



# The General Data Protection Regulation (GDPR) in a Nutshell: Your Practical Guide

This practical guide to the GDPR provides valuable information for Independent Herbalife Members to use in their everyday operations. Educating yourself is key when it comes to building your business on a solid foundation.

**Remember:** This guide is being provided as an accommodation to Members, but not as legal advice. Herbalife may post policy updates or additional resources on MyHerbalife.com. Members are required to visit the website regularly for advisories and updates.

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# Introduction



Providing customers, your downline Members, and other leads (“Contacts”) with the best possible experience is central to what you do as a Herbalife Member. This means not only offering Herbalife’s high-quality nutritional products, but also upholding your reputation as a reliable business contact. An important aspect of this is that you protect the personal information of your Contacts.

With the new General Data Protection Regulation (“GDPR”) now in effect, we want to give you – our Members – some basic information to help you understand this new law, and to share some best practices.

We are confident that this information will help you safeguard personal information in accordance with the GDPR. This will empower you to keep doing what you do best: grow the Herbalife family and help transform people’s lives.

Note that following the UK’s exit from the European Union, the GDPR no longer applies in the UK. However, the GDPR has been incorporated into UK law (now known as the “UK GDPR”) and supplemented by the UK Data Protection Act 2018. The provisions of the UK GDPR are mainly consistent with GDPR. For the purposes of this guide, references to the GDPR include the UK GDPR, unless stated otherwise. If you are based in the UK, you may wish to consult local counsel.

# Definitions

**There are two terms you need to know when we talk about the GDPR:**

## PERSONAL INFORMATION

Personal information means any information that you can use to identify a living person.

This definition of personal information is very broad, so think about it generally. For example, in your Herbalife activities, this may include a person’s name (first, middle and last), mailing address (including country, city, and postal code), telephone number, email address, credit card, and banking information. It also includes online information that can be used to identify someone, like an IP address.

Remember, if you can use a piece of information to identify someone – or it is already connected to someone – then it is personal information.

## DATA PROCESSING

Data processing means any action that involves personal information.

This definition of data processing does not just mean collecting or sharing someone’s personal information, but really any activity relating to the data. So keep in mind that whenever you are accessing, updating or correcting someone’s personal information – or even just storing it on your computer or in paper files – it is considered data processing.



# Data Protection Principles

The following key GDPR principles are tools to help you think about data protection in your daily activities, as an Herbalife Member, regardless of the technologies you use.

## USE PERSONAL INFORMATION FOR LEGITIMATE AND LAWFUL PURPOSES

You should only process personal information for legitimate business purposes and with a proper legal basis.

A legitimate business purpose means you use information to grow your business and manage relationships going forward. This may include various activities (for example, creating a spreadsheet of Contacts, calling a friend who is interested in Herbalife, or entering payment details for product orders), but all those activities should relate back to the main purpose.

You should not use personal information for improper reasons that go beyond your legitimate business purpose. For example, you should not share Contacts' details with a local fitness center so it can offer them memberships unless you told the Contacts about it beforehand and they agreed to it.

An appropriate legal basis can be one or more of the following:

Consent	<p>This means the Contact has provided you with the data on her own free will.</p> <ul style="list-style-type: none"><li>For example, by filling out a form at a Herbalife community event to receive more information or by signing a consent form that allows you to collect health related information from the Contact.</li></ul>
Contract	<p>This means you use the Contact's data to prepare or fulfill your responsibilities as part of an agreement with the Contact.</p> <ul style="list-style-type: none"><li>For example, you write an invoice for payment or take down an address to fulfill an order.</li></ul>
Legal Obligation	<p>You process Contact's data to obey a particular law or legal requirement.</p> <ul style="list-style-type: none"><li>For example, your tax or VAT obligations.</li></ul>
Legitimate Interest	<p>You process the Contact's data to fulfill a legitimate interest that is not outweighed by your Contact's privacy interests.</p> <ul style="list-style-type: none"><li>For example, you invite all your Contacts to a holiday event you are hosting to share success stories.</li><li>Remember: do not use the information beyond your legitimate purpose.</li></ul>

## MINIMIZE THE AMOUNT OF PERSONAL INFORMATION YOU COLLECT

You should only use the minimum amount of personal information necessary. For every piece of information you collect, consider why you have collected it.

If you cannot answer exactly why, you should avoid collecting the data, because it serves no business purpose and can expose you to risks. (For example, you do not need a copy of a Contact's personal ID card to fulfill their monthly order – you only need their name and mailing address.)

## MAKE SURE PERSONAL INFORMATION IS ACCURATE

Always try to keep information as up-to-date and as accurate as possible. This helps prevent unnecessary errors, such as trying to process payments on an expired credit card or mailing marketing materials to an old address.

## DELETE DATA YOU DON'T NEED TO KEEP

You should not keep Contacts' personal information for longer than you need it, and certainly not longer than is allowed by law.

For example, you may have a longtime customer who decides that he no longer wishes to be part of the Herbalife community or to be contacted. In this case, you should promptly delete his personal information from your systems and files.

However, there may be a local fraud prevention law which requires that all customer data be kept on record for at least 2 years. In this case, you should keep the basic information on record and then delete it after the 2-year retention period is over.

## BE TRANSPARENT

You should always give others clear and easy-to-access information about how you use their personal information. This can be done with a Privacy Notice that explains the kinds of data you collect, why you collect it, who you share it with, how long you keep it, and so forth.

A template Privacy Notice and Website Privacy Notice (including a Cookie Notice) are provided in Appendix A and Appendix B that you can tailor to your business.

A template Consent Form is provided in Appendix G. You may need this to inform the Contact about health related data collected and to get explicit consent for that collection.

## ADDITIONAL GUIDANCE

From time to time, additional guidance may be provided to you with respect to certain activities that you may choose to organize as an Herbalife Member, and in the context of which you may collect personal information. Please check MyHerbalife for such additional guidance when organizing activities that involve personal information processing.

# How To Handle Personal Information Requests

## OVERVIEW OF MAIN PERSONAL INFORMATION RIGHTS

The GDPR provides several personal information rights. The main rights you should be aware of are:

Right to Access	Individuals have the right to access a copy of the personal information you keep about them. <ul style="list-style-type: none"><li>For example, a Contact may request a copy of her wellness evaluation.</li></ul>
Right to Correct	Individuals have the right to have any errors in their personal information corrected by you. <ul style="list-style-type: none"><li>For example, to ensure the mailing address information is current.</li></ul>
Right to Erasure	Individuals have the right to have their personal information erased immediately upon request, so long as the data is not subject to a data retention law and there is no other legal reason to keep it. <ul style="list-style-type: none"><li>For example, a Contact may ask you to erase his weight or health metric because he no longer wants you have it.</li></ul>
Right to Object	Individuals have the right to object to the use of their personal information for certain purposes. <ul style="list-style-type: none"><li>For example, your Contact may read your Privacy Notice and feel strongly that you should not be using his personal information for some of the activities you undertake based on your legitimate interest. He may object to that use.</li></ul>

## HANDLING PERSONAL INFORMATION REQUESTS

There are a number of ways to handle requests related to the exercise of personal information rights. While many of these requests can be managed easily and efficiently, some require more effort. To help you handle such requests, see the “Personal Information Request Intake Form” in Appendix C. Please also consider the important points and helpful tips explained below.

### 1. Receipt of Request and Initial Response

If you receive a personal information request, you must respond within 1 month.

To help you respond, we’ve provided the “Personal Information Request Template Response Letter” is included in Appendix D. As shown in the template, there are generally three ways to communicate your first response to the person:

- ask for clarification;
- deny the request and explain why; or,
- fulfill the request and explain the actions you have taken to do so.

You should respond to the person in the same way that he used to contact you (whether email, physical mail, etc.).

### 2. Follow-up Actions

If the request is valid and you can fulfill it, you should do so. Some requests are part of daily business administration (such as updating a customer’s contact details), while other actions may require extra effort. For example, it can take time to fulfill an erasure request if the person’s information is scattered across multiple online tools. For that reason, it is best to keep personal information as centralized as possible.

If you need extra time to fulfill a personal information request, you should inform the customer of any delays and explain the reasons. You should still send your initial response within 1 month, and do not take longer than one additional month to complete the request.

### 3. Closure

Once you have fulfilled a request, be sure to send a message back to the person confirming that the action has been taken. This may be done in the initial response if you quickly resolve the request, but it is especially important if there has been a delay in resolving the issue.



## How To Handle A Data Breach

Handling data breaches can be challenging, which is why we have provided the “Personal Information Breach Reporting Form” in **Appendix E**. Please also consider the important points and helpful tips explained below.



### IDENTIFYING A DATA BREACH

A data breach can come in many forms – not only through a cyberattack, but also through accidental sharing of information or by losing a device. Once a breach is identified, the next steps are important and must be taken quickly.

### STEPS TO PROTECT DATA

There are a number of practical steps you can take to secure personal information and avoid a breach. For example, if you work in a public area (like a coffee shop) you should not leave forms with Contact information unattended. You should also make sure to store information in a safe place (like a file cabinet) and lock your doors whenever you are not around.

There are also more technical ways to protect data on your computer, such as firewalls and encryption. Many laptops and computers come with these security measures already installed, so be sure to ask an IT expert about this at your next systems checkup or when you buy a new device.

### NOTIFYING A DATA PROTECTION AUTHORITY AND/OR AFFECTED INDIVIDUALS

The GDPR requires you to report data breaches that presents risks to your customers or downline members to your Data Protection Authority within 3 days. The risks can be financial (credit card number revealed), moral (embarrassment) or more general (health conditions revealed). To help determine who your Data Protection Authority is, we have provided a directory of all relevant national Data Protection Authorities under **Appendix F**.

The GDPR may also require you to notify the person(s) whose data is affected (for example, your Contacts) if a breach presents a high risk to their personal information. Consult to the “Personal Information Breach Reporting Form” in **Appendix E**, and it may also be a good idea to discuss any specific breach risks with an IT expert.

## Consent

As mentioned above, consent is one of the legal basis for processing personal information. There are two circumstances when consent will be necessary in your activities as a Member:

- for sending direct marketing materials to people by email, text, or other intrusive methods; and,
- when gathering health data about Contacts. For this purpose, we have provided a template consent form for each of these purposes under Appendix G.

Keep record of completed consent forms.

### FOR DIRECT MARKETING BY EMAIL AND NEWSLETTERS

When approaching a new Contact, you need consent before putting him or her on your mailing list for newsletters or other marketing campaigns carried out by email or sms or before placing cold calls. Marketing by postal mail does not require prior consent.

In order to be valid, a consent must be freely given, specific, informed, unambiguous, and can be withdrawn at any time.

- Specific and informed means that you must provide all required information about how the information is used when you request consent
  - For example, in a Privacy Notice that explains the kinds of data collected, why it is collected, who it is shared with, etc.
- Unambiguous means the individual has taken an affirmative action to demonstrate consent. For example, a signature or a tick box.
- Freely given means that consent must not be the result of undue pressure.
- Withdrawable at any time means the individual always has the right to remove his or her consent at any time for the future.

A checkbox consent clause (such as the one included in **Appendix G**) is usually the most convenient way to obtain consent for direct marketing purposes. Be sure to always provide your Privacy Notice together with the form, or otherwise make the policy accessible via a hyperlink.

### SPECIFIC CONSENT FOR HEALTH DATA

Certain special kinds of personal information require consent before you can collect and use them. In the context of Herbalife, Contact health data (such as weight or other metrics) would fall into this category. An additional paper or electronic form should be used to obtain this consent. Again, please refer to **Appendix G** to see an example.

# APPENDICES

## FOR COLLECTION OF OFFLINE PERSONAL INFORMATION

[Note: This template can be used for distribution to your leads, customers or downline Members when you obtain their details such as name, address and contact information. However, you must customize this template to fit your actual business practices. The person should be able to see this Notice before the individual gives you their personal information.]

### PRIVACY NOTICE – TEMPLATE

#### [Member to insert Effective Date]

This Privacy Notice informs you about how I, **[Member to insert name]**, use your personal information as an Independent Herbalife Member and of the rights you have in relation to your personal information. If you have additional questions regarding this policy, you can contact me directly at **[Member to insert email address]**.

Please note that this Privacy Notice only applies to my activities related to your personal information. This Privacy Notice does not apply to Herbalife International of America, Inc.'s and its affiliate entities' (collectively, "Herbalife") collection or use of personal information. Herbalife's Privacy Policy is available at <https://www.herbalife.com/privacy-policy>.

#### What personal information might be collected by me?

Information collected directly from you includes your name, email address, phone number, mailing address, and billing information; for example, when you fill out a form to request information about Herbalife products or when you submit information to make a purchase.

To the extent you participate in competitive challenges, such as weight loss challenges, body transformation challenges, or marathons, your participation is voluntary. When you participate in such competitive challenges, information collected directly from you includes your photo, team created (if applicable), and status (active/inactive), as well as the information that you enter about you and your team's weight, height, BMI, body measurements, sleep, nutrition, weight loss results, weight loss statistics, reports and insights. Some of this personal information may reveal health information and, therefore, be sensitive data in some jurisdictions.

#### [Member to insert other types of personal information that might be collected offline, if any]

#### What is the lawful business purpose for collecting this information?

I collect personal information about you for the following legitimate business purposes:

- To prepare and perform an agreement with you, including:
  - to process your product orders
  - to deliver or arrange delivery of your products
  - to provide you with advice and follow-up services
  - to handle product returns or warranty claims
  - for payment purposes
  - to help you complete your enrollment with Herbalife, if you have asked to become an Independent Member
  - **[Member to insert other contractual purposes here, if any]**

- To meet my legal obligations, such as:
  - for accounting and tax purposes
  - to respond to requests for information by you, competent public bodies and judicial authorities
  - **[Member to insert other legal obligations here, if any]**
- For my legitimate business purposes, such as:
  - to allow me to fulfil my obligations toward Herbalife, including obligations under the Herbalife sales and marketing plan
  - to enforce Herbalife's Independent Member Rules of Conduct and my, or Herbalife's, rights
  - to resolve any queries you may have
  - to improve my services to you
  - to conduct quality checks
  - to organize a defense of any legal rights I may have
  - to provide you with information about Herbalife's products, my services, and special offers
  - **[Member to insert other legitimate interests here, if any]**
- On the basis of your consent:
  - for the use of your personal information, including sensitive data, in connection with competitive challenges, to allow you to participate in related activities, and to generate statistics, reports and insights
  - to collect health related information necessary to make Herbalife® product recommendations, monitor progress and provide tailored advice
  - for the use of your e-mail address or telephone number in connection with the marketing of Herbalife® products and services and related products and services.

You can withdraw your consent at any time by letting me know directly or at the email address provided above, or, in the case of marketing communications, by following any opt-out instructions that I may provide in the communication.

#### How is this information protected?

Administrative, technical and physical safeguards are implemented to protect personal information against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure or use.

#### How long will this information be stored?

I retain your information only for as long as required for the purposes for which it was collected or as required or permitted by applicable law. When you enter into a relationship with me, I will retain your information for the duration of our relationship, plus a reasonable period to comply with the applicable statute of limitation periods and records retention requirements under applicable law.

## Appendix A

### With whom is personal information shared?

Relevant personal information will be shared with:

- Herbalife for the purposes of product order fulfillment, operating the business and its websites, quality checks, compliance with relevant laws, and the administration of its sales and marketing plan
- My professional advisors such as accountants and tax advisors
- Other vendors who help me manage my Herbalife business, such as email delivery services, app and website developers and other technology providers
- Logistic service providers
- Other Herbalife members under the Herbalife sales and marketing plan
- 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
- **[Member to insert categories of third parties here, if any]**

### How will I transfer information?

I will not transfer your personal information outside of the European Union or the United Kingdom (“UK”) to a non-adequate jurisdiction except on an occasional and as-needed basis with your specific, informed and explicit consent, which you may withdraw at any time.

If I transfer your personal information to a country that has not been recognized by the European Commission or the UK, as applicable, to provide an adequate level of data protection, I will implement safeguards for the transfer, such as by entering into appropriate contractual terms with the recipients, as required by law. If you need more information about data transfers, contact me at the email address provided above.

### What are your rights with respect to personal information?

- If you are located in the European Union or the UK, you may have various rights with respect to your personal information. Subject to applicable laws, you may have the right to access your personal data, correct it as necessary to ensure it is up-to-date, restrict certain kinds of processing, object to certain kinds of processing (such as direct marketing), and the right to data portability (if you wish your information to be sent to someone else). You also may have the right to have your personal information erased in certain cases (subject to applicable laws).
- 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 concerns about my collection and use of your personal information that cannot be resolved to your satisfaction, you have the right to file a complaint with the competent Data Protection Authority in your country.

If you have additional questions about this policy and my practices or if you have complaints about my use of your personal information, please contact me at the email address provided above.

### ONE-LINER REFERENCE TO PRIVACY NOTICE

[Note: This template one-liner can be used for offers, mailing lists, and other documents collecting personal information.]

- If you have any questions about data privacy or how I collect and use your personal information as an Independent Herbalife Member, please ask for a copy of my Privacy Notice.



## Appendix B

### FOR COLLECTION OF PERSONAL INFORMATION THROUGH A WEBSITE AND/OR APPLICATION

[Note: This template is for Members who operate websites and/or applications separate from those provided by Herbalife, such as the GoHerbalife platform. However, you must customize this template to fit your actual business practices.]

### WEBSITE/APPLICATION PRIVACY NOTICE – TEMPLATE

#### [Member to insert Effective Date]

As an Independent Herbalife Member, I, **[Member to insert name]**, respect the privacy of every individual who visits my website and/or application and uses its services. This Privacy Notice informs you about how I use 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 me directly at **[Member to insert email address]**.

Please note that this policy only applies to this website and/or application and my activities related to your personal information. This Privacy Notice does not apply to Herbalife International of America, Inc.'s and its affiliate entities' (collectively, "Herbalife") collection or use of personal information. Herbalife's Privacy Policy is available at <https://www.herbalife.com/privacy-policy>

#### What personal information might be collected by this website and/or application?

Information collected directly from you includes your name, email address, phone number, mailing address, and billing information; for example, when you fill out a form to request information about Herbalife products or when you submit information to make a purchase.

To the extent you participate in competitive challenges, such as weight loss challenges, body transformation challenges, or marathons, your participation is voluntary. When you participate in such competitive challenges, information collected directly from you includes your photo, team created (if applicable), and status (active/inactive), as well as the information that you enter about you and your team's weight, height, BMI, body measurements, sleep, nutrition, weight loss results, weight loss statistics, reports and insights. Some of this personal information may reveal health information and, therefore, be sensitive data in some jurisdictions.

#### [Member to insert other types of personal information that might be collected, if any]

#### What is the lawful business purpose for collecting this information?

Through this website and/or application, I collect personal information about you for a variety of reasons:

- To prepare and perform an agreement with you, including:
  - to process your product orders
  - to deliver or arrange deliver of your products
  - to provide you with advice and follow-up services
  - to handle product returns or warranty claims
  - for payment purposes
  - to help you complete your enrollment with Herbalife, if you have asked to become an Independent Member
  - **[Member to insert other contractual purposes here, if any]**



## Appendix B

- To meet my legal obligations, such as:
  - 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.
  - **[Member to insert other legal obligations here, if any]**
- For my legitimate business purposes, such as:
  - to allow me to fulfil my obligations toward Herbalife, including obligations under the Herbalife sales and marketing plan
  - to resolve any queries you may have
  - to improve my services to you and to protect the integrity and security of my services
  - to conduct quality checks
  - to improve the user experience of my website and/or application by making it more accessible and user friendly and create content more relevant to you
  - to enforce my Terms of Use, Herbalife's Independent Member rules of conduct and my, or Herbalife's rights
  - to organize a defence of any legal rights I may have
  - to provide you with information and online advertising about Herbalife's products, my services, and special offers
  - **[Member to insert other other legitimate interests here, if any]**
- On the basis of your consent:
  - for the use of your personal information, including sensitive data, in connection with competitive challenges, to allow you to participate in related activities, and to generate statistics, reports and insights
  - to collect health related information necessary to make Herbalife® product recommendations, monitor progress and provide tailored advice
  - for the use of your e-mail address or telephone number in connection with the marketing of Herbalife® products and services and related products and services

You can withdraw your consent at any time by letting me know directly or at the email address provided above or, in the case of marketing communications, by following any opt-out instructions that I may provide in the communication.

### How is this information protected?

Administrative, technical and physical safeguards are implemented to protect personal information against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure or use.

### How long will this information be stored?

I retain your information only for as long as required for the purposes for which it was collected or as required or permitted by applicable law. When you enter into a relationship with me, I will retain your information for the duration of our relationship, plus a reasonable period to comply with the applicable statute of limitation periods and records retention requirements under applicable law.

### With whom is personal information shared?

Relevant personal information will be shared with:

- Herbalife for the purposes of product order fulfilment, operating the business and its websites and/or applications, quality checks, compliance with relevant laws, and the administration of its sales and marketing plan
- My professional advisors such as accountants and tax advisors
- Other vendors who help me manage my Herbalife business, such as email delivery services, app and website developers and other technology providers
- Logistic service providers
- Other Herbalife members under the Herbalife sales and marketing plan;
- 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.
- **[Member to insert categories of third parties here, if any]**

### How will I transfer information?

I will not transfer your personal information outside of the European Union or the United Kingdom ("UK") to a non-adequate jurisdiction except on an occasional and as-needed basis with your specific, informed and explicit consent, which you may withdraw at any time.

If I transfer your personal information to a country that has not been recognized by the European Commission or the UK, as applicable, to provide an adequate level of data protection, I will implement safeguards for the transfer, such as by entering into appropriate contractual terms with the recipients, as required by law. If you need more information about data transfers, contact me at the email address provided above.

### What are an individuals' rights with respect to personal information?

- If you are located in the European Union or the UK, you may have various rights with respect to your personal information. Subject to applicable laws, you may have the right to access your personal data, correct it as necessary to ensure it is up-to-date, restrict certain kinds of processing, object to certain kinds of processing (such as direct marketing), and the right to data portability (if you wish your information to be sent to someone else). You also may have the right to have your personal information erased in certain cases (subject to applicable laws).
- 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 concerns about my collection and use of your personal information that cannot be resolved to your satisfaction, you have the right to file a complaint with the competent Data Protection Authority in your jurisdiction.

If you have additional questions about this policy and my practices or if you have complaints about my use of your personal information, please contact me at the email address provided above.

### How will you know if this policy is updated?

This policy may be amended from time to time. I recommend that you visit my website and/or application periodically to be aware of the latest version of this policy.

# Appendix B

## How can you contact me?

You may contact me by using the contact information provided on my website and/or application or using the email address provided above.

## ONE-LINER REFERENCE TO WEBSITE/APPLICATION PRIVACY NOTICE.

[Note: This template one-liner can be used for online offers, mailing lists, and other online forms collecting personal information.]

- If you have any questions about data privacy or how I collect or use your personal information, please access it at the following link **[LINK]**.

[Note: This template is for Members in the EU and the UK who operate a website and/or application that uses cookies or similar tracking technologies, separate from those websites and/or applications provided by Herbalife, such as the GoHerbalife platform. You must customize this template to fit your actual business practices and to comply with laws and regulations regarding the use of cookies in your country, in particular if your website and/or application uses analytics, personalization, social media and advertising cookies].

## COOKIE NOTICE – TEMPLATE

### [Member to insert Effective Date]

As an Independent Herbalife Member, I, [Member to insert name], respect the privacy of every individual who visits my website and/or application and uses its services. This Cookie Notice explains how my website and/or application uses cookies and similar tracking technologies (collectively “cookies”). If you have additional questions regarding cookies, you can contact me directly at **[Member to insert email address]**.

### 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. Most major websites and website hosting platforms use cookies. 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.

This website uses the following types of cookies:

- Session Cookies, which are temporary and remain in the cookie file of your browser until you leave the site.
- Persistent Cookies, which remain in the cookie file of your browser for much longer (though how long will depend on the lifetime of the specific cookie).

### How cookies are used on this site and what information is collected?

**Session Cookies:** These are used for the following purposes:

- to allow you to carry information across pages of our site and avoid having to re-enter information; and
- within registration forms to allow you to access stored information.

**Persistent Cookies:** These are used for the following purposes:

- to help recognize you as a unique visitor (using a number) when you return to our website;
- to allow us to tailor content or advertisements to match your preferred interests or to avoid showing you the same adverts repeatedly;
- to compile aggregated statistics that allow us to understand how users access our site and to help us improve the structure of our website;
- to identify and resolve user experience issues and improve website operations; and
- to resolve member inquiries and help ensure compliance with our member rules.

**Third Party Cookies:** Third parties may also serve cookies via the Sites. These are used for the following purposes:

- to tailor content to your preferences;
- to count the number of users of our site; and
- to provide security within shopping baskets or transactions.

### Analytics

This website uses analytics cookies to collect information about how you navigate through and use website, including the pages you view, how long you stay on a page and whether the page is displayed correctly or whether errors occur. Such cookies help improve performance and make the website more user-friendly. These cookies will be set if you allow the website to do so. Some of these cookies are persistent cookies, which remain on your computer or other Internet-connected device for a reasonable period of time after you end your browsing session, unless you delete them or the cookie expires, if applicable. These cookies are provided by third-party analytics providers. **[Member to insert the following section if Google Analytics is used: This website uses Google Analytics. For more information about Google Analytics and how you can opt-out, please click here.]**

### How can cookies be disabled or enabled?

**[Member to insert description of how users can withdraw consent for the use of non-essential cookies on their websites, such as analytics, personalization, social media and advertising cookies, for example, by adjusting preferences in a cookie consent management tool that you offer on the website or by ticking a relevant check-box.]**

You have the ability to accept or decline cookies by modifying the settings in your browser. However, you may not be able to use all the interactive features of our site if cookies are disabled. Should you wish to be alerted before a cookie is accepted on your hard disk, guideline instructions follow below:

- [Cookie settings in Internet Explorer](#)
- [Cookie settings in Firefox](#)
- [Cookie settings in Chrome](#)
- [Cookie settings in Safari web and iOS.](#)

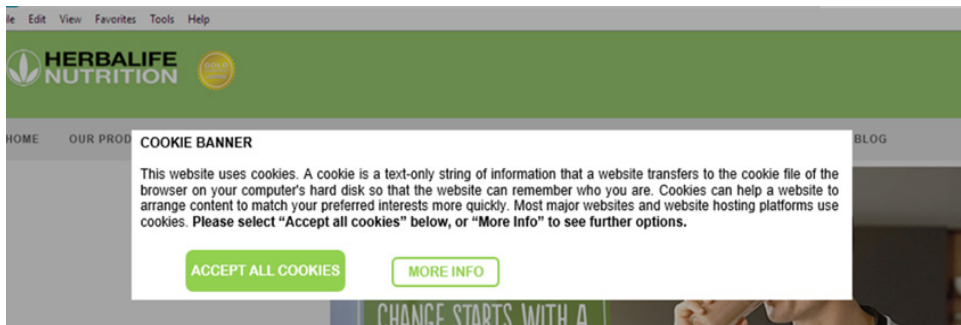
For mobile devices, you can manage how your device and browser share certain device data by adjusting the privacy and security settings on your mobile device.

## Appendix B

**Deleting cookies:** You can easily delete any cookies that have been installed on your browser by searching “cookies” in the “Help” function of your browser to locate your cookie folder, which should then provide options to delete.

[Note: This template banner is for Members in the EU and the UK who operate a website and/or application that uses cookies or similar tracking technologies, separate from those websites and/or applications provided by Herbalife, such as the GoHerbalife platform. However, you must customize this template to fit your actual business practices and to comply with laws and regulations regarding the use of cookies in your country, in particular if your website and/or application uses analytics, personalization, social media and advertising cookies].

**Cookie Banner:** This website uses cookies and similar technologies, including third-party cookies [Members to tailor purposes of cookies as applicable: to optimize the functionality of the website, analyze how you interact with the website, measure the effectiveness of digital campaigns, provide you with interest-based content, and offer social media features]. Please select “Accept all cookies” below, or “More Info” to see further options.



## Appendix C

### PERSONAL INFORMATION REQUEST – INTAKE FORM

Request Details	Date received:	
	Requester's Name:	
	Identity verification (please select the method/s used to confirm the requester's identity): <input type="checkbox"/> Copy of identification card <input type="checkbox"/> Verbal confirmation of personal details <input type="checkbox"/> Two-step email authentication <input type="checkbox"/> Two-step SMS authentication	
	<table border="1"> <tr> <td>This request pertains to the following data protection right(s):  <input type="checkbox"/> Right to Access  <input type="checkbox"/> Right to Correct  <input type="checkbox"/> Right to Erasure  <input type="checkbox"/> Right to Object (to marketing)  <input type="checkbox"/> Right to Restrict  <input type="checkbox"/> Right to Portability                 </td> <td>This request pertains to the following type(s) of personal information:  <input type="checkbox"/> Name  <input type="checkbox"/> Mailing Address  <input type="checkbox"/> Phone Number  <input type="checkbox"/> Email  <input type="checkbox"/> Account/Payment Information  <input type="checkbox"/> All personal information  <input type="checkbox"/> Other (please specify):                 </td> </tr> </table>	This request pertains to the following data protection right(s): <input type="checkbox"/> Right to Access <input type="checkbox"/> Right to Correct <input type="checkbox"/> Right to Erasure <input type="checkbox"/> Right to Object (to marketing) <input type="checkbox"/> Right to Restrict <input type="checkbox"/> Right to Portability
This request pertains to the following data protection right(s): <input type="checkbox"/> Right to Access <input type="checkbox"/> Right to Correct <input type="checkbox"/> Right to Erasure <input type="checkbox"/> Right to Object (to marketing) <input type="checkbox"/> Right to Restrict <input type="checkbox"/> Right to Portability	This request pertains to the following type(s) of personal information: <input type="checkbox"/> Name <input type="checkbox"/> Mailing Address <input type="checkbox"/> Phone Number <input type="checkbox"/> Email <input type="checkbox"/> Account/Payment Information <input type="checkbox"/> All personal information <input type="checkbox"/> Other (please specify):	
Description of Request:		
Response Details	Date of Initial Response*:	
	Action(s) taken and/or Response(s) given:	
	Reason/Justification for Action/Response:	
	Other Notes / Comments:	
	Date of Request Closure:	

\* Must respond to query within 30 days of receipt.

\*\* If you have any questions or want to better understand how to handle customer data protection requests, please consult Section IV of your GDPR in a Nutshell Guide.

## PERSONAL INFORMATION REQUEST – TEMPLATE RESPONSE LETTER

[DATE]

Dear [NAME]:

Thank you for your message that I received on [DATE] about your personal information rights. I understand that you wish me to [DESCRIBE ACTION REQUESTED], in exercise of your right to [ACCESS / RECTIFY / ERASE / RESTRICT / OBJECT TO THE USE OF] your personal information.

### [OPTION 1 – CLARIFY:]

To ensure I fully understand your request and how I can best respond, I would like to ask you to clarify the following:... [DESCRIBE ISSUES NEEDING CLARIFICATION]. [For example, “What sensitive personal information are you referring when you mention X?”, “What do you understand by the right to X?”]

### [OPTION 2 – DENY:]

I am unable to fulfill this request because [DESCRIBE WHY REQUEST CANNOT BE FULFILLED]. [For example, “This is not data under ourmy control,” or “This request is outside the scope of the right you have claimed because...”].

### [OPTION 3 – FULFILL]

I have taken the following action(s) in fulfillment of your request: [DESCRIBE ACTIONS TAKEN TO FULFILL REQUEST].

For example,

- **Access:** “Please see attached a copy of your personal information file,” or “Please access your personal information at this link.”
- **Rectify:** “I have updated your contact phone number and mailing address accordingly.”
- **Erase:** “I have deleted all of your data from my systems,” or “I have marked your data for deletion in 2 years, which is the mandatory retention period for which I must keep it in accordance with local law X.”
- **Restrict:** “I have currently restricted the processing of your personal information in our systems until I can resolve issue X, at which time I will update you on the status of your request.”
- **Object:** “I have put your contact details on a do-not-contact list so that I do not send you further marketing materials without your consent.”

If you have any further questions, please do not hesitate to contact me directly at [PHONE NUMBER] and/or [EMAIL ADDRESS].

Sincerely,

[NAME]  
[TITLE]

## PERSONAL INFORMATION BREACH REPORTING FORM

Breach Details	Date of breach discovery*:	
	Name of person reporting breach:	
	Cause of breach (or potential breach): <input type="checkbox"/> Information sent to the wrong person/party <input type="checkbox"/> Improperly deleted files <input type="checkbox"/> Lost device <input type="checkbox"/> Phishing attack / Malware / Ransomware <input type="checkbox"/> Systems directly accessed by an unauthorized third party <input type="checkbox"/> Other (please specify):	Breach occurred: <input type="checkbox"/> Within the European Economic Area (“EEA”) and affects European personal information <input type="checkbox"/> Outside EEA but affects European personal information <input type="checkbox"/> Unknown <input type="checkbox"/> Other (please specify):
Further description of the breach:		Measures in place to protect the data: <input type="checkbox"/> Encryption <input type="checkbox"/> Anonymization / Pseudonymization <input type="checkbox"/> Other (please specify):
Response Details	Action(s) taken in response to breach:	
	Reporting requirements – to the Authorities: The breach/ potential breach will be reported to the Data Protection Authority because it: <input type="checkbox"/> may present a risk to the personal information affected. <input type="checkbox"/> presents a known risk to the personal information affected.	
	Relevant Data Protection Authority:	
	Date the breach notification was sent to Authority**:	
	Reporting requirements – to the Individual: The breach/ potential breach does not need to be reported to the Individual because: <input type="checkbox"/> the breach does not present a high risk to the individual(s) whose data was compromised <input type="checkbox"/> the data was encrypted or otherwise made unintelligible <input type="checkbox"/> subsequent measures were taken to ensure the high risk to the data is not likely to occur <input type="checkbox"/> disproportionate effort (therefore, there will be a public communication notifying of breach)	
<input type="checkbox"/> the Individual(s) must be notified of the breach/ potential breach Date the breach notification was sent to affected Individual(s):		

\*A data breach is considered to be “discovered” when there is enough information to reasonably determine that a breach has occurred. The emphasis is on prompt reporting, so even possible breaches are advised to be reported.

\*\*Data breaches must be reported to the relevant Data Protection Authority within 72 hours of breach discovery.

\*\*\*If you have any questions or want to better understand how to handle a data breach, please consult Section V of your GDPR in a Nutshell Guide.

## NATIONAL DATA PROTECTION AUTHORITIES

(updated on March 7, 2021)

source: [http://ec.europa.eu/newsroom/article29/item-detail.cfm?item\\_id=612080](http://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=612080)

### AUSTRIA

Österreichische Datenschutzbehörde  
Wickenburggasse 8  
1080 Wien  
Tel. +43 1 52152-0  
E-mail: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at)  
Website: <http://www.dsb.gv.at/>

### BELGIUM

Commission de la protection de la vie privée /  
Commissie voor de bescherming van de persoonlijke  
levenssfeer  
Rue de la Presse 35 / Drukpersstraat 35  
1000 Bruxelles / 1000 Brussel  
Tel. +32 2 274 48 00  
Fax +32 2 274 48 35  
E-mail: [commission@privacycommission.be](mailto:commission@privacycommission.be)  
Website: <http://www.privacycommission.be/>

### BULGARIA

Commission for Personal information Protection  
2, Prof. Tsvetan Lazarov blvd; Sofia 1592  
Tel. +359 2 915 3580  
Fax +359 2 915 3525  
E-mail: [kzld@cpdp.bg](mailto:kzld@cpdp.bg)  
Website: <http://www.cdpd.bg/>

### CROATIA

Croatian Personal information Protection Agency  
Martićeva 14. 10000 Zagreb  
Tel. +385 1 4609 000  
Fax +385 1 4609 099  
E-mail: [azop@azop.hr](mailto:azop@azop.hr) or [info@azop.hr](mailto:info@azop.hr)  
Website: <http://www.azop.hr/>

### CYPRUS

Commissioner for Personal information Protection  
1 Iasonos Street, 1082 Nicosia  
P.O. Box 23378, CY-1682 Nicosia  
Tel. +357 22 818 456  
Fax +357 22 304 565  
E-mail: [commissioner@dataprotection.gov.cy](mailto:commissioner@dataprotection.gov.cy)  
Website: <http://www.dataprotection.gov.cy/>

### CZECH REPUBLIC

The Office for Personal information Protection  
Urząd pro ochranu osobních údajů Pplk.  
Sochora 27. 170 00 Prague 7  
Tel. +420 234 665 111  
Fax +420 234 665 444  
E-mail: [posta@uouu.cz](mailto:posta@uouu.cz)  
Website: <http://www.uouu.cz/>

### DENMARK

Datatilsynet  
Borgergade 28, 5.1300 Copenhagen K  
Tel. +45 33 1932 00  
Fax +45 33 19 32 18  
E-mail: [dt@datatilsynet.dk](mailto:dt@datatilsynet.dk)  
Website: <http://www.datatilsynet.dk/>

### ESTONIA

Estonian Data Protection Inspectorate (Andmekaitse  
Inspektsioon)  
Väike-Ameerika 19. 10129 Tallinn  
Tel. +372 6274 135  
Fax +372 6274 137  
E-mail: [info@aki.ee](mailto:info@aki.ee)  
Website: <http://www.aki.ee/en>

### FINLAND

Office of the Data Protection Ombudsman  
P.O. Box 315. FIN-00181 Helsinki  
Tel. +358 10 3666 700  
Fax +358 10 3666 735  
E-mail: [tietosuoja@om.fi](mailto:tietosuoja@om.fi)  
Website: <http://www.tietosuoja.fi/en/>

### FRANCE

Commission Nationale de l'Informatique et des Libertés  
- CNIL  
8 rue Vivienne, CS 30223. F-75002 Paris, Cedex 02  
Tel. +33 1 53 73 22 22  
Fax +33 1 53 73 22 00  
Website: <http://www.cnil.fr/>

### GERMANY

Die Bundesbeauftragte für den Datenschutz und die  
Informationsfreiheit  
Husarenstraße 30. 53117 Bonn  
Tel. +49 228 997799 0; +49 228 81995 0  
Fax +49 228 997799 550; +49 228 81995 550  
E-mail: [poststelle@bfdi.bund.de](mailto:poststelle@bfdi.bund.de)  
Website: <http://www.bfdi.bund.de/>

Competent state authorities can be identified according to  
the list provided under:  
[https://www.bfdi.bund.de/bfdi\\_wiki/index.php/Aufsichtsbeh%C3%B6rden\\_und\\_Landesdatenschutzbeauftragte](https://www.bfdi.bund.de/bfdi_wiki/index.php/Aufsichtsbeh%C3%B6rden_und_Landesdatenschutzbeauftragte)

### GREECE

Hellenic Data Protection Authority  
Kifisias Av. 1-3, PC 11523. Ampelokipi Athens  
Tel. +30 210 6475 600  
Fax +30 210 6475 628  
E-mail: [contact@dpa.gr](mailto:contact@dpa.gr)  
Website: <http://www.dpa.gr/>

### HUNGARY

National Authority for Data Protection and Freedom of  
Information  
Szilágyi Erzsébet fasor 22/C. H-1125 Budapest  
Tel. +36 1 3911 400  
E-mail: [peterfalvi.attila@naih.hu](mailto:peterfalvi.attila@naih.hu)  
Website: <http://www.naih.hu/>

### IRELAND

Data Protection Commissioner  
Canal House Station Road Portllington. Co. Laois  
Lo-Call: 1890 25 22 31  
Tel. +353 57 868 4800  
Fax +353 57 868 4757  
E-mail: [info@dataprotection.ie](mailto:info@dataprotection.ie)  
Website: <http://www.dataprotection.ie/>

### ITALY

Garante per la protezione dei dati personali  
Piazza di Monte Citorio, 121. 00186 Roma  
Tel. +39 06 69677 1  
Fax +39 06 69677 785  
E-mail: [garante@garanteprivacy.it](mailto:garante@garanteprivacy.it)  
Website: <http://www.garanteprivacy.it/>

### LATVIA

Data State Inspectorate Director: Ms Daiga Avdejanova  
Blaumana str. 11/13-15. 1011 Riga  
Tel. +371 6722 3131  
Fax +371 6722 3556  
E-mail: [info@dvi.gov.lv](mailto:info@dvi.gov.lv)  
Website: <http://www.dvi.gov.lv/>

### LITHUANIA

State Data Protection  
Žygimantų str. 11-6a. 011042 Vilnius  
Tel. +370 5 279 14 45  
Fax +370 5 261 94 94  
E-mail: [ada@ada.lt](mailto:ada@ada.lt)  
Website: <http://www.ada.lt/>

### LUXEMBOURG

Commission Nationale pour la Protection des Données  
1, avenue du Rock'n'Roll. L-4361 Esch-sur-Alzette  
Tel. +352 2610 60 1  
Fax +352 2610 60 29  
E-mail: [info@cnpd.lu](mailto:info@cnpd.lu)  
Website: <http://www.cnpd.lu/>

### MALTA

Office of the Data Protection Commissioner  
Data Protection Commissioner: Mr Joseph Ebejer  
2, Airways House. High Street, Sliema SLM 1549  
Tel. +356 2328 7100  
Fax +356 2328 7198  
E-mail: [commissioner.dataprotection@gov.mt](mailto:commissioner.dataprotection@gov.mt)  
Website: <http://www.dataprotection.gov.mt/>

### NETHERLANDS

Autoriteit Persoonsgegevens  
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Tel. +31 70 888 8500  
Fax +31 70 888 8501  
E-mail: [info@autoriteitpersoonsgegevens.nl](mailto:info@autoriteitpersoonsgegevens.nl)  
Website: <https://autoriteitpersoonsgegevens.nl/nl>

### POLAND

The Bureau of the Inspector General for the Protection of  
Personal information - GIODO  
ul. Stawki 2. 00-193 Warsaw  
Tel. +48 22 53 10 440  
Fax +48 22 53 10 441  
E-mail: [kancelaria@giodo.gov.pl](mailto:kancelaria@giodo.gov.pl)  
E-mail: [desiwm@giodo.gov.pl](mailto:desiwm@giodo.gov.pl)  
Website: <http://www.giodo.gov.pl/>

# Appendix D

## PORTUGAL

Comissão Nacional de Protecção de Dados - CNPD

R. de São. Bento, 148-3°. 1200-821 Lisboa

Tel. +351 21 392 84 00

Fax +351 21 397 68 32

E-mail: [geral@cnpd.pt](mailto:geral@cnpd.pt)

Website: <http://www.cnpd.pt/>

## ROMANIA

The National Supervisory Authority for Personal information Processing

President: Mrs Ancuța Gianina Opre

B-dul Magheru 28-30. Sector 1, BUCUREȘTI

Tel. +40 21 252 5599

Fax +40 21 252 5757

E-mail: [anspdc@dataprotection.ro](mailto:anspdc@dataprotection.ro)

Website: <http://www.dataprotection.ro/>

## SLOVAKIA

Office for Personal information Protection of the Slovak Republic

Hraničná 12. 820 07 Bratislava 27

Tel.: + 421 2 32 31 32 14

Fax: + 421 2 32 31 32 34

E-mail: [statny.dozor@pdp.gov.sk](mailto:statny.dozor@pdp.gov.sk)

Website: <http://www.dataprotection.gov.sk/>

## SLOVENIA

Information Commissioner

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Fax +386 1 230 9778

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Website: <https://www.ip-rs.si/>

## SPAIN

Agencia de Protección de Datos

C/Jorge Juan, 6. 28001 Madrid

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Fax +34 91455 5699

E-mail: [internacional@agpd.es](mailto:internacional@agpd.es)

Website: <https://www.agpd.es/>

## SWEDEN

Datainspektionen

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Fax +46 8 652 8652

E-mail: [datainspektionen@datainspektionen.se](mailto:datainspektionen@datainspektionen.se)

E-mail: [lena.schelin@datainspektionen.se](mailto:lena.schelin@datainspektionen.se)

Website: <http://www.datainspektionen.se/>

## UNITED KINGDOM

The Information Commissioner's Office

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Wilmslow - Cheshire SK9 5AF

Tel. +44 1625 545 745

E-mail: [international.team@ico.org.uk](mailto:international.team@ico.org.uk)

Website: <https://ico.org.uk>

## ICELAND

[Icelandic Data Protection Agency](#)

Rauðarárstíg 10. 105 Reykjavík

Tel. +354 510 9600;

Fax +354 510 9606

E-mail: [postur@personuvernd.is](mailto:postur@personuvernd.is)

## LIECHTENSTEIN

[Data Protection Office](#)

Kirchstrasse 8, P.O. Box 684, 9490 Vaduz

Principality of Liechtenstein

Tel. +423 236 6090

E-mail: [info.dss@liv.li](mailto:info.dss@liv.li)

## NORWAY

[Datatilsynet](#)

The Data Inspectorate, P.O. Box 8177 Dep, 0034 Oslo

Tel. +47 22 39 69 00;

Fax +47 22 42 23 50

E-mail: [postkasse@datatilsynet.n](mailto:postkasse@datatilsynet.n)

## SWITZERLAND

[Data Protection and Information Commissioner of Switzerland](#)

Eidgenössischer Datenschutz- und

Öffentlichkeitsbeauftragter. Mr Adrian Lobsiger

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