

PRIVACY POLICY

A. INTRODUCTION

At BakeMark Ingredients Canada Ltd. (the “Company”), the privacy of our employees and other stakeholders is of fundamental importance. The Company is committed to keeping personal information of its stakeholders and employees accurate, secure and confidential. The Company’s Privacy Policy outlines the principles and guidelines concerning the minimum requirements for the protection of personal information provided by the Company to its stakeholders and employees in accordance with the applicable privacy legislation.

The Company’s Privacy Policy is based upon the following Ten Principles:

1. Accountability
2. Identifying Purpose
3. Consent
4. Limiting Collection of Personal Information
5. Limiting Use, Disclosure, and Retention of Personal Information
6. Ensuring Accuracy
7. Safeguarding Personal Information
8. Openness
9. Access to personal information
10. Compliance

B. SCOPE AND APPLICATION

This Policy applies to personal information about the Company’s employees and stakeholders that is collected, used, or disclosed by the Company which includes the management of personal information in any form whether oral, electronic or written.

The application of the Company’s Privacy Policy is subject to the requirements and provisions of applicable federal and provincial privacy legislation and any other applicable legislation or regulations.

C. DEFINITIONS

collection - the act of gathering, acquiring, recording, or obtaining personal information from any source, including third parties.

consent – informed voluntary agreement for the collection, use and disclosure of personal information for defined purposes. Consent can be express, deemed or implied.

- (i) Express consent can be given orally or in writing and can be in hard copy form or digital.
- (ii) Deemed consent may exist if the purpose for the collection, use or disclosure, of the information would be considered obvious to a reasonable person and the individual provides the personal information to the Company for that purpose.

- (iii) Implied consent is consent that can reasonably be inferred from an individual's action or inaction.
- (iv) Individuals can also give consent through an authorized representative, such as a legal guardian or a person with a power of attorney.

stakeholder – suppliers, agents, contractors, customers, partners and affiliated entities of the Company.

disclosure - making personal information available to a third party.

employee - an employee of the Company

personal information - information about an identifiable stakeholder or employee, but does not include aggregated information that cannot be associated with a specific individual. For an employee, examples would include information found in personal employment files, performance appraisals, and medical and benefits information, but do not include the employee's name, title, business address (including a work e-mail address) or telephone or fax numbers. For a stakeholder, such information includes products or services purchased or provided by the stakeholder.

Company – ●, and any of its subsidiaries, affiliated or related entities, as they may exist from time to time.

third party - an individual or organization outside the Company.

use - the treatment, handling, or management of personal information by and within the Company.

D. APPLICATION OF THE TEN PRINCIPLES

1. Accountability

The Company is accountable and responsible for all personal information in its possession or control, including any personal information transferred to third parties. The Company will designate one or more persons who are accountable for the Company's compliance with the Privacy Policy including the following principles:

- (a) The Company is responsible for protecting personal information in its possession or control and ensuring compliance with the provisions of the Privacy Policy. To met this obligation, the Company will appoint a Privacy Officer to oversee the day-to-day collection and processing of personal information and ensure compliance with the Privacy Policy.
- (b) On request, the Company will make known the title of the person or persons designated to oversee the Company's compliance with the Privacy Policy.
- (c) The Company is responsible for personal information that has been transferred to a third party for use or processing. The Company's policy for safeguarding such information is contained in Section 7 of this Privacy Policy.

- (d) To ensure compliance with this Privacy Policy, the Company will:
 - (i) implement procedures to protect the privacy of personal information;
 - (ii) establish procedures to receive and respond to questions, inquiries or complaints;
 - (iii) establish policies and procedures to ensure the accuracy of personal information;
 - (iv) establish policies and procedures for obtaining consent;
 - (v) train Company employees to understand and comply with the Company's policies and procedures; and
 - (vi) provide public access to this Privacy Policy.

2. Identifying Purposes for Collection of Personal Information

The Company will identify the purposes for which personal information is being collected at or before the time the information is collected.

- (a) The Company collects personal information for the following purposes:
 - (i) to establish and maintain relations with stakeholders;
 - (ii) to understand stakeholders needs and preferences;
 - (iii) to develop, enhance, market or provide products and services to meet stakeholder needs or expectations;
 - (iv) to manage and develop the Company's business and operations, including personal and employment matters;
 - (v) to meet legal and regulatory requirements, such as requirements under the *Income Tax Act*; and
 - (vi) additional purposes that are identified to an individual before or at the time of collection.
- (b) The Company will clearly identify the purposes for which it is collecting personal information orally, in writing, or by any other means it communicates with individuals. On request, persons collecting personal information will further explain the purposes for such collection or refer the individual to the designated person within the Company who will further explain the purposes.
- (c) The Company will not use or disclose for any new purpose personal information that has been collected without first identifying the new purpose and obtaining the consent of the employee or stakeholder, unless permitted by law.

3. Obtaining Consent for Collection, Use or Disclosure of Personal Information

The Company will obtain prior or contemporaneous consent for the collection, use or disclosure of personal information about a stakeholder or employee. The Company will collect, use or disclose personal information without stakeholder or employee consent only as permitted by law.

- (a) In obtaining consent, the Company will explain to stakeholders and employees in plain language the purposes for which personal information will be collected, used or disclosed.
- (b) Generally, the Company will seek consent to use and/or disclose personal information at the same time it collects the information. In some circumstances, the Company may identify a new purpose and will seek consent to use and disclose personal information after it has been collected, but before it is used or disclosed for a new purpose.
- (c) In determining the appropriate form of consent, the Company will consider the sensitivity of the personal information and the reasonable expectations of its stakeholders and employees.
- (d) Subject to certain legal or contractual restrictions and reasonable notice, a stakeholder or employee of the Company may withdraw consent and the Company will stop collecting, using or disclosing the personal information of that stakeholder or employee unless the collection, use or disclosure is permitted by law. For more information regarding the consequences of withdrawing consent for use and disclosure of personal information stakeholders and employees may contact the Company.
- (e) The Company may collect, use or disclose personal information without consent if seeking the consent of the individual might defeat the purpose of collecting the information, such as in the investigation of a breach of an agreement or law.
- (f) The Company may collect, use or disclose personal information without consent if it is clearly in the individual's best interest and consent can not be obtained in a timely manner or when it is necessary for the medical treatment of the individual and the individual is unable to give consent.
- (g) The Company may disclose personal information without consent to a lawyer representing the Company, to comply with a subpoena, warrant or other court order, or as may be otherwise required or authorized by law.

4. Limiting Collection of Personal Information

The Company will take reasonable steps to limit the amount and type of personal information it collects. The Company will collect personal information only for the purposes identified to the individual at or before the time of collection or permitted by law. The Company will collect personal information by fair and lawful means.

- (a) The Company primarily collects personal information directly from its stakeholders or employees. The Company may also collect personal information from external sources such as employers or personal references, or other sources who represent that they have the right to disclose the information.

5. Limiting Use, Disclosure, and Retention of Personal Information

The Company will use or disclose personal information only for the reasons it was collected, except with the consent of the individual. Under some circumstances, the Company may have a legal obligation or right to disclose personal information without any individual's consent. The Company will keep personal information for only as long as necessary for the identified purposes.

- (a) The Company may disclose an individual's personal information to:
 - (i) a public authority or agent of a public authority, if in the reasonable judgment of the Company, it appears that there is imminent danger to life or property which could be avoided or minimized by disclosure of the information;
 - (ii) a third party or parties, where the individual consents to such disclosure; and
 - (iii) a third party as permitted by law.
- (b) The Company will only keep personal information as long as necessary for the identified purpose or as required by law. If personal information has been used to make a decision about a stakeholder or employee, the Company will keep the personal information for a reasonably sufficient period to allow the stakeholder or employee to have access to it after the decision has been made.
- (c) The Company will maintain controls, schedules, practices and procedures for retention and destruction of personal information. The Company will destroy, erase or make anonymous any personal information that is no longer needed for its identified purpose or required by law to be retained.

6. Ensuring Accuracy of Personal Information

The Company will keep personal information that is in its possession or control accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used to better ensure that only appropriate information is used to make a decision about an employee or stakeholder.

The Company will only update personal information about employees and stakeholders if it is necessary to fulfill the purposes for which the personal information was collected. The Company will take steps to ensure that personal information in its possession that is used on an ongoing basis, including information that is lawfully disclosed to third parties, is kept accurate and up-to-date.

7. Safeguarding Personal Information

The Company will protect personal information with safeguards appropriate to the sensitivity of the information.

- (a) The Company will safeguard personal information in its possession or control from loss or theft and from unauthorized access, use, disclosure, copying or modification through appropriate security measures depending on the sensitivity, format and storage of the personal information.

- (b) The Company will protect personal information disclosed to third parties by requiring these third parties to safeguard all personal information in a way that is consistent with the Company's practices and as regulated by law.
- (c) Any Company employee with access to personal information will be required to respect the confidentiality of such information.
- (d) The Company will use care when destroying or disposing of personal information to prevent unauthorized access, use or disclosure of any personal information.

8. Openness Concerning Policies and Practices

The Company will be open about its policies and procedures used to manage personal information. The Company will readily make available to employees and stakeholders specific information about its policies and practices relating to the management of personal information.

- (a) The Company will make this Privacy Policy available to all employees and stakeholders. The Company will make information available to assist employees and stakeholders in understanding the collection, use and disclosure of their personal information.
- (b) To assist employees and stakeholders understanding of the Company's policies and procedures; the Company will:
 - (i) make available the contact information of the person(s) responsible for ensuring compliance with this policy and to whom inquires or complaints can be made; and
 - (ii) advise if and how an individual can access personal information held by the Company.

9. Stakeholder and Employee Access to Personal information

On request, the Company will inform a stakeholder or employee of the personal information it has in its possession and control relating to that stakeholder or employee and shall give the individual reasonable access to that information. A stakeholder or employee will be able to challenge the accuracy and completeness of the information and in appropriate circumstances, the Company will amend the information.

- (a) Personal information requested by a stakeholder or employee will be provided in a form that is easy to understand. The Company will provide the requested information within a reasonable time, and at a minimal or no cost to the individual. Upon request, the Company will provide an account of the use and disclosure of the personal information. Where reasonably possible, the Company will identify from whom the personal information was collected, to whom it has been disclosed, and how and when disclosure took place.

- (b) In some cases, the Company may not provide access to personal information that it holds about a stakeholder or employee. Examples of when this may occur are:
 - (i) when it is likely that to reveal personal information about a third party;
 - (ii) where disclosing the personal information could reveal confidential commercial information;
 - (iii) if the personal information is protected by solicitor-client privilege; and
 - (iv) if the information is collected for purposes of an investigation or the information is the result of an arbitration or other formal dispute resolution process.
- (c) If the Company denies an individual's request for access to personal information, depending on the reasons for the refusal, the Company may advise the individual of the reason for the refusal. The Company will also provide the name, title and contact information of the designated person who can address the refusal. A stakeholder or employee is entitled to request a review of the decision.
- (d) The Company shall promptly correct or complete any personal information determined to be inaccurate or incomplete by the Company. Any differences as to accuracy or completeness that cannot be resolved shall be noted in the individual's file.
- (e) Stakeholders can seek access to their personal information by contacting a designated representative at the Company. Employees can seek access to their personal information by contacting their immediate supervisor.

10. Compliance Issues

An employee or stakeholder will be able to address a challenge concerning compliance with the above principles to the designated person or persons accountable for the Company's compliance with the Privacy Policy.

- (a) The Company will maintain policies and procedures to receive, investigate, and respond to all employee and stakeholder complaints and questions relating to the Company's collection, use and disclosure of personal information.
- (b) The Company will inform its employees and stakeholders about these policies and procedures and of the availability of complaint procedures.
- (c) The Company will investigate all complaints. If the Company finds a complaint justified, the Company will take the steps necessary to resolve it. This may include the Company modifying its policies and procedures. An employee or stakeholder will be informed of the outcome of the investigation regarding any complaint.

- (d) If an employee or stakeholder is not satisfied with the way the Company handled their complaint, they can contact the provincial or federal Privacy Commissioner, as the case may be.
- (e) The Company will not dismiss, suspend, demote, harass or otherwise disadvantage an employee or stakeholder because the individual has, or may, acting in good faith, invoke the provisions of this Privacy Policy or any applicable federal or provincial privacy legislation.