

CALIFORNIA, USA

ANNEX TO THE GLOBAL PRIVACY STATEMENT

Last updated on: October 2024

INTRODUCTION AND SCOPE

This California Privacy Addendum supplements the information contained in CNH Global Privacy Statement (the “Privacy Statement”), to which it is attached and describes our collection and use of Personal Data. This California Privacy Addendum applies solely to individuals who reside in the State of California (“Consumers” or “you”). We adopt this notice to comply with the California Consumer Privacy Act of 2018 as amended by the California Privacy Rights Act of 2020 (collectively, the “CCPA”) and any terms defined in the CCPA and the Privacy Statement. Please also refer to the relevant California Privacy Notice at Collection, which can be found within the application or website with which you interacted and from which your Personal Data was collected.

“SELLING” OR “SHARING” OF CONSUMERS PERSONAL DATA

“Sale” of Your Personal Data for Monetary or Other Valuable Consideration

We do not sell Personal Data as the term “sell” is commonly understood to require an exchange for money. However, certain disclosures of Personal Data to third parties may be considered a “sale” of Personal Data as the term “sale” is broadly defined in the CCPA to include both monetary and other valuable consideration. Using this broad definition, our “sale” is limited to the following:

- Our use of third-party advertising and analytics cookies and their use in providing behavioral advertising and their use in understanding how people use and interact with our Online Parts Store; and
- Our disclosure of your Personal Data to your preferred dealer(s) or other third parties and their use in advertising and promoting the CNH’s Products and Services to you.

Our “sales” of your Personal Data in this matter is subject to your right to opt out of those sales (see the **YOUR CHOICES REGARDING OUR “SALE” OR “SHARING” OF YOUR PERSONAL DATA** section below). The CCPA prohibits third parties who purchase the Personal Data we hold from reselling it unless you have received explicit notice and an opportunity to opt out of further sales.

“Sharing” of Your Personal Data for Cross-Context Behavioral Advertising

CNH may “share” your Personal Data for the purpose of cross-context behavioral advertising, subject to your right to opt out of that sharing (see the Your Choices Regarding our “Sale” or “Sharing” of your Personal Data section). Our “sharing” for the purpose of cross-context behavioral advertising is limited to the following:

- Our use of third-party advertising cookies and their use in providing you cross-context behavioral advertising (i.e., advertising on other websites or in other mediums); and
- Our disclosure of your Personal Data to your preferred dealer(s) or other third parties and their use in advertising and promoting CNH’s products and services to you.

When the recipients of your Personal Data disclosed for the purpose of cross-context behavioral advertising are also permitted to use your Personal Data to provide advertising to others (such as in the case of our use of third-party advertising cookies), we also consider this disclosure as a “sale” for monetary or other valuable consideration under the CCPA.

In the preceding twelve (12) months, CNH has “sold” for monetary or other valuable consideration, or “shared” for the purpose of cross-context behavioral advertising, the following categories of Personal Data to the following categories of third parties:

- A. Identifiers: We sell and share this category of Personal Data for advertising and analytics purposes to the following categories of third parties: Service Providers; authorized dealers; advertisers and advertising networks; social media companies; Internet cookie information recipients, such as analytics and behavioral advertising services.

- B. Commercial information: We sell and share this category of Personal Data for advertising and analytics purposes to the following categories of third parties: Service Providers; authorized dealers; advertisers and advertising networks; social media companies; Internet cookie information recipients, such as analytics and behavioral advertising services.
- C. Internet or other similar network activity: We sell and share this category of Personal Data for advertising and analytics purposes to the following categories of third parties: Service Providers; authorized dealers; advertisers and advertising networks; social media companies; Internet cookie information recipients, such as analytics and behavioral advertising services.

Sale or Sharing of Personal Data of Minors Under the Age of 16

We do not have any actual knowledge that we “sell” the Personal Data of minors under the age of 16 for monetary or other valuable consideration and we do not have any actual knowledge that we “share” such Personal Data for cross-context behavioral advertising without affirmative consent as required by the CCPA. More information on how minors under the age of 16 may change their choice regarding the “sale” or “sharing” of their Personal Data can be found in the **YOUR CHOICES REGARDING OUR “SALE” OR “SHARING” OF YOUR PERSONAL DATA** section.

YOUR CHOICES REGARDING OUR “SALE” OR “SHARING” OF YOUR PERSONAL DATA

“Sale” of Your Personal Data

If you are 16 years of age or older, you have the right to direct us to not sell your Personal Data for monetary or other valuable consideration at any time (the “Right to Opt Out”). We do not sell the Personal Data 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 between 13 and 16 years of age, or the parent or guardian of a Consumer less than 13 years of age. Consumers who opt-in to Personal Data sales may opt out of future sales at any time.

“Sharing” of Your Personal Data

If you are 16 years of age or older, you have the right to direct us to not share your Personal Data for the purposes of cross-context behavioral advertising, which is showing advertising on other websites or other media based on your browsing history with our Online Parts Store (the “Right to Opt Out”). We do not share the Personal Data of Consumers we actually know are less than 16 years of age for this purpose, unless we receive affirmative authorization from either the Consumer who is between 13 and 16 years of age, or the parent or guardian of a Consumer less than 13 years of age. Consumers who opt-in to our sharing of Personal Data for these purposes may opt out of future such sharing at any time.

How You May Opt-Out of Our Sale or Sharing of Your Personal Data

To exercise the Right to Opt Out of the “sale” of your Personal Data for monetary or other valuable consideration and of “sharing” your Personal Data for the purposes of cross-context behavioral advertising, you (or your authorized representative) may do so by:

- For the “sale” or “sharing” through the use of third-party advertising and analytics cookies, adjusting your cookie preferences by visiting the “Do Not Sell My Personal Data” or “Cookie Settings” links on CNH websites, or by configuring your browser to send us a privacy signal as described in more detail below.
- For the “sale” or “sharing” through our disclosure of your Personal Data to CNH authorized dealers or other third parties, either:
 - Filling the online form available [HERE](#);
 - Writing an email to Privacy-NA@cnhind.com; or
 - Calling us at the following toll-free numbers: 1 (877) 422-7344 (preferred contact for Case IH customers); 1 (866) 639-4563 (preferred contact for New Holland Ag customers); 1 (866) 542-2736 (preferred contact for Case CE customers); 1 (888) 365-6423 (prefer contact for New Holland CE customers), or 1 (800) 501-5711 (preferred contact for CNH Capital customers).

Once you make an opt-out request, we will wait at least twelve (12) months before asking you to reauthorize Personal Data sales. However, you may change your mind and opt back into the sale of Personal Data at any time by (a) adjusting the settings through the same links for the the “sale” or “sharing” through the use of third-party advertising and analytics cookies, or (b) providing CNH with your consent.

You do not need to create an account with us to exercise your opt-out rights. We will only use Personal Data provided in an opt-out request to review and comply with the request.

If you (or your Authorized Agent) submit a request to opt-in to our “sale” or “sharing” of your Personal Data, we will use a two-step process in order to confirm that you want to opt-in for such “sale” or “sharing” of your Personal Data. This process may require confirmation of your choices.

Browser Privacy Control Signals

You may also exercise your right to opt out of the “sale” of your Personal Data for monetary or other valuable consideration and “sharing” your Personal Data for the purposes of cross-context behavioral advertising by setting the privacy control signal on your browser, if your browser supports it. We currently recognize and support the following privacy signals sent by browsers:

- Global privacy control (for more information on how to configure your browser to send this signal, please see <https://globalprivacycontrol.org/>).

When we receive one of these privacy control signals, we will opt you out of any further “sale” or “sharing” of your Personal Data when you interact with our Online Parts Store through that browser and on that device. We will only be able to propagate your choice to opt out to your account if you are currently logged in when we receive the privacy control signal from your browser. When we are able to propagate your choice to your account, you will be opted out of “sale” or “sharing” of your Personal Data on all browsers and devices on which you are logged in, and for both online and offline “sales” and “sharing.”

YOUR CHOICES REGARDING OUR USE AND DISCLOSURE OF YOUR SENSITIVE PERSONAL DATA

As further described below, we do not use or disclose your Sensitive Personal Data for any purpose other than the following:

- to perform the services or provide the goods reasonably expected by an average Consumer who requests such goods or services;
- to detect security incidents that compromise the availability, authenticity, integrity, and confidentiality of stored or transmitted Personal Data, provided that our use of your Personal Data is reasonably necessary and proportionate for such purposes;
- to resist malicious, deceptive, fraudulent, or illegal actions directed at CNH and to prosecute those responsible for those actions, provided that our use of your Personal Data is reasonably necessary and proportionate for this purpose;
- to ensure the safety of natural persons, provided that our use of your Personal Data is reasonably necessary and proportionate for this purpose;
- for short-term, transient use, including, but not limited to, depersonalized advertising shown as part of your current interaction with us, provided that the Personal Data is not disclosed to another third party and is not used to build a profile about you or otherwise alter your experience outside the current interaction with us;
- to perform services on behalf of us, such as maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar services on behalf of us; and
- to verify or maintain the quality or safety of a service or device that is owned, manufactured, manufactured for, or controlled by us, and to improve, upgrade, or enhance the service or device that is owned, manufactured by, manufactured for, or controlled by us.

FINANCIAL INCENTIVES

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 Data’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. We currently provide the following financial incentives: CNH Parts Perks Program (US/Canada).

In determining the value of your Personal Data we collect as part of your participation in our financial incentives, we consider:

- the revenue generated by CNH from the sale, collection, or deletion of your Personal Data related to the Parts Perks program, which we have calculated to be an average of \$500/year.

DO NOT TRACK SIGNALS

When you use our websites, we also may use automated data collection technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking). Some web browsers permit you to broadcast a signal to websites and online services indicating a preference that they “do not track” your online activities. At this time, we cannot guarantee that we can honor such signals, and we do not modify what information we collect or how we use that information based upon whether such a signal is broadcast or received by us.

MORE INFORMATION ON EXERCISING YOUR CCPA PRIVACY RIGHTS

The CCPA provides California residents with specific rights regarding their Personal Data. This section describes your CCPA rights and explains how to exercise those rights. You may exercise these rights yourself or through your Authorized Agent. For more information on how you or your Authorized Agent can exercise your rights, please see the [Exercising Your CCPA Privacy Rights](#) section.

- **Right to Know.** You have the right to request that CNH disclose certain information to you about our collection and use of your Personal Data over the past 12 months (a “**Right to Know**” Privacy Request). This includes: (a) the categories of Personal Data we have collected about you; (b) the categories of sources from which that Personal Data came from; (c) our purposes for collecting this Personal Data; (d) the categories of third parties with whom we have shared your Personal Data; and (e) if we have “sold” or “shared” or disclosed your Personal Data, a list of categories of third parties to whom we “sold” or “shared” your Personal Data, and a separate list of the categories of third parties to whom we disclosed your Personal Data to. You must specifically describe if you are making a Right to Know request or a Data Portability Request. If you would like to make both a Right to Know Privacy Request and a Data Portability Privacy Request you must make both requests clear in your request. If it is not reasonably clear from your request, we will only process your request as a Right to Know request. You may make a Right to Know or a Data Portability Privacy Request a total of two (2) times within a 12-month period at no charge.
- **Access to Specific Pieces of Information (Data Portability).** You also have the right to request that CNH provide you with a copy of the specific pieces of Personal Data that we have collected about you, including any Personal Data that we have created or otherwise received from a third party about you (a “**Data Portability**” Privacy Request). If you make a Data Portability Privacy Request electronically, we will provide you with a copy of your Personal Data in a portable and, to the extent technically feasible, readily reusable format that allows you to transmit the Personal Data to another third party. You must specifically describe if you are making a Right to Know request or a Data Portability request. If you would like to make both a Right to Know Privacy Request and a Data Portability Privacy Request you must make both requests clear in your request. If it is not reasonably clear from your request, we will only process your request as a Right to Know request. In response to a Data Portability Privacy Request, we will not disclose your driver’s license number or other government-issued identification number, financial account number, or your account password or security question or answers. We will also not provide this information if the disclosure creates a substantial, articulable, and unreasonable risk to your Personal Data, your account with CNH, or the security of our systems or networks. We will also not disclose any Personal Data that may be subject to another exception under the CCPA. If we are unable to disclose certain pieces of your Personal Data, we will describe generally the types of Personal Data that we were unable to disclose and provide you a description of the reason we are unable to disclose it. You may make a Right to Know or a Data Portability Privacy Request a total of two (2) times within a 12-month period at no charge.
- **Correction.** You have the right to request that we correct any incorrect Personal Data about you to ensure that it is complete, accurate, and as current as possible. You may review and correct some Personal Data about yourself by logging into the Online Parts Store and visiting your “My Account” page. You may also request that we correct the Personal Data we have about you as described below under the [Exercising Your CCPA Privacy Rights](#) section. In some cases, we may require you to provide reasonable documentation to show that the Personal Data we have about you is incorrect and what the correct Personal Data may be. We may also not be able to accommodate your request if we believe it would violate any law or legal requirement or cause the information to be incorrect or if the Personal Data is subject to another exception under the CCPA.
- **Deletion.** You have the right to request that CNH delete any of your Personal Data that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your Privacy Request (see the [Exercising Your CCPA Privacy Rights](#) section), we will delete (and direct our service providers to delete) your Personal Data from our records, unless an exception applies pursuant to the CCPA. Some exceptions to your right to delete include, but are not limited to, if we are required to retain your Personal Data to complete the transaction or provide you the goods and services for which we collected the Personal Data or otherwise perform under our contract with you, to detect security incidents or protect against other malicious activities, and to comply with legal obligations. We may also retain your Personal Data for other internal and lawful uses that are compatible with the context in which we collected it.
- **Opt Out of Sell or Sharing.** You have the right to opt out of the sale of your Personal Data for monetary or valuable consideration, and the right to opt out of the sharing of your Personal Data for cross-context behavioral advertising. For more information, see Section 9 below.
- **Non-Discrimination.** We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not do any of the following as a result of you exercising your CCPA rights: (a) deny you goods or services; (b) charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties; (c) provide you a different level or quality of goods or services; or (d) suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services. We may, however, offer you certain financial incentives as described below.

Exercising Your CCPA Privacy Rights

To exercise the rights described above, please submit a Privacy Request to us by either:

- Filling the online form available [HERE](#);
- Writing an email to Privacy-NA@cnhind.com; or
- Calling us at the following toll-free numbers: 1 (877) 422-7344 (preferred contact for Case IH customers); 1 (866) 639-4563 (preferred contact for New Holland Ag customers); 1 (866) 542-2736 (preferred contact for Case CE customers); 1 (888) 365-6423 (prefer contact for New Holland CE customers), or 1 (800) 501-5711 (preferred contact for CNH Capital customers).

If you fail to make your Privacy Request in accordance with the ways described above, we may either treat your request as if it had been submitted with our methods described above or provide you with information on how to submit the request or remedy any deficiencies with your request.

Only you, or your Authorized Agent that you authorize to act on your behalf, may make a Privacy Request related to your Personal Data. To designate an Authorized Agent, see the [Authorized Agents](#) section below.

All Privacy Requests must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Data or an Authorized Agent of such a person as described below.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Verifying Your Identity

Before completing your request to exercise your rights, we will verify that the request came from you by comparing the identifying information provided by you in your request with any Personal Data we maintain about you at that time. For all requests, we will need the Consumer's (i) name; (ii) email address, and (iii) telephone number.

To protect the privacy and security of your Personal Data, we may also request additional information from you to help us verify your identity and process your request. This information may include all or a portion of your driver's license or other government-issued identification number. We may also contact you to ask you for further information in relation to your request to speed up our response. You may also be asked to complete and provide a signed declaration under penalty of perjury that you are the Consumer who is the subject of the request or their Authorized Agent in certain circumstances. We will only use Personal Data provided in a Privacy Request to verify the requestor's identity or authority to make the request.

We cannot respond to your request or provide you with Personal Data if we cannot verify your identity or authority to make the request and confirm which Personal Data relates to you or the individual for whom you are making the request as their Authorized Agent. Making a Privacy Request does not require you to create an account with us. We will only use Personal Data provided in a Privacy Request to verify the requestor's identity or authority to make the request.

Authorized Agents

You may authorize your agent to exercise your rights under the CCPA on your behalf by registering your agent with the California Secretary of State or by providing them with power of attorney to exercise your rights in accordance with applicable laws (an "**Authorized Agent**"). We may request that your Authorized Agent submit proof of identity and that they have been authorized to exercise your rights on your behalf. We may deny a request from your Authorized Agent to exercise your rights on your behalf if they fail to submit adequate proof of identity or adequate proof that they have the authority to exercise your rights.

Response Timing and Format

We will confirm our receipt of your Privacy Request within ten (10) business days of its receipt. We will generally process these requests within forty-five (45) calendar days of their receipt. If we require more time (up to an additional 45 calendar days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

In response to a Right to Know or Data Portability Privacy Request, we will provide you with all relevant information we have collected or maintained about you on or after January 1, 2022, unless an exception applies. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For Data Portability Privacy Request, we will select a format to provide your Personal Data 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 Privacy Request unless it is excessive, repetitive, or manifestly unfounded. We reserve the right to consider more than two (2) total Right to Know or Data Portability Privacy Requests (or combination of the two) in a twelve (12) month period to be repetitive and/or excessive and require a fee. If we determine that your Privacy Request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

CONTACT INFORMATION

If you have any questions about this Notice or need to access it in an alternative format due to having a disability, please contact us through the following contact information:

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Attn: North America Data Privacy Manager
711 Jorie Blvd.
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