

Privacy Policy

Our Privacy Policy will explain what information we collect when you visit our site, how we use that information, and what choices you have about how that information is used. We urge you to read our entire Privacy Policy so that you will understand our commitment to you and your privacy.

Information You Voluntarily Provide

PERSONAL/CONTACT INFORMATION

When you place an order on our Site, we collect your name, email address, mobile phone number, mailing address and credit card number. The personally identifiable information we collect when you place an order or register for membership on our Site may be used for any of the following purposes: (1) to fulfill your requests for products and services; (2) to notify you of order, delivery, and shipment statuses; (3) to provide you with offers from 1% Fitness; (4) to contact you when necessary; (5) to review Site usage and operations; (6) to address problems with the Site, our business or our products and services; and (7) to protect security or integrity of the Site and our business.

Your personal information may be shared with reputable third-party associates of 1% Fitness that work with us to provide products and services to our customers. We may use this information for marketing campaigns in order to market products and services to you, unless you have asked us not to. We may also disclose your information to third parties if the law requires it or to protect the rights or property of 1% Fitness.

If you do not want us to share your contact information with other companies or organizations, or do not want to receive additional promotions from us, please let us know by emailing us at support@1percentfit.com. If you opt-out of promotional or newsletter emails from 1% Fitness, we may continue to send you certain transactional communications, such as service announcements and administrative messages relating to 1% Fitness that are necessary for our relationship with you.

We collect your mobile phone number to assist in shipping your order to you. You may also choose to receive SMS text updates from us regarding your order status. You may opt out of receiving text messages at any time by texting STOP to the sender. For more information about text messages, see our Terms and Conditions.

Mobile marketing campaigns may involve you sending an e-mail from your mobile device to us or a third-party campaign operator. An e-mail or other response will then be sent to your mobile device. Opting to participate in a campaign is solely your choice. When you engage in these mobile marketing campaigns, we and the third-party campaign operator may collect your mobile phone number, the

name of your wireless service provider, images that you send using your mobile device as part of the campaign, and other relevant information.

HEALTH AND AGE INFORMATION

When you register for membership on our Site, we also collect your basic health profile information when you actively give us such information. The health and age information we collect allows 1% Fitness to evaluate your self-reported health status to determine basic program eligibility. You will be notified at registration if your profile excludes you from participation in the plan. 1% Fitness will not disclose your health and age information (including self-reported height and weight) to third parties.

CREDIT CARD AND PAYMENT INFORMATION

1% Fitness does not share payment information with third parties.

INFORMATION PROVIDED IN OPTIONAL SURVEYS

1% Fitness periodically asks members to participate in online surveys or to fill out online questionnaires concerning topics such as the effectiveness of the weight loss program, advertising effectiveness and customer satisfaction. All surveys and questionnaires are optional and the information collected will not be associated with any user's personal information. Information gathered may be shared with third parties in order to improve customer satisfaction and program effectiveness. No personal information of any user will be connected to survey or questionnaire results.

OTHER INFORMATION YOU MAY VOLUNTARILY PROVIDE

From time to time, 1% Fitness collects third-party email addresses or other contact information from our users and customers so that 1% Fitness may send information to their friends and family on an as-requested basis. For example, 1% Fitness collects email addresses when a customer provides us with that information so that we may send out Referral Coupons. We also require the same information when customers utilize certain functions such as "email this to a friend" features.

Information Provided Automatically

COOKIES

When you use our Sites, we gather web traffic information via "cookies". Cookies are small pieces of digital information stored by your browser on your computer that tracks initial and returning visits, browsing patterns on our site, and products ordered and viewed. Our cookies do not contain personally identifying information, but they enable us to identify you as a repeat visitor and help us personalize your 1percentfit.com experience. You need to have cookies enabled on your computer in order to use our site.

FLASH COOKIES

Certain features of our Site may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from and on our Site. Flash cookies are not managed by the same browser settings that are used for browser cookies.

WEB BEACONS, PIXEL TAGS, AND 3RD PARTY COOKIES

1% Fitness, or third parties engaged by us, may use web beacons on some pages of this site. A web beacon (also known as a pixel tag or clear GIF) is a graphic image which is used to better understand the browsing patterns of visitors to the page.

When the HTML code for the web beacon points to a site to retrieve the pixel image, information can be passed along, such as the IP address of the computer that requested the image, the time the web beacon was viewed and for how long, the type of browser that was used, and previously set cookie values. Web beacons DO NOT pass or read personally identifiable information about you.

Web beacons work in conjunction with cookies set by trusted third parties that are used to assess the effectiveness of particular promotional campaigns or to optimize advertising once a user leaves a website. View your browser's help section to determine how to configure your browser to reject or manage first party (i.e., 1% Fitness) and/or third-party cookies. 1% Fitness shares aggregated information collected through web beacons to vendors for which the beacon was set to determine the success of marketing campaigns, but does not disclose personally identifying information to these vendors.

What 1% Fitness Does With Your Information

HOW DOES 1% FITNESS PROTECT CUSTOMER INFORMATION?

Protecting your information from unauthorized disclosure is extremely important to us. We use the industry standard technology to protect the security of your information. We have taken certain physical, electronic, contractual and managerial steps designed to safeguard the information we collect from you. Unfortunately, no data transaction over the internet can be guaranteed to be 100% secure. The Site operator is not subject to the privacy and data security requirements of the Gramm-Leach-Bliley Act ("GLBA") or Health Insurance Portability and Accountability Act ("HIPAA").

WILL 1% FITNESS DISCLOSE THE INFORMATION IT COLLECTS TO OUTSIDE PARTIES?

1% Fitness shares information with third-party intermediaries for shipping and billing purposes and with other third-party intermediaries that provide a service for 1% Fitness to help us operate our business, our Site, or administer activities on our behalf. These companies do not retain personal information or share it with any other parties. These companies may include Cybersource, United Parcel Service, Federal Express, Visa, Mastercard, Discover, American Express and others.

1% Fitness may also provide aggregate statistics about our customers, sales, traffic patterns, and related site information to reputable third-party vendors.

In addition, from time to time, we may make customer names, e-mail addresses, postal addresses, and transactional data available to third party marketing partners, such as through Data Cooperatives, whose products or services might be of value to you. Data Cooperatives use the information provided by participating marketers to provide more relevant marketing to consumers and reduce wasted marketing expenses. No individual transactional information is shared with the marketers, but rather it is used by the Data Cooperatives to provide services to the marketers who participate in the cooperative. We engage Data Cooperatives for the commercial purpose of better marketing to existing and prospective customers. You agree to the sharing of the above-described information with Data Cooperatives and third-party marketers, and to be eligible to receive such materials when you sign up with us. If you do not want us to share your information with these other companies or organizations, including Data Cooperatives, please let us know by emailing us at support@1percentfit.com.

1% Fitness may also disclose your personal information to third parties in certain limited circumstances, as follows (1) as necessary if we believe that there has been violation of our Terms and Conditions, of the law, of our rights or of any third party; (2) to respond to judicial process and provide information to law enforcement agencies or in connection with an investigation on matters related to public safety, as permitted by law, or otherwise as required by law; and (3) if you have given permission for us to share your account information with other members of your household.

1% Fitness may also sell, transfer, or otherwise share some or all of its assets, including your personally identifiable information, in connection with a merger, acquisition, reorganization or sale of assets, or in the event of bankruptcy. You will have the opportunity to opt out of any such transfer if the new entity's planned processing of your information differs materially from that set forth in this Privacy Policy.

OUR BULLETIN BOARDS, SOCIAL MEDIA PAGES, CHAT ROOMS & USER BLOGS

Our program provides support through bulletin boards, chat rooms (support groups), social media pages and blogs. This format gives our members the opportunity to interact with each other. These areas are moderated to help keep inappropriate messages from being posted. You are offered the opportunity to include your e-mail address with your message, but you are not obligated to do so. Please keep in mind that whenever you voluntarily disclose personal information online (whether it is on message boards, through e-mail, in meeting rooms, on social media pages or in blogs) your information can be collected and used by others. In short, if you post personal information online that is accessible to the public, you may receive unsolicited messages from other parties in return. We cannot control the actions of any third parties. We reserve the irrevocable, perpetual and worldwide right to copy and post both within the 1% Fitness website, and those of its parent, affiliates, subsidiaries, assigns, agents and licensees and

any social media outlets and advertising medium through which we are engaged any comments, pictures or other information you post on the bulletin boards, social media pages, chat rooms, blogs, or elsewhere on the 1% Fitness community website, without any further notice to you or any remuneration therefore.

Your Rights and Your Consent

A SPECIAL NOTE TO PARENTS OR LEGAL GUARDIANS

For parents interested in helping children younger than 14 lose weight, please consult a physician. This website is not subject to Children’s Online Privacy Protection Act (“COPPA”).

NOTICE TO CALIFORNIA CUSTOMERS – YOUR CALIFORNIA PRIVACY RIGHTS

California’s “Shine the Light” law, Civil Code section 1798.83, requires certain businesses to respond to requests from California customers asking about the businesses’ practices related to disclosing personal information to third parties for the third parties’ direct marketing purposes. Alternately, such businesses may have in place a policy not to disclose personal information of customers to third parties for the third parties’ direct marketing purposes if the customer has exercised an option to opt-out of such information-sharing. We have such a policy in place. As discussed above, if you wish to opt-out of our sharing of your information with third parties for the third parties’ direct marketing purposes or to find out more about your opt-out rights, please contact us at support@1percentfit.com.

The California Consumer Privacy Act (“CCPA”) provides specific protections and rules with respect to California’s own definition of “Personal Information,” which includes information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual or household. The below chart provides additional detail on the categories of Personal Information we collect and the purposes for which we use Personal Information.

Categories of Personal Information Collected

Business Purposes For Collection

Personal Identifiers (e.g., name, email address, date of birth, delivery address, credit card number)

- Marketing (including advertising, customer acquisition and lead generation, performance media, audience segmentation, event organization, web traffic analytics, brand promotion and analytics, surveys and consumer research, campaigns, management of influencer and other partner relationships, social media content distribution and analytics, mobile communications, contest administration, and customer engagement and analytics)
- Operational purposes and customer service (including order processing, order delivery, payment, gift card, voucher and coupon processing, receipt processing, anti-fraud, sales data reporting, third-party delivery coordination, and mobile and web services and analytics)

- Employment and recruiting (including conducting background checks and employment eligibility verification, for interview purposes, payroll administration and employee timekeeping, benefit administration, creation of tax forms, office administration, business expense processing, industry benchmarking, and internal communications)

- Legal compliance

Commercial information (e.g., purchasing activity)

- Marketing (including surveys and consumer research, and mobile and web services and communications)

- Operational purposes and customer service (including order processing and oversight, payment, gift card, voucher and coupon processing, receipt processing, anti-fraud, sales data reporting and analysis, third-party delivery coordination, mobile services and analytics, inventory management, and financial auditing)

Internet or other electronic activity information (e.g., clickstream data and information regarding interaction with a web site)

- Marketing (including customer acquisition and lead generation, audience segmentation, web traffic and search engine analytics, brand promotion and analytics, surveys and consumer research, campaigns, management of influencer relationships, social media content analytics, mobile application management and communications, contest administration, and customer engagement and analytics)

- Operational purposes and customer service (including anti-fraud, and mobile and web services and analytics)

- Employment and recruiting

Geolocation data (e.g., mobile device location)

- Marketing (including social media content distribution and providing mobile and web services)

- Operational purposes (including anti-fraud)

Inferences drawn from personal information (e.g., preferences)

- Marketing (including audience segmentation, campaigns, management of influencer and other partner relationships, social media content distribution and analytics, and customer engagement and analytics)

- Employment and recruiting

Miscellaneous categories of consumer information (e.g., household income, gender, marital status, dietary habits, allergies)

- Marketing (including surveys and consumer research, and social media content distribution and analytics)

- Operational purposes and customer service (including order processing and mobile services and analytics)

In addition, pursuant to Cal. Civ. Code §§ 1798.110 and 1798.115, you have the right to request once every 12 months, free of charge, the disclosure of the categories of personal information collected by us, the categories of sources from which your personal information is collected, the business or commercial purpose for collecting or selling such information, the categories of third parties with whom we share your information, the specific information we have collected about you, and the personal information that was sold, if any, to third parties in the preceding 12 months. If you want to review, verify or correct your personal information, please contact us as discussed below. However, please note, there are instances where applicable law or regulatory requirements do not allow us to provide all of the information that we hold about you and/or such information may have already been destroyed, erased or made anonymous in accordance with our record retention obligations and practices.

Pursuant to Cal. Civ. Code § 1798.125, we are also forbidden from discriminating against you because of your exercise of a right under the California Consumer Privacy Act (Cal. Civ. Code § 1798.100 et seq.) by denying your goods or services, by charging different prices or rates for goods or services, by providing a different level or quality of goods or services, or suggesting any of the foregoing.

DO NOT SELL MY PERSONAL INFORMATION

If you are a California resident, the CCPA also provides you with the right to opt out of the “sale” of your Personal Information. 1% Fitness does not directly sell your Personal Information in the conventional sense (i.e., for money). Like many companies, however, we utilize third-party services as outlined herein, and making Personal Information available to these third parties may be considered a “sale” under the CCPA in some circumstances.

To request that 1% Fitness not “sell” your Personal Information, please contact us at support@1percentfit.com. Please note, some transfers of your Personal Information may not be considered “sales” and certain exemptions may apply under the CCPA.

YOUR CONSENT AND NOTIFICATION OF CHANGE

By using our Site, telephone consultation, or mailing in requests for information you consent to the collection and use of your information by 1% Fitness. If at some point in the future, there is a material change to our information usage practices that affect your personally identifiable information, we will

notify you by e-mail. At the time of this message, you will be able to opt-out of the new information usage by sending a message to the following e-mail: support@1percentfit.com. You should check this posted privacy statement for changes.

NEWSLETTER

If a user wishes to subscribe to our newsletter, we ask only for an individual's e-mail address. Out of respect for our users' privacy, we provide a way to opt-out of these communications. [Click here to unsubscribe to the 1% Fitness newsletter.](#)

CORRECTIONS/UPDATES

To make changes to any of your personal information, including name, username, password, shipping address, and telephone number, log in to your account on the 1% Fitness website or call 1% Fitness at 801-833-5383. Household members may not make changes to your account information, or cancel or renew your account without your permission.

THIRD-PARTY WEBSITES

Our Site may contain links to third-party websites, which may have privacy policies that differ from our own. We are not responsible for the activities and practices that take place on these sites. Accordingly, we recommend that you review the privacy policy posted on any site that you may access through our Site.

TELL US WHAT YOU THINK

1% Fitness welcomes your questions and comments about privacy and/or this policy. Please contact us at support@1percentfit.com.

1% Fitness

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Please also read the Terms and Conditions page on the site to understand additional terms and conditions which apply to the use of our Site.