

# **3E Company Environmental Ecological & Engineering**

## **EU-U.S. Privacy Shield: Consumer Privacy Policy**

**Last Updated: September 26, 2016**

3E Company Environmental Ecological & Engineering (“3E”) respects your concerns about privacy. 3E participates in the EU-U.S. Privacy Shield (“Privacy Shield”) framework issued by the U.S. Department of Commerce. 3E commits to comply with the Privacy Shield Principles with respect to Consumer Personal Data the company receives from the EU in reliance on the Privacy Shield. This Policy describes how 3E implements the Privacy Shield Principles for Consumer Personal Data.

For purposes of this Policy:

“Consumer” means any natural person who is located in the EU, but excludes any individual acting in his or her capacity as an Employee.

“Controller” means a person or organization which, alone or jointly with others, determines the purposes and means of the processing of Personal Data.

“Customer” means any entity that purchases or otherwise obtains products or services from 3E.

“Employee” means any current, former or prospective employee of 3E, or any of its European affiliates, who is located in the 3E.

“EU” means the European Union and Iceland, Liechtenstein and Norway.

“Personal Data” means any information, including Sensitive Data, that is (i) about an identified or identifiable individual, (ii) received by 3E in the U.S. from the EU, and (iii) recorded in any form.

“Privacy Shield Principles” means the Principles and Supplemental Principles of the Privacy Shield.

“Processor” means any natural or legal person, public authority, agency or other body that processes Personal Data on behalf of a Controller.

“Sensitive Data” means Personal Data specifying medical or health conditions, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, sex life, the commission or alleged commission of any offense, any proceedings for any offense committed or alleged to have been committed by the individual or the disposal of such proceedings, or the sentence of any court in such proceedings.

3E's EU-U.S. Privacy Shield certification can be found at <https://www.privacyshield.gov/>. For more information about 3E's processing of Personal Data obtained from Consumers on its website, please visit [3E's Online Privacy Policy](#).

## **Types of Personal Data 3E Collects**

3E collects Personal Data directly from Consumers. This collection occurs, for example, when a Consumer visits 3E's website and provides Personal Data to 3E. Click [here](#) for information on the types of Personal Data 3E receives through its website. In addition, 3E obtains Consumer Personal Data, such as contact information, in connection with maintaining its Customer relationships and providing its products and services to Customers. 3E also obtains Personal Data, such as contact information, of its vendors' representatives. 3E uses this information to manage its relationships with its vendors.

3E's privacy practices regarding the processing of Consumer Personal Data comply, as appropriate, with the Privacy Shield Principles of Notice; Choice; Accountability for Onward Transfer; Security; Data Integrity and Purpose Limitation; Access; and Recourse, Enforcement and Liability.

## **Notice**

3E provides information in this Policy and the company's online privacy policy at <http://3ecompany.com/privacy> and about its Consumer Personal Data practices, including the types of Personal Data 3E collects, the types of third parties to which 3E discloses the Personal Data and the purposes for doing so, the rights and choices Consumers have for limiting the use and disclosure of their Personal Data, and how to contact 3E about its practices concerning Personal Data.

Privacy notices pertaining to specific data processing activities also may contain relevant information.

## **Choice**

When 3E collects Personal Data directly from Consumers, the company generally offers those Consumers the opportunity to choose whether their Personal Data may be (i) disclosed to third-party Controllers, or (ii) used for a purpose that is materially different from the purposes for which the information was originally collected or subsequently authorized by the relevant Consumer. To the extent required by the Privacy Shield Principles, 3E obtains opt-in consent for certain uses and disclosures of Sensitive Data. Consumers may contact 3E as indicated below regarding the company's use or disclosure of their Personal Data. Unless 3E offers Consumers an appropriate choice, the company uses Personal Data only for purposes that are materially the same as those indicated in this Policy or the company's online privacy policy at <http://3ecompany.com/privacy>.

3E shares Consumer Personal Data with its affiliates and subsidiaries. 3E may disclose Consumer Personal Data without offering an opportunity to opt out, and may be required to disclose the Personal Data, (i) to third-party Processors the company has retained to perform services on its behalf and pursuant to its instructions, (ii) if it is required to do so by law or legal process, or (iii) in response to lawful requests from public authorities, including to meet national security, public interest or law enforcement requirements. 3E also reserves the right to transfer Personal Data in the event of an audit or if the company sells or transfers all or a portion of its business or assets (including in the event of a merger, acquisition, joint venture, reorganization, dissolution or liquidation).

### **Accountability for Onward Transfer of Personal Data**

This Policy and 3E's online privacy policy at <http://3ecompany.com/privacy> describe 3E's sharing of Consumer Personal Data.

To the extent 3E acts as a Controller, except as permitted or required by applicable law, 3E provides Consumers with an opportunity to opt out of sharing their Personal Data with third-party Controllers. 3E requires third-party Controllers to whom it discloses Consumer Personal Data to contractually agree to (i) only process the Personal Data for limited and specified purposes consistent with the consent provided by the relevant Consumer, (ii) provide the same level of protection for Personal Data as is required by the Privacy Shield Principles, and (iii) notify 3E and cease processing Personal Data (or take other reasonable and appropriate remedial steps) if the third-party Controller determines that it cannot meet its obligation to provide the same level of protection for Personal Data as is required by the Privacy Shield Principles.

With respect to transfers of Consumer Personal Data to third-party Processors, 3E (i) enters into a contract with each relevant Processor, (ii) transfers Personal Data to each such Processor only for limited and specified purposes, (iii) ascertains that the Processor is obligated to provide the Personal Data with at least the same level of privacy protection as is required by the Privacy Shield Principles, (iv) takes reasonable and appropriate steps to ensure that the Processor effectively processes the Personal Data in a manner consistent with 3E's obligations under the Privacy Shield Principles, (v) requires the Processor to notify 3E if the Processor determines that it can no longer meet its obligation to provide the same level of protection as is required by the Privacy Shield Principles, (vi) upon notice, including under (v) above, takes reasonable and appropriate steps to stop and remediate unauthorized processing of the Personal Data by the Processor, and (vii) provides a summary or representative copy of the relevant privacy provisions of the Processor contract to the Department of Commerce, upon request. 3E remains liable under the Privacy Shield Principles if the company's third-party Processor onward transfer recipients process relevant Personal Data in a manner inconsistent with the Privacy Shield Principles, unless 3E proves that it is not responsible for the event giving rise to the damage.

### **Security**

3E takes reasonable and appropriate measures to protect Consumer Personal Data from loss, misuse and unauthorized access, disclosure, alteration and destruction, taking into account the risks involved in the processing and the nature of the Personal Data.

## **Data Integrity and Purpose Limitation**

3E limits the Consumer Personal Data it processes to that which is relevant for the purposes of the particular processing. 3E does not process Consumer Personal Data in ways that are incompatible with the purposes for which the information was collected or subsequently authorized by the relevant Consumer. In addition, to the extent necessary for these purposes and consistent with its role as a Controller or Processor, 3E takes reasonable steps to ensure that the Personal Data the company processes is (i) reliable for its intended use, and (ii) accurate, complete and current. In this regard, 3E relies on its Consumers and Customers to update and correct the relevant Personal Data to the extent necessary for the purposes for which the information was collected or subsequently authorized. Consumers (and Customers, as appropriate) may contact 3E as indicated below to request that 3E update or correct relevant Personal Data.

Subject to applicable law, 3E retains Consumer Personal Data in a form that identifies or renders identifiable the relevant Consumer only for as long as it serves a purpose that is compatible with the purposes for which the Personal Data was collected or subsequently authorized by the Consumer or Customer, as appropriate.

## **Access**

Consumers generally have the right to access their Personal Data. Accordingly, to the extent 3E acts as a Controller, where appropriate, 3E provides Consumers with reasonable access to the Personal Data 3E maintains about them. 3E also provides a reasonable opportunity for those Consumers to correct, amend or delete the information where it is inaccurate or has been processed in violation of the Privacy Shield Principles, as appropriate. 3E may limit or deny access to Personal Data where the burden or expense of providing access would be disproportionate to the risks to the Consumer's privacy in the case in question, or where the rights of persons other than the Consumer would be violated. Consumers may request access to their Personal Data by contacting 3E as indicated below.

## **Recourse, Enforcement and Liability**

3E has mechanisms in place designed to help assure compliance with the Privacy Shield Principles. 3E conducts an annual self-assessment of its Consumer Personal Data practices to verify that the attestations and assertions the company makes about its Privacy Shield privacy practices are true and that the company's privacy practices have been implemented as represented and in accordance with the Privacy Shield Principles.

Consumers may file a complaint concerning 3E's processing of their Personal Data. 3E will take steps to remedy issues arising out of its alleged failure to comply with the Privacy Shield Principles. Consumers may contact 3E as specified below about complaints regarding the company's Consumer Personal Data practices.

If a Consumer's complaint cannot be resolved through 3E's internal processes, 3E will cooperate with JAMS pursuant to the JAMS International Mediation Rules, available on the JAMS website at <https://www.jamsadr.com/eu-us-privacy-shield>. JAMS mediation may be commenced as provided for in the relevant JAMS rules. Following the dispute resolution process, JAMS or the Consumer may refer the matter to the U.S. Federal Trade Commission, which has Privacy Shield investigatory and enforcement powers over 3E. Under certain circumstances, Consumers also may be able to invoke binding arbitration to address complaints about 3E's compliance with the Privacy Shield Principles.

### **How to Contact 3E**

To contact 3E with questions or concerns about this Policy or 3E's Consumer Personal Data practices:

Write to:

**3E Company**  
**3207 Grey Hawk Court, Suite 200**  
**Carlsbad, CA 92010**

E-mail: [info@3ecompany.com](mailto:info@3ecompany.com)