communities/provision of user-generated content, to	Directly from the California resident.  From third-party sources including our third-party service providers (such as marketing and fulfillment companies),	Our other brands and to service providers that we use to support our business and operations (e.g., delivery services, financial institutions, fulfillment services, technical support, advertising, public relations, media and

number, driver's license number, passport number, or other similar identifiers.	follow up with you after you have completed a form, business reply card or survey, to allow you to contact us with questions, comments or concerns and to address your communications, to provide materials you request, to permit your participation in contests, sweepstakes and other promotions, for marketing purposes (unless you have asked us not to), to analyze trends, administer our website, track users' movements and online activity and gather demographic information for aggregate use, web beacons in emails and newsletters so that we know when such communications have been opened and to otherwise help us tailor our communications to individual users.	opt-in lists, and publicly available data.	marketing services, sweepstakes, promotions, campaigns and contest-related services, call-in centers, e-commerce and other web-related services such as web hosting and web monitoring services and event-related services such as online and offline data capture).
Any categories of personal information described in subdivision (e) of Section 1798.80: "Personal information" means any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. "Personal information" does not include publicly available information that is lawfully	To conduct and follow up on transactions, in connection with registration, such as for events, memberships, accounts, to permit your participation in online communities/provision of user-generated content, to follow up with you after you have completed a form, business reply card or survey, to allow you to contact us with questions, comments or concerns and to address your communications, to provide materials you request, to permit your participation in contests, sweepstakes and other promotions, for marketing purposes (unless you have asked us not to), to analyze trends, administer our website, track users' movements and online activity and gather demographic information for aggregate use, web beacons in emails and newsletters so that we know when such communications have been opened and to otherwise help us tailor our communications to individual users.	Directly from the California resident.  From third-party sources including our third-party service providers (such as marketing and fulfillment companies), opt-in lists, and publicly available data.	Our other brands and to service providers that we use to support our business and operations (e.g., delivery services, financial institutions, fulfillment services, technical support, advertising, public relations, media and marketing services, sweepstakes, promotions, campaigns and contest-related services, call-in centers, e-commerce and other web-related services such as web hosting and web monitoring services and event-related services such as online and offline data capture).

made available to the general public from federal, state, or local government records."			
Characteristics of protected classifications under California or federal law.	To permit your participation in contests, sweepstakes and other promotions, gather demographic information for aggregate use, and to otherwise help us tailor our communications to individual users.	<p>Directly from the California resident.</p> <p>From third-party sources including our third-party service providers (such as marketing and fulfillment companies), opt-in lists, and publicly available data.</p>	Our other brands and to service providers that we use to support our business and operations (e.g., delivery services, financial institutions, fulfillment services, technical support, advertising, public relations, media and marketing services, sweepstakes, promotions, campaigns and contest-related services, call-in centers, e-commerce and other web-related services such as web hosting and web monitoring services and event-related services such as online and offline data capture).
Commercial information, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	To analyze trends and to otherwise help us tailor our communications to individual users.	<p>Directly from the California resident.</p> <p>From third-party sources including our third-party service providers (such as marketing and fulfillment companies), opt-in lists, and publicly available data.</p>	Our other brands and to service providers that we use to support our business and operations (e.g., delivery services, financial institutions, fulfillment services, technical support, advertising, public relations, media and marketing services, sweepstakes, promotions, campaigns and contest-related services, call-in centers, e-commerce and other web-related services such as web hosting and web monitoring services and event-related services such as online and offline data capture).
Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an Internet Web site, application, or advertisement.	To analyze trends, administer our website, track users' movements and online activity and gather demographic information for aggregate use, web beacons in emails and newsletters so that we know when such communications have been opened and to otherwise help us tailor our communications to individual users.	<p>Directly from the California resident.</p> <p>From third-party sources including our third-party service providers (such as marketing and fulfillment companies), opt-in lists, and publicly available data.</p>	Our other brands and to service providers that we use to support our business and operations (e.g., delivery services, financial institutions, fulfillment services, technical support, advertising, public relations, media and marketing services, sweepstakes, promotions, campaigns and contest-related services, call-in centers, e-commerce and other web-related services such as web hosting and web monitoring services and event-related services such as online and offline data capture).

Geolocation data.	Geographic location.	<p>Directly from the California resident.</p> <p>From third-party sources including our third-party service providers (such as marketing and fulfillment companies), opt-in lists, and publicly available data.</p>	Our other brands and to service providers that we use to support our business and operations (e.g., delivery services, financial institutions, fulfillment services, technical support, advertising, public relations, media and marketing services, sweepstakes, promotions, campaigns and contest-related services, call-in centers, e-commerce and other web-related services such as web hosting and web monitoring services and event-related services such as online and offline data capture).
Professional or employment-related information.	To analyze trends, and gather demographic information for aggregate use, and to otherwise help us tailor our communications to individual users.	<p>Directly from the California resident.</p> <p>From third-party sources including our third-party service providers (such as marketing and fulfillment companies), opt-in lists, and publicly available data.</p>	Our other brands and to service providers that we use to support our business and operations (e.g., delivery services, financial institutions, fulfillment services, technical support, advertising, public relations, media and marketing services, sweepstakes, promotions, campaigns and contest-related services, call-in centers, e-commerce and other web-related services such as web hosting and web monitoring services and event-related services such as online and offline data capture).
Education information, defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (20 U.S.C. section 1232g, 34 C.F.R. Part 99).	To analyze trends, and gather demographic information for aggregate use, and to otherwise help us tailor our communications to individual users.	<p>Directly from the California resident.</p> <p>From third-party sources including our third-party service providers (such as marketing and fulfillment companies), opt-in lists, and publicly available data.</p>	Our other brands and to service providers that we use to support our business and operations (e.g., delivery services, financial institutions, fulfillment services, technical support, advertising, public relations, media and marketing services, sweepstakes, promotions, campaigns and contest-related services, call-in centers, e-commerce and other web-related services such as web hosting and web monitoring services and event-related services such as online and offline data capture).
Inferences drawn from any of the information identified in this subdivision to create a profile about a consumer	To analyze trends and to otherwise help us tailor our communications to individual users.	<p>Directly from the California resident.</p> <p>From third-party sources including our third-party</p>	Our other brands and to service providers that we use to support our business and operations (e.g., delivery services, financial institutions, fulfillment services,

reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.		service providers (such as marketing and fulfillment companies), opt-in lists, and publicly available data.	technical support, advertising, public relations, media and marketing services, sweepstakes, promotions, campaigns and contest-related services, call-in centers, e-commerce and other web-related services such as web hosting and web monitoring services and event-related services such as online and offline data capture).
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### 3. Disclosures of Personal Information, No Sale

Over the preceding 12 months, we disclosed certain categories of California residents' personal information to the categories of third parties as shown in the table above.

We do not, and in the preceding 12 months did not, sell California residents' personal information. We do not have actual knowledge that we sell the personal information of minors under 16 years of age.

### 4. Right to Request Deletion of Personal Information

You have a right to request the deletion of personal information. To submit a request to delete personal information, please use the webform on the [Contact Us](#) portion of this website, call our toll-free phone number **1-888-295-0247** or submit an email request to [DataPrivacy@ejgallo.com](mailto:DataPrivacy@ejgallo.com) and include "California Request to Delete" in the subject line. Please specify in your request the personal information collected from you that you would like to have deleted, which can be all of your personal information as required by the CCPA.

We will ask that you provide certain information to verify your identity, such as a code sent to an email address we may have on file for you. If you have a password-protected account with us, we may verify your identity through our existing authentication practices for your account. The information that we ask you to provide to verify your identity will depend on your prior interactions with us and the sensitivity of the personal information at issue. If you use an authorized agent, we may request that you verify your identity directly with us and directly confirm with us that you provided the agent permission to submit a request. Once we have verified your identity, we will ask you to confirm that you wish to have your personal information deleted. Once confirmed, we will respond to your request in accordance with the CCPA. If we deny your request, we will explain why.

### 5. Right to Opt-Out of the Sale of Personal Information

You have the right to opt-out of the sale of your personal information by a business. We do not sell your personal information.

### 6. Right to Non-Discrimination for the Exercise of a Consumer's Privacy Rights

You may not be discriminated against because you exercise any of your rights under the CCPA in violation of Cal. Civ. Code §1798.125.

### 7. Authorized Agent

You can designate an authorized agent to make a request under the CCPA on your behalf if:

- The authorized agent is a natural person or a business entity registered with the Secretary of State of California; and
- You sign a written declaration that you authorize the authorized agent to act on your behalf.

If you use an authorized agent to submit a request to exercise your right to know or your right to request deletion, please have the authorized agent take the following steps in addition to the steps we ask you to take as described in Sections 1 and 4 above:

- Mail a [certified] copy of your signed written declaration authorizing the authorized agent to act on your behalf to E. & J. Gallo Winery, Legal Department, at 600 Yosemite Blvd., Modesto, CA 95354; and
- Provide any information we request to verify your identity. The information requested will depend on your prior interactions with us and the sensitivity of the personal information at issue.

If you provide an authorized agent with power of attorney pursuant to Probate Code sections 4121 to 4130, it may not be necessary to perform these steps and we will respond to any request from such authorized agent in accordance with the CCPA.

## **8. Notice of Financial Incentive**

Summary. We sometimes offer discount codes or perks like a branded item in connection with you opting in to receive marketing emails. You receive such discount codes or perks because we want to show you that we are excited you want to hear from us and because we hope you will want to buy our products.

Material Terms. The details of each program are contained in the program offering but in general, we invite you to provide us with your email address or cell phone number, and we provide you with a sign of our appreciation such as a discount code or a perk like a branded item. We value the opportunity to market to you.

How To Opt In. You can opt in using a prompt on our website that links to this notice.

Right to Withdraw. You can opt out of receiving marketing communications from us at any time by clicking on the unsubscribe link contained in any email or text or you may email us at [DataPrivacy@ejgallo.com](mailto:DataPrivacy@ejgallo.com).

Value of Financial Incentive. Under the CCPA, the incentives we offer in exchange for the opportunity to market to you may be considered financial incentives. The incentive may be a discount coupon that can be used when you buy products from us or a branded item. Details of the incentive will vary depending on market conditions at the time the incentive is offered, and the value of your data will also fluctuate. Retail prices for our products and branded items vary.

## **9. How To Contact Us for More Information**

If you have questions or concerns regarding our privacy policy or practices, you may contact us as follows:

Email address: [DataPrivacy@ejgallo.com](mailto:DataPrivacy@ejgallo.com)

Telephone number: **1-888-295-0247**

Postal address: E. & J. Gallo Winery, Consumer Engagement, 600 Yosemite Blvd., Modesto, CA 95354.

**Last Updated: January 1, 2022**