

AGCO Privacy Notice for California Residents

Effective Date: January 1, 2020

Last Reviewed on: December 18, 2019

This **Privacy Notice for California Residents** (“Notice”) supplements the information contained in AGCO’S Enterprise Privacy and Data Statement and applies solely to all visitors, users, and others who reside in the State of California ("consumers" or "you"). We adopt this notice to comply with the California Consumer Privacy Act of 2018 (CCPA) and any terms defined in the CCPA have the same meaning when used in this Notice.

This Notice does not apply to employment-related personal information collected from California-based employees, job applicants, contractors, or similar individuals.

Where noted in this Notice, the CCPA temporarily exempts personal information reflecting a written or verbal business-to-business communication ("**B2B personal information**") from some of its requirements.

Information We Collect

We collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device ("**personal information**"). Personal information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
 - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
 - personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

In particular, we have collected the following categories of personal information from consumers within the last twelve (12) months:

Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES

<p>B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).</p>	<p>A 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.</p> <p>Some personal information included in this category may overlap with other categories.</p>	<p>YES</p>
<p>C. Protected classification characteristics under California or federal law.</p>	<p>Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).</p>	<p>YES</p>
<p>D. Commercial information.</p>	<p>Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.</p>	<p>YES</p>
<p>E. Biometric information.</p>	<p>Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.</p>	<p>NO</p>
<p>F. Internet or other similar network activity.</p>	<p>Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.</p>	<p>YES</p>
<p>G. Geolocation data.</p>	<p>Physical location or movements.</p>	<p>YES</p>
<p>H. Sensory data.</p>	<p>Audio, electronic, visual, thermal, olfactory, or similar information.</p>	<p>YES</p>
<p>I. Professional or employment-related information.</p>	<p>Current or past job history or performance evaluations.</p>	<p>NO</p>
<p>J. Non-public education information (per</p>	<p>Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists,</p>	<p>NO</p>

the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	student schedules, student identification codes, student financial information, or student disciplinary records.	
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

We obtain the categories of personal information listed above from the following categories of sources:

1. Directly from you. For example, from forms you complete or products and services you purchase or from communications with you such as when you contact AGCO (whether in person, by mail, by phone, online, via electronic communication or by any other means) including our AGCO Answers customer support service.
2. Indirectly from you. For example, from observing your actions on our Website or our Apps or from equipment that you have purchased from AGCO, if you have enabled such functionality, such as telemetry services.
3. From others.
 - a. From our dealers. We may receive information about you from our independent dealers.
 - b. Third party service providers. For example, if you choose to make an electronic payment directly to AGCO, or through a web site or an app, or through a merchant or dealer, AGCO may receive personal information about you from third parties such as payment services providers, for the purposes of that payment.
 - c. From other third parties. We may collect information from third parties such as consumer data resellers.
 - d. From affiliates. We may collect personal information about you from our affiliates or others acting on their behalf, such as from AGCO Finance.
4. From public sources. For example, we may collect information from public records.

Use of Personal Information

We may use, sell, or disclose the personal information we collect for one or more of the following purposes:

1. To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to request a price quote, request to be contacted by a dealer, or ask a question about our products or services, we will use that personal information to respond to your inquiry. If you provide your personal information to purchase a product or service, we may use that information to process your payment and

facilitate delivery. We may also save your information to facilitate new product orders or process returns.

2. To perform services such as customer service, order fulfillment, payment processing, financing and advertising, marketing or analytic services.
3. To advance our commercial or economic interests, such as by inducing you to buy, rent, lease, join, subscribe to, provide, or exchange products, goods, property, information, or services, or enabling or effecting, directly or indirectly, a commercial transaction.
4. To verify or maintain quality or safety or improve or upgrade a service or device owned, manufactured, or controlled by or for us.
5. To use for short-term, transient use if the personal information is not disclosed to another third party or used to build a profile or otherwise alter your experience outside the current transaction.
6. To provide, support, personalize, and develop our Website, products, and services such as to perform warranty related services or other post-sale activities such as product monitoring, repairs or field campaigns.
7. To create, maintain, customize, and secure your account with us.
8. To process your requests, purchases, transactions, and payments and prevent transactional fraud.
9. To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses. To personalize your Website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our Website, third-party sites, dealers and via mail, email or text message (with your consent, where required by law).
10. To help maintain the safety, security, and integrity of our Website, products and services, databases and other technology assets, and business.
11. For testing, research, analysis, and product development, including to develop and improve our Website, products, and services.
12. To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
13. As described to you when collecting your personal information or as otherwise set forth in the CCPA.
14. To send you information relevant to your past purchases and interests, subject to compliance with Applicable Laws regarding direct marketing.
15. To otherwise use as reasonably necessary and proportionate to achieve our operational or notified purpose for collecting personal information and as compatible with the context in which we collected the information.
16. To perform services on behalf of a CCPA-covered business or its service provider, such as customer service, order fulfillment, payment processing, financing and advertising, marketing, or analytic services.
17. To Audit the interaction with you.

18. To detect or prevent security incidents or other illegal activity.
19. To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us about our Website users/consumers is among the assets transferred.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Sharing Personal Information

We may disclose your personal information to a third party for a business purpose or sell your personal information, subject to your right to opt-out of those sales (see Personal Information Sales Opt-Out and Opt-In). When we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract. The CCPA prohibits third parties who purchase the personal information we hold from reselling it unless you have received explicit notice and an opportunity to opt-out of further sales.

Disclosures of Personal Information for a Business Purpose

In the preceding twelve (12) months, Company has disclosed the following categories of personal information for a business purpose:

- Category A: Identifiers.
- Category B: California Customer Records personal information categories.
- Category C: Protected classification characteristics under California or federal law.
- Category D: Commercial information.
- Category F: Internet or other similar network activity.
- Category G: Geolocation data.
- Category K: Inferences drawn from other personal information.

We disclose your personal information for a business purpose to the following categories of third parties:

- Service providers.
- Dealers.
- Affiliates.
- Advertisers.
- Internet cookie data recipients, like Google Analytics.
- Social Media companies.

Sales of Personal Information

In the preceding twelve (12) months, Company has sold the following categories of personal information:

- A. Identifiers.
- B. California Customer Records personal information categories.
- C. Protected classification characteristics under California or federal law.
- D. Commercial information.
- K. Inferences drawn from other personal information.

We sell your personal information to the following categories of third parties:

- Dealers

Your Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion), we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
 - sales, identifying the personal information categories that each category of recipient purchased; and
 - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

We do not provide these access and data portability rights for B2B personal information.

Deletion Request Rights

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion), we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *et. seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us, such as future field campaigns or product safety issues.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

We do not provide these deletion rights for B2B personal information.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Calling us at toll free at AGCO Answers: (855)-899-0035.
- Emailing us at DataPrivacy@agcocorp.com.
- Visiting <https://www.agcocorp.com/data-subject-rights-form.html>
- Accessing an account you have with us.

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative, which may include:
 - Your name
 - Address
 - Additional information depending upon the type of request and the sensitivity of the information.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with us. However, we will consider requests made through your password protected account sufficiently verified when the request relates to personal information associated with that specific account, provided the functionality is available.

We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

For instructions on exercising sale opt-out rights, see Personal Information Sales Opt-Out and Opt-In.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time, we will inform you of the reason and extension period in writing.

If you have an account with us, we may deliver our written response to that account, provided that such functionality is available. If you do not have an account with us, or the functionality is not available for your account we will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Personal Information Sales Opt-Out and Opt-In Rights

If you are 16 years of age or older, you have the right to direct us to not sell your personal information at any time (the "right to opt-out"). Our websites and products are not intended for

minors. We do not sell the personal information of consumers we actually know are less than 16 years of age, unless we receive affirmative authorization (the "right to opt-in") from either the consumer who is at least 13 but not yet 16 years of age, or the parent or guardian of a consumer less than 13 years of age. Consumers who opt-in to personal information sales may opt-out of future sales at any time.

To exercise the right to opt-out, you (or your authorized representative) may submit a request to us by visiting the following Internet Web page link:

Do Not Sell My Personal Information

You do not need to create an account with us to exercise your opt-out rights. We will only use personal information provided in an opt-out request to review and comply with the request. Once you make an opt-out request, we will wait at least twelve (12) months before asking you to reauthorize personal information sales. However, you may change your mind and opt back in to personal information sales at any time.

Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

However, we may offer you certain financial incentives permitted by the CCPA that **can result** in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

Other California Privacy Rights

Before sharing personal information of California residents with third parties for direct marketing purposes we will obtain opt-in consent or a cost free method to opt out.

Changes to Our Privacy Notice

We reserve the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on the Website and update the notice's effective date. **Your continued use of our Website following the posting of changes constitutes your acceptance of such changes.**

Contact Information

If you have any questions or comments about this notice, the ways in which AGCO collects and uses your information, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: (855)-899-0035

Email: DataPrivacy@AGCOcorp.com