Privacy Policy — General Nutrition Centres Company ("GNC Canada")

GNC Canada is committed to providing our Customers with exceptional service. In the course of providing this service, it may be necessary to collect personal information. The protection of this personal information is among our highest priorities. We have always respected our Customer’s privacy and safeguarded their personal information, and now we have reinforced our commitment to protecting this information as set out in Canada’s new privacy laws. The following Privacy Policy demonstrates our commitment to the protection of personal information and outlines the principals and practices we will follow to achieve that commitment.

GNC Canada is the trade name for the Canadian affiliate of General Nutrition Centers, Inc. of Pittsburgh, Pennsylvania, U.S.A. This Privacy Policy applies to all stores in Canada identified by the trade-mark “GNC” and other trade-marks owned by General Nutrition Investment Company of Arizona, including franchised stores.

Background

Canada’s New Privacy Laws

Canada has four privacy laws that affect all Canadian business operations. The federal Personal Information Protection and Electronic Documents Act (commonly known as “PIPEDA”) applies to federally regulated organizations, such as banks and airlines, and for organizations selling personal information across provincial boundaries. It also applies to organizations operating in all provinces and territories except British Columbia, Alberta and Québec that collect, use or disclose personal information in the course of commercial activities.

British Columbia and Alberta have adopted their own privacy laws that in both provinces are called the Personal Information Protection Act. These laws are very similar to each other and are substantially similar to PIPEDA. Québec’s law is the Loi sur la protection des renseignements personnels dans le secteur privé (An Act Respecting the Protection of Personal Information in the Private Sector) and is also considered to be substantially similar to PIPEDA. These laws apply to organizations operating within their respective provinces.

How Privacy Laws Work

Personal information is broadly defined as information about an identifiable individual, but does not include the name, title, and business address or business
phone number of an employee of an organization. Since it applies to individuals only, it does not apply to corporations or other businesses who may be customers, or suppliers.

**Categories of Personal Information We Collect, Use and Retain**

The nature of personal information we collect may include:
- E-mail Addresses
- Name, Address & Telephone Number
- The type of products that you buy from us and the amounts paid
- Staff Personnel information

**Purposes of Collecting and Using Your Information**

GNC Canada may use the information we collect for the following purposes:
- To operate our business and to assist customers with their purchases of products
- To process a returned product as per Loss Prevention Procedures
- To correspond with Gold Card Members and other loyalty programs
- To identify and communicate with individuals interested in receiving information about our products and services and other marketing purposes
- To send official tax receipts, payroll information
- To employ and manage our staff
- To meet legal, security, processing and regulatory requirements regarding our employees and customers

You may refuse or withdraw your consent as explained in this document.

In the operation of its web site Company may use “cookies”, small text files inserted on customers’ computer to identify the computer as the customer views its web site, in order to provide the customer with an enhanced e-commerce experience. However such cookies are never linked to personal information.

**Disclosure of Your Information**

GNC Canada does not sell or otherwise disclose your personal information to any other third party organization, except as required or permitted by law or noted below. The collection of information is for internal purposes only. GNC Canada’s American parent company provides a number of services to GNC Canada and GNC Canada transfers personal information to operations in Pittsburgh for
processing. GNC Canada continues to be responsible for your personal information. GNC Canada may also use third party service providers to collect, process, handle or store such information, provided that such third party service providers will provide comparable levels of protection to that specified in this Privacy Policy. Before using your personal information for any purpose other than those listed above, GNC Canada will explain that purpose to you and seek your consent.

As one of the purposes for which GNC Canada collects, uses and/or discloses personal information is the operation of its business, in the event that all or part of the assets of GNC Canada are sold to a new owner, all personal information, or that part of the personal information associated with the assets being sold, will be transferred (disclosed) to the new owner, subject to certain conditions. Either the new owner must agree to maintain and abide by GNC Canada’s then existing Privacy Policy for a minimum of six months, or the new owner must agree to GNC Canada sending notices to all of its current customers advising them of the proposed transfer, the new owner’s privacy policy and providing its customers with an easy and effective means of withdrawing their personal information from the transfer at GNC Canada’s option.

GNC Canada values its relationships with its employees, customers and suppliers, and is committed to the protection of their personal information, and to keeping their personal information accurate, confidential, secure and private. This Privacy Code is an embodiment of this commitment.

Consent

Depending on the nature and sensitivity of your personal information, your consent to the collection, use or disclosure of such information can be express and positive (express and positive consent may be oral, in writing or electronic) or implied (by your conduct, which may include your not exercising an option after reading our notice regarding such collection, use or disclosure—“opting out”) in which case we assume that you consent. You may withdraw your consent at any time as long as you give reasonable notice of withdrawal. Please note that such right of withdrawal may have certain terms or conditions attached, depending upon the reason for which the information was originally collected, used or disclosed. For example, if you gave us your address in order to for us to process a return, and then asked us to delete the address from our records, we reserve the right to ask that the monies be returned to us first.

GNC Canada’s Privacy Promise to our Customers, Suppliers and Staff
1. **Accountability:** We will safeguard any information you share with us according to appropriate standards of security and confidentiality. A Privacy Officer is accountable for GNC Canada’s compliance with the principles of this policy.

2. **Identifying Purposes:** All requests to collect, use and retain, or disclose personal information, such as Gold Card applications, Customer Returns and employee applications, shall identify the purpose(s) for which your personal information is being collected, used or disclosed and this will occur at or before the time that the information is collected.

3. **Consent:** Your knowledge and consent shall be required for the collection, use or disclosure of personal information except where specified by law. We will not require you to consent to the collection, use or disclosure of information beyond that required to fulfill the explicitly specified and legitimate purposes, such as preventing fraud. We shall endeavour to choose a form of consent that is appropriate to the sensitivity of the personal information being collected and the purposes for which it is being collected, used or disclosed.

4. **Limiting Collection:** GNC Canada’s collection of your personal information shall be limited to what is necessary for the purposes identified by this organization. Information shall be collected by fair and lawful means.

5. **Limiting, Use, Disclosure and Retention:** Your personal information shall not be used or disclosed for purposes other than those for which it is collected, except with consent of the individual or as permitted or required by law. Your personal information shall only be retained for so long as necessary for the fulfilment of those purposes or except where specified by law.

   Because of its sensitivity, credit card information is held separately from the basic demographic (name, address, telephone number) information about the customer.

6. **Accuracy:** GNC Canada is committed to ensuring that your personal information is accurate, up to date, and secure as is necessary for the purposes for which it is to be used.
7. **Safeguards:** Your personal information shall be protected by security safeguards appropriate to the sensitivity of the information.

8. **Openness:** GNC Canada shall make readily available to individuals specific information about its policies and practices relating to the management of personal information. Should you have a concern or question, please contact our Privacy Officer as indicated at the end of this Privacy Policy.

9. **Individual Access:** Upon request, an individual shall be informed of the existence, use and disclosure of his or her personal information and shall be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate. When the situation occurs where it is necessary for GNC Canada management to review personal information regarding an employee, GNC Canada reserves the right to access these records/files for strictly organizational purposes. Any personal information obtained from an employee or file will not be shared with any other department of GNC Canada and will be kept highly confidential during the time it is being used. Examples of when this would be necessary are as follows:

   - During job performance appraisals, or in considering a salary adjustment or change of position title
   - To assess what GNC Canada property the employee may have access to
   - If an employee wishes to terminate their employment position or their employment position is being terminated by GNC Canada
   - If a legal problem has arisen and there is a need to have the employee’s file opened to deal with a particular line of inquiry.
   - If a problem occurred with employee attendance/absenteeism/lateness
   - Assessing employee sick leave, time off, vacations, etc.
   - The supervising manager can access their direct employee’s file for a specific and legitimate business related reason.

10. **Challenging Compliance:** You shall be able to address a challenge concerning compliance with the above principles to the Privacy Officer, the designated individual accountable for compliance by GNC Canada.
Changes

From time to time the GNC Canada may make changes to this policy to adapt to changing business conditions and for other reasons. In the event that in the opinion of the GNC Canada acting reasonably, such changes will allow GNC Canada to make materially greater use and/or disclosure of any personal information, the individuals affected by the changes will be clearly and concisely notified of the changes and their proposed effect, and provided with an opportunity to withdraw their consent to the collection, use and/or disclosure of their personal information.

Date Adopted: February 9, 2006

Contacting GNC Canada:

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