

UL Information & Insights Inc.

## **WERCSmart® | Privacy Policy, Version 78 (Revised 10/31/2015)**

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Through WERCSmart, UL Information & Insights, Inc. (for convenience referred to herein as "UL I&I") provides products and services that assist companies in communications managing regulated products and complying with governmental regulations regarding potentially hazardous materials sustainability goals, including the safe handling, storage, transportation and disposal of such products.

### **Data Collection**

~~The only data we collect through this Site is data which you provide. In all cases where you are asked for data, we indicate why such data is being requested and the use for the same. We will not use the data for any other purpose.~~ In order to use our Site, you must first complete the registration form. During registration you are required to provide contact information (such as name and email address). We may (a) use this information to ~~(a)~~ contact you about services we provide, including any questions we may have regarding your WERCSmart account or (b) share this contact information and the identification of products that have been processed through the Site with your retail partners and entities that store, transport or dispose of your product (collectively, "WERCSmart Participants") to facilitate communication surrounding an assessment, status, or the overall process. ~~In addition, if you purchase a product or service from us, we request certain personally identifiable information from you on our order form. You must provide contact information (such as name, email, and shipping address). We use this information to fill your orders. If we have trouble processing an order, we will use this information to contact you.~~ We do not collect financial information about you or your company, ~~because payments for our services are processed through Pay-Pal.com or wire transfer only.~~ As is true of most Web sites, we gather certain information automatically and store it in log files. This information includes internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and clickstream data. We use this information, which does not identify individual users, to analyze trends, to administer the ~~site~~Site, to track users' movements around the ~~site~~Site and to gather demographic information about our user base as a whole, and to provide on-going improvements to the Site. We do not link this automatically-collected data to personally identifiable information.

Notwithstanding anything to the contrary, you agree that we may share contact information, product identity and general transaction information with affiliates or third parties, in order for us to: (i) conduct surveys for input about us and our services or the improvement of our services; or (ii) provide you additional information about UL affiliate services.

### **Product Data and Full Disclosure**

To provide our services, we require detailed information about ~~the~~a product. Our ability to create an accurate and compliant ~~Chemical Assessment,~~ Chemical Assessment, and, if you elect, a Safety Data Sheet ("SDS") depends on the data you submit. Inaccurate or incomplete data could result in an

inaccurate or incomplete ~~Chemical Assessment~~ [Chemical Assessment](#) and/or SDS. Your company may be liable for the same. UL I&I will not verify data you provide. To produce [a Chemical Assessment](#) and SDS, you are required to provide the CAS Numbers for ALL ingredients contained in ~~this~~ product with the percentages of each ingredient. Please include any suspected contaminants, reaction products, and ingredients that may appear in trace amounts. (For convenience, the data you enter with respect to a product is referred to herein as the "Raw Data."~~).~~)

We recognize and respect the confidentiality of the Raw Data you provide. We are committed to ~~protect~~[protecting](#) such data in a responsible and professional manner. We use such data and information only for the purposes for which it is entrusted to us, and which we disclose to you. That is, to perform a ~~Chemical Assessment~~ [Chemical Assessment](#) and, if you chose, to author ~~an~~ SDS, which we deliver to you via this Site. The results from the Chemical Assessment will be sent only to ~~retailers participating in WERC Smart who carry your product, and entities participating in WERC Smart which store, transport or dispose of your product.~~ [WERC Smart Participants](#).

[For purposes of clarity, the following information, however, shall not be considered confidential information: information which \(i\) is or becomes known to the public through no fault of a WERC Smart Participant or UL I&I; \(ii\) was already rightfully possessed by a WERC Smart Participant before receiving our results, and not subject to an obligation of confidentiality or non-use to any third party; \(iii\) is disclosed to a WERC Smart Participant by a third party who is not under obligations of confidentiality or non-use; or \(iv\) is independently developed by a WERC Smart Participant without using our results or your confidential information.](#)

If you elect to have UL I&I create ~~a~~ SDS and select an ingredient as "Trade Secret", and the concealment of that ingredient meets the requirements of a "Trade Secret" as defined by OSHA regulations, neither the name nor the CAS number for that ingredient will appear in the SDS. The CAS number of ingredients designated as Trade Secret, ~~however~~, will be used to complete the ~~Chemical Assessment~~ [Chemical Assessment](#) and SDS. Such information will not be used or disclosed to any entity except as indicated on this ~~site~~[Site](#).

## Use of Product Data

We have automated systems that utilize the Raw Data to help our Regulatory Specialists perform the ~~Chemical Assessment~~ [Chemical Assessment](#) and if you elect, produce ~~an~~ SDS. In order to do this, our Regulatory Specialists review the data that you input into our Site. Generally, the Regulatory Specialists are our employees, each of whom is contractually obligated to maintain the confidentiality of your data. In certain limited instances, to serve you, third parties assist us. These service providers will only be given limited access to the data, and will be contractually obligated to maintain the confidentiality thereof. In addition, we may disclose data received from you if required to by a law enforcement action such as a court order, subpoena or search warrant.

The Regulatory Specialists, using our automated system, produce results that are transmitted to the ~~retailer.~~ [WERC Smart Participant](#). These results fall into three general categories (a) information to identify the product; (b) information that is used for regulatory compliance (including, but not limited to, worker safety, environmental, transportation and disposal); and (c) information relating to sustainability.

Specifically on the completion of the assessment, we transmit to or allow the ~~retailer.~~ [WERC Smart Participant](#) access to: (a) ~~a~~ [Safety Summary Sheet](#); [Safety Summary Sheet](#); (b) ~~at~~ the product's safety data sheet (~~either supplied or approved by you~~); (c) the ~~Data Feed~~ [Data Feed](#); and (c) ~~the Sustainability Graph and in some cases data that may support sustainability goals.~~ In addition, from time to time, we transmit specific information requested by ~~the retailer that the retailer~~ [WERC Smart Participant that such WERC Smart Participant](#) indicates is required for regulatory compliance or sustainability purposes. For example, ~~the retailer~~ [WERC Smart Participant](#) may request ~~us to deliver~~ information

regarding all paint products containing a certain chemical, which chemical was banned by a municipality in an effort to stop graffiti. This information ~~will enable~~[enables](#) the ~~retailer~~[WERCSmart Participant](#) to comply with such a regulation.

## Data Retention

~~Your contact information and Raw Data is retained and may be accessed only for the purposes disclosed on the Site.~~ We note that to serve our customers better and more efficiently (for example to avoid having to enter data numerous times) and for quality control purposes, we retain the Raw Data you provide. ~~We also retain the Chemical Assessment data and SDSs we produce. Such data is retained and may be accessed only for the purposes disclosed on the Site.~~We also retain the Chemical Assessment data and SDSs we produce in accordance with our business-record keeping policies and so that while your product remains in the stream of commerce, our service is available. Accordingly, it is important for you to update any contact information on file with us. Instances arise where we must update a Chemical Assessment and recertify a product. We may need to contact you. We take no responsibility for your failure to keep your contact information up-to-date.

## Changes in this Privacy Statement

This Privacy Policy is our binding commitment to you. We reserve the right [to](#) change this policy, for example to comply with changes in the law, to better protect the data you supply or more clearly describe our operations. Any such changes will be posted on the [siteSite](#), and other places we deem appropriate. Further, ~~after the changes are posted, if our services are used,~~ any such changes will apply ~~only to transactions completed by you after the changes are posted.~~[your WERCSmart account.](#)

## Privacy Policy History

~~[Privacy Policy through June 1, 2006 \(version 1\)](#)~~

~~[Privacy Policy after June 1, 2006 \(version 2\)](#)~~

~~[PDF lined version \(version 1 to version 2\)](#)~~

~~[Privacy Policy after August 31, 2006 \(version 3\)](#)~~

~~[PDF lined version \(version 2 to version 3\)](#)~~

~~[PDF lined version \(version 3 to version 4\)](#)~~

~~[PDF lined version \(version 4 to version 5\)](#)~~

~~[PDF lined version \(version 5 to version 6\)](#)~~

~~[PDF lined version \(version 6 to version 7\)](#)~~

- [Privacy Policy through June 1, 2006 \(version 1\)](#)
- [Privacy Policy after June 1, 2006 \(version 2\)](#)
- [PDF lined version \(version 1 to version 2\)](#)
- [Privacy Policy after August 31, 2006 \(version 3\)](#)
- [PDF lined version \(version 2 to version 3\)](#)
- [PDF lined version \(version 3 to version 4\)](#)
- [PDF lined version \(version 4 to version 5\)](#)
- [PDF lined version \(version 5 to version 6\)](#)

- [PDF lined version \(version 6 to version 7\)](#)
- [PDF lined version \(version 7 to version 8\)](#)

## Data Feed

The data feed consists of the results of [the Product Registration process, a Chemical Assessment](#). The standard results available to [Retailers/WERC Smart Participants](#) include:

Item Creation Switch

UPC

Supplier ID (if applicable)

EPA Pesticide Registration Number and Status (if applicable)

State Pesticide Registration Data with Expiration Dates (if applicable)

Uniform Fire Code / Fire Codes

Slotting Codes

VOC % by Weight (if applicable)

Information regarding "Right to Know" by State

Global Chemical Inventory Status Indicator by Organization

Bi-Lingual / Safety Summary Sheet PDF ([MSDS/SDS](#).PDF)

Hazardous Waste Codes, including RCRA and applicable State codes

Transportation Classifications for All Modes

CAS numbers and percentages for components where such information appears on the label or [MSDS/SDS](#) for the product and where such information is required to comply with a specific regulatory requirement (e.g. National Fire Code).

Retailer may request additional information or different results for regulatory compliance and sustainability purposes. Under no circumstances, however, will UL Information & Insights, Inc. provide ~~to the Retailer the full~~ quantitative formula (~~being i.e., the names, CAS numbers and percentages of all components of a Product, the percentage of such component, and the CAS numbers for same~~) without the prior written consent of Supplier, or unless the same appears on the label or [MSDS/SDS](#) for the Product.

## Chemical Assessment

A review of the known physical and health hazards of a chemical or product for regulatory compliance, product safety and sustainability purposes.

## Safety Summary Sheet:

This is a one page document the Retailer uses for internal hazard communication. This document contains health, safety, first-aid, and handling information present in a standardized format which may be used by Retailer Associates.