

**THE HEARTH, PATIO & BARBECUE EDUCATION FOUNDATION  
NATIONAL FIREPLACE INSTITUTE  
PRIVACY POLICY**

*This Privacy Policy was last updated on and is effective as of December 3, 2018.*

The Hearth, Patio & Barbecue Education Foundation (“HPBEF”) and its affiliate, the National Fireplace Institute (“NFI”), have each adopted this Privacy Policy (“Policy”) to govern the collection, use, and storage of Personal Data (as defined below). HPBEF and NFI are sometimes referred to collectively in this Policy as the “Foundation/NFI” and as “we,” “us,” or “our”.

Because the Foundation/NFI places a high priority on protecting your privacy, we created this Policy to demonstrate the Foundation/NFI’s commitment to the privacy of our members and website users. This Policy governs all forms of Personal Data collected by the Foundation/NFI whether electronic, written or oral. By accessing our websites or providing your information to us, you accept and agree to the practices described in this Policy.

Please read this document carefully. We may change or update the Privacy Policy from time to time in accordance with the “Modifications to Our Privacy Policy” section below.

**What Types of Data We Collect**

We collect a variety of information when you visit our website and engage with our service.

Personal Data is information that identifies you as an individual or is information that can be used to identify you as an individual (collectively, “Personal Data”), and may include your name, address, email address, phone number, fax number, and credit card information.

**How We Collect Personal Data**

In general, a visitor will know when Personal Data is being collected because he or she will have to complete an online form through use of the website(s). In addition, we may collect Personal Data through your use of the website(s), completing surveys, contact through email, or participating in any discussion boards or social media.

Visitors may generally browse public portions of the Foundation/NFI websites anonymously without providing any detailed information. However, Personal Data is required in connection with registering with the site. In addition, Personal Data will be requested in connection with purchasing products or services, requesting additional information, signing up for newsletters, or submitting questions through this site.

The Foundation/NFI does not knowingly collect or use any Personal Data from users under 13 years of age.

## **How We May Use Your Personal Data**

We use your Personal Data to provide you with personalized service; to send email alerts to you, to answer your requests, to process your education purchases, and to target areas of interest user has visited throughout the website(s). We may also use Personal Data internally as part of special promotional programs, and we may disclose non-personal compilations of information to third parties for marketing-related purposes. We may also use your information to track visits to our websites. This lets us see which of our features are the most popular so we can better serve our users' needs. It also lets us provide aggregate data about our traffic (not identifying you personally, but showing how many visitors used which features, for example) to outside parties.

Other uses of your Personal Data may include the following:

### **IP addresses**

We use IP addresses to analyze trends, administer the site, track user movement, and gather broad demographic information for aggregate use.

### **Address**

We may use addresses to send promotional material regarding the Foundation/NFI.

### **Email**

We may use email to send promotional material regarding the Foundation/NFI.

### **Credit Cards**

You may be asked to enter credit card information if you have a balance for education or certification purchases.

## **Cookies**

A cookie is a piece of data stored for varying amounts of time on the user's hard drive containing information about the user. The Foundation/NFI website(s) may use cookies in order to collect certain information about you, such as IP addresses (the Internet address of a computer), domain names (e.g., whether you are logged on from a .com, .gov, or .edu domain) and the type of computer and operating system being used. We may also use cookies to identify your computer when you revisit our website or to recall your authentication information. We may collect such information in order to better operate the website so as to enhance your experience while using the website. You have the option of setting your computer to disable cookies or to alert you when cookies are being used. If you choose to disable cookies, please be aware that portions of the website may not function properly.

## **How We Share Information**

The Foundation/NFI may provide personal information to third party agents that have been hired to help provide a requested good or service. Unless directed otherwise at the time of collection,

we may also share collected personal information with third parties who may have information or services that we believe could be helpful to members or visitors. Visitors may opt-out from the sharing of collected information by contacting us.

The Foundation/NFI reserves the right to disclose without notice any information in its possession if required to do so by law, to protect or defend the Foundation/NFI's rights or property or that of its users, or to respond to an emergency.

### **External links**

This Policy only addresses Foundation/NFI's use and disclosure of your Personal Data. The websites may contain links to other websites, so please be aware that we are not responsible for the privacy practices of other websites, and we are not liable for their misuse of Personal Data. We encourage you to be aware that when you go to another website you should carefully read their privacy policy. Links to other sites do not imply the Foundation/NFI's endorsement of the products or services, or privacy or security practices of those websites.

Please keep in mind that whenever you give out personal information online that information can be collected and used by people you don't know. While we strive to protect our users' personal information and privacy, we cannot guarantee the security of any information you disclose online and you do so at your own risk. Our Policy does not extend to anything that is inherent in the operation of the Internet, and that is, therefore, beyond our control, and is not to be applied in any manner contrary to applicable law or governmental regulation.

### **How You Can Access and Change Information**

The Foundation/NFI acknowledges that you have the right to access your Personal Data. In case you request us to remove your Personal Data, we will respond within a reasonable timeframe.

Upon request, we will provide you with information about whether we hold any of your Personal Data. You can update or correct your Personal Data or remove it from our system by making a request to us at the contact information provided below. Requests typically receive a response within three to five (3-5) business days of receiving request. If the request cannot be fulfilled within that time frame, we will provide the requesting party with an estimated date by which the information will be provided. If for some reason the request is denied, we will provide an explanation of why the request cannot be fulfilled.

### **Our Security Measures to Protect Your Personal Data**

We have technical and organizational measures in place which are intended to safeguard and protect your Personal Data against unauthorized access, accidental loss, improper use, and disclosure. However, you should be aware that information transmitted over the internet is not completely secure because of the nature of the internet and that systems and measures used to secure information are not flawless. For these reasons, although we will use reasonable efforts to

protect your Personal Data, we do not warrant the security of Personal Data transmitted to us or stored by us, and Personal Data that is transmitted to us by you electronically is done at your own risk.

If you have questions about this Policy or the security of your Personal Data, please contact us as indicated under the “Contact Us” section below.

### **Disclaimers and Limitation of Liability**

While we strive to have the most up-to-date information on our websites, we make no representations or warranties of any kind as to: (a) the accuracy or completeness of the information or materials on the site and assume no responsibility for any errors or omissions in its content; (b) the availability for use of any copyrighted, trademarked or proprietary materials of third parties that may appear on this site; (c) computer viruses or other bugs that third parties may embed in or attach to this site without our knowledge or consent; (d) any software made available for downloading, copying or other use through this site; or (e) the merchantability, fitness for use, title and/or non-infringement of any or all of the contents of this site.

Neither we nor anyone involved in the creation or delivery of this site or whose materials or information appear on this site shall have any liability (whether based on contract, tort, statute or otherwise) for any costs, losses, damages (whether direct, indirect, compensatory, special, lost profits, liquidated, consequential or punitive), arising out of or in connection with the your access to, browsing of or use of this site or any of the contents of this site.

### **Modifications to our Privacy Policy**

We may amend this Policy from time to time without prior notice. If we decide to change this Policy, a revised Policy will be posted online on our websites with the date the Policy was last updated and the Policy’s effective date posted at the top of this page. Please check our websites periodically to remain informed of any changes or updates to the Policy. Your continued use of our websites will be deemed to be your agreement to the changed terms.

### **Assignment**

We may assign our rights and duties under this Privacy Policy, including, without limitation, our rights in information collected through our websites, to any third party at any time without notice to you, and such assignment rights include the ability to make an assignment in connection with: any sale, merger, acquisition, divestiture, or liquidation of all or part of our business or assets related to our website; or a sale of all or substantially all of our business or assets; or as part of any reorganization or restructuring of our business.

## **Additional Notices to California Residents**

### **California Do-Not-Track Disclosure**

At this time, our website is not set up to honor web browser do-not-track settings.

### **Information on Marketing Disclosures**

California Civil Code Section 1798.83 permits our users who are California residents to request and obtain from us once a year, free of charge, information about the Personal Data (if any) we disclosed to third parties for direct marketing purposes in the preceding calendar year. If applicable, this information would include a list of the categories of Personal Data that was shared and the names and addresses of all third parties with which we shared such information in the immediately preceding calendar year. If you are a California resident and would like to make such a request, please submit your request in writing to us as set forth under “Contact Us” below.

### **Content Removal Requests for Users Under 18 Years Old**

If you are a user under 18 years of age and reside in California, you may request and obtain removal of, content, or information that you have posted on our website. You may send us any such requests by contacting us as set forth under “Contact Us” below. We will review the request and respond promptly. You should be aware that a request to remove content or information posted by you on our website does not ensure or require complete or comprehensive removal of such content or information from our databases.

## **Additional Notices to European Union Residents and Other Data Subjects**

In addition to the information provided elsewhere in the Policy, persons who are residents of the member countries of the European Union (“EU”) or other data subjects covered by the EU’s General Data Protection Regulation, (EU) 2016/679 (the “GDPR”), have certain additional privacy rights under applicable law. The following provisions of this Privacy Policy provide an overview of these additional rights and related information.

### **Legal Bases for Processing Personal Data of European Union Citizens or Other GDPR Data Subjects**

When processing your Personal Data, we may rely on one or more of the following legal bases (or other available legal grounds), depending on the circumstances:

- Legitimate Interests – We may process your Personal Data where we have a legitimate interest in such processing for managing, operating, or promoting our business, and that legitimate interest is not overridden by your interests, fundamental rights, or freedoms.
- Consent – We may process your Personal Data where we have obtained your consent to the processing.
- Contractual Necessity – We may process your Personal Data where such processing is necessary in connection with any contract that we have with you.

- Legal Requirements – We may process your Personal Data where such processing is required by applicable law.

### Disclosures to Third Parties

Your Personal Data will not be disclosed to third parties except where it is necessary for fulfillment of our obligations to you or where we are obliged or permitted to do so by law (including, without limitation, through the terms of any agreement we may have with you), or where we make disclosures that are otherwise consistent with the uses described in this Policy.

We may also disclose any information (including Personal Data) relating to you to law enforcement authorities or any regulatory or government authority in response to any request including requests in connection with the investigation of any suspected illegal activities.

We reserve the right to transfer any Personal Data we have about you in the event we sell or transfer all or a portion of our business or assets, or merges with another organization. Should such a sale, transfer or merger occur, we will use reasonable efforts seeking to require that the transferee uses Personal Data you have provided to us in a manner that is consistent with the Policy.

We will not sell, resell, or lease your Personal Data to any third parties but we may, if required for the purpose(s) for which your Personal Data was collected and processed, share it with our partners and/or service providers to enable them to provide their services to us or to you, as applicable. The foregoing are in addition to the other uses described elsewhere in the Policy.

### Security of Personal Data of European Citizens or Other GDPR Data Subjects

We have technical and organizational measures in place which are intended to safeguard and protect your Personal Data against unauthorized access, accidental loss, improper use, and disclosure. However, you should be aware that information transmitted over the internet is not completely secure because of the nature of the internet and that systems and measures used to secure information are not flawless. For these reasons, although we will use reasonable efforts to protect your Personal Data, we do not warrant the security of Personal Data transmitted to us or stored by us, and Personal Data that is transmitted to us by you electronically is done at your own risk.

### Retention of Personal Data of European Citizens or Other GDPR Data Subjects

Our policy is to retain your Personal Data only for as long as is necessary to fulfill the purposes for which we collected such Personal Data, including for the purposes of satisfying any professional, legal, accounting, or reporting requirements to which we are subject. To determine the appropriate retention period for Personal Data, we consider the scope, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorized use or disclosure of the Personal Data, the purposes for which we collected and processed your Personal Data and whether we can achieve those purposes through other means, and any applicable legal and professional requirements.

### Your Rights as a European Resident or Other GDPR Data Subject

You have a number of rights concerning your Personal Data that we hold and use, including the following:

- **Right of Access** – You have the right to be informed about what Personal Data we hold about you and to a copy of this Personal Data.

- **Right to Rectification** – You have the right to have any inaccurate Personal Data which we hold about you updated or corrected.
- **Right to Erasure** – In certain circumstances, you may request that we delete the Personal Data that we hold about you.
- **Right to Complain** – You have the right to lodge a complaint regarding the processing of your Personal Data to an applicable governmental or supervisory authority in your country.
- **Right to Withdraw Consent** – Where processing of Personal Data is based on your consent, you have the right to withdraw such consent at any time.
- **Right to Object** – Where we rely on our legitimate interests to process your Personal Data, you have the right to object to such use and we are required to discontinue such processing unless we can demonstrate an overriding legitimate interest in such processing.
- **Right to Restriction** – You have the right to request that we stop using your Personal Data in certain circumstances including if you believe that the Personal Data we hold about you is inaccurate or that our use of your Personal Data is unlawful. If you validly exercise this right, we will store your Personal Data and will not carry out any other processing until the issue is resolved.

### **Contact Us**

For all users of our websites, if you have any questions about this Policy or our treatment of the information you provide us, please contact as at:

Contact: Hearth, Patio and barbecue Education Foundation

Address: 1901 N. Moore St. Suite 600, Arlington, VA 22209

Phone: 703-524-8030

Email: [info@hpbef.org](mailto:info@hpbef.org)