

## **CONSUMER PRIVACY NOTICE**

### **Privacy Notice**

This Privacy Notice is provided by **[PEPSICO SOUTH AFRICA]** (“PepsiCo”, “us”, “we”, or “our”) refers collectively to PepsiCo South Africa (Pty) Ltd (formerly Simba) (Registration No. 1995/003667/07), Pioneer Foods (Pty) Ltd (Registration No. 1957/000634/07), address Parc Du Cap Office Park, Building 5, 10 Willie van Schoor Avenue, Bellville.

When we say “we” this may also include other PepsiCo companies, our affiliates and our trusted partners who provide services to us. These include: our technology providers; social media partners; and advertising partners).

At PepsiCo South Africa we value the personal data you share with us, so we have designed a Privacy Notice that helps set out how we collect, use and share your personal data (as defined in terms of applicable laws) when you interact with us on our websites, mobile sites, and applications (collectively, the “Sites”). We encourage you to read this Privacy Notice before using the Sites. Your use of the Sites indicates to us that you understand how we process your personal data as set out in this Privacy Notice.

### **How we collect and store your data?**

**This Privacy Notice is issued in accordance with the Protection of Personal Information Act, 2013 (POPIA) and the Consumer Protection Act, 2008 (CPA), including the Consumer Protection Act Amendment Regulations, 2026.**

**Where we engage in direct marketing, we comply with both POPIA and the CPA, and apply the additional consumer protection safeguards introduced by the CPA, including obligations relating to opt-out mechanisms and database cleansing.**

We collect your data:

- when you interact with us and purchase our products and services.
- when you visit and/or register on our Sites and, for example, join our loyalty programs / consumer promotions;
- when you sign up for our email newsletters and other notifications;
- when you participate in promotional campaigns;
- when you fill out a survey;
- when you visit our Sites through the use of cookies and similar technology;
- We may also generate data about you by combining information that we and other PepsiCo companies have collected about you through the use of cookies and similar technology when you access our Sites.

### **The categories of data we may collect from you includes:**

- biographical data (for example, physical or postal address, email address, date of birth, age, identity number, first name, last name, and contact number, province/region, gender, language preference, number of children, household size, household income, marital status, education, occupation type);
- financial data (for example, bank details);

- data relating to your use of the Sites (for example, domain name, IP address and cookies);
- shopping data (for example, brand preference, shop/retailer preference, consumption occasion, purchase trigger, purchase frequency, purchase reasons, preferred area type, prize preference, snacking times)
- any data you independently choose to provide to us (for example, if you send us an email or call us).

### **What we use your data for?**

We use your data:

- to provide you with the right products and services;
- to develop well targeted offers and products that are of interest to you;
- to manage our relationship with you;
- to fulfil our legal, contractual and other obligations with you or our authorised partners;
- to better understand how you use our products and services;
- to view trends in our product offerings;
- provide personalised advertising to you on third party websites (this may involve us aggregating your personal data with the data of others);
- to respond to your questions and/or enable you to participate in our promotional campaigns;
- to send you marketing material to which you have consented, only where permitted by law;
- to comply with opt-out and pre-emptive block requirements under the Consumer Protection Act;
- to ensure that we do not send marketing communications to consumers who have opted out or registered a pre-emptive block on the National Consumer Commission opt-out registry.
- to learn how useful our marketing is and enable us make it better; and
- manage our business, including exercising our legal rights.

Some of your personal data is necessary so that we can supply you with our products and services you have purchased or requested, and to authenticate you so that we know it is you and not someone else. You can choose not to provide certain information, but then you might not be able to take advantage of some our products and services offered on our Sites.

### **On what basis do we use your data?**

#### **Direct Marketing, Opt-Outs and the NCC Opt-Out Registry**

**Where we engage in electronic direct marketing, we do so in compliance with the Consumer Protection Act and POPIA. This includes the following measures:**

- **We register as a direct marketer on the National Consumer Commission (NCC) opt-out registry, as required by law;**

- **We do not send direct marketing communications to any consumer who has registered a pre-emptive block on the NCC opt-out registry;**
- **We clearly identify ourselves in all direct marketing communications and provide appropriate contact details; and**
- **Consumers may opt out of direct marketing at any time, either through the mechanisms provided in our communications or by registering a pre-emptive block on the NCC opt-out registry.**

**These obligations apply in addition to POPIA requirements, and we assess and honour opt-out preferences across both regulatory regimes.**

We use your personal data on the following bases where applicable in line with data protection laws:

- for our legitimate interests. Using your personal data helps us to operate, improve and minimize any disruption to the products, goods and services that we may offer you. We also have a legitimate interest in making available information on the products, services and offerings we believe will be of interest to you;
- because the data is necessary for the performance of a contract with you or to take steps at your request to enter into a contract;
- because you have given your consent (if we expressly ask for consent to process your personal data, for a specific purpose); and
- to comply with legal and regulatory obligations.

### **Who we share your data with?**

We share your data with:

- other PepsiCo international companies. This includes current and future PepsiCo Inc. subsidiaries, franchisees, affiliates, and joint venture partners across geographical borders. For a list of PepsiCo brands, visit <https://www.pepsico.com/brands/product-information>;
- third parties who help us to provide services to you or who act for us. For example, companies who manage and operate our Sites or help run our promotional campaigns;
- third parties who you consent to us sharing your personal data with;
- local or overseas law enforcement agencies, industry bodies, regulators and/or tax authorities;
- any third party to whom we may transfer our business so it can evaluate our business and use your personal data after any transfer;
- social media advertising partners (who can check if you hold a relationship with us and send our adverts to you and advertise to people who have a similar profile to you);
- We may also share your anonymised data with other third parties. If we do this, you will not be identifiable from this data.

### **If you provide data about others?**

If you provide personal data to us about another person, please ensure you refer them to this Privacy Notice so they know how we collect, use and share their data. By sharing personal data

with us about another person, you warrant and confirm that you have obtained the necessary consent from the relevant person before sharing their data with us and/or the sharing of their data complies with applicable laws.

### **Countries to which we transfer your personal data**

The information you submit or otherwise provide to us may be transferred, stored and hosted outside the country from which you may be accessing the Sites. Where these transmissions take place, we will implement appropriate measures (such as entering into written contracts with the third party) to ensure that your personal data remains protected and secure when it is transferred outside your home country and you can exercise your rights effectively.

### **How long do we keep your data for?**

We will retain your personal data for as long as necessary to achieve the purpose for which it was collected or subsequently processed.

Your personal data may be held by us for longer periods where retention is: (a) authorised by law; (b) pursuant to a contract we have with you; (c) with your consent; and (d) required for our legitimate business activities.

We may also store your data locally or overseas, including in the cloud. We apply our data standards and policies wherever your data is stored.

In relation to direct marketing databases, we perform regular and legally required cleansing activities.

This includes monthly removal of consumers who have opted out or registered a pre-emptive block on the National Consumer Commission opt-out registry, to ensure that such consumers are no longer contacted for direct marketing purposes.

### **Your Rights**

You have the right to -

- Request a record of Your Personal Information. We may charge You a fee to provide such a record, but We will tell You how much this is beforehand. In certain circumstances, We cannot tell you what Personal Information We have about You. For example, to protect (a) the privacy of others; (b) confidential information of third parties; (c) the safety of others;
- Request correction of Your Personal Information if it is inaccurate, irrelevant, excessive, misleading or obtained unlawfully;
- Request deletion of Your Personal Information where there is no lawful basis to retain it;
- Withdraw consent previously given in respect of the processing of Your Personal Information. Withdrawal of consent may limit Our or a third party's ability to carry out certain functions in respect of Our commercial relationship.
- We will comply with Your request unless We have a reasonable explanation why We cannot comply.

- If We cannot agree whether to correct or delete the Personal Information and if You ask Us to, We will indicate on the Personal Information register that a correction was requested but was not made.
- If changes to the Personal Information impact any earlier decisions that impact You, if reasonably practicable, We will inform all persons to whom the Personal Information has been disclosed of those steps.
- We will notify You of the action taken by Us because of Your request.
- Object to or opt out of direct marketing, including by registering a pre-emptive block on the National Consumer Commission opt-out registry, as provided for under the Consumer Protection Act. Further information on the NCC opt-out registry is available via the National Consumer Commission.
- Please [click here](#) to submit all your request. We will always require that you verify you are in fact the owner of such Personal Information.

### **Children's Privacy**

It is not our intention to collect personal data of individuals who are minors as per local laws. If you are a parent or legal guardian of a child that is a minor as per the laws of your country and you think that your child has given us data, you can contact us at [ssaprivacyoffice@pepsico.com](mailto:ssaprivacyoffice@pepsico.com).

### **How to lodge a complaint with the Information Regulator**

You may lodge a complaint in respect of this Privacy Notice or any of Our Personal Information Processing activities with the Information Regulator. Complaints to the Information Regulator may be lodged via the Information Regulator's online isupport service: <https://eservices.inforegulator.org.za/>.

The Information Regulator's contact details are as follows:

Physical Address: Woodmead North Office Park, 54 Maxwell Drive, Woodmead, Johannesburg, Gauteng Province, South Africa.

Contact Details:

Postal Address: P.O. Box 31533, Braamfontein, Johannesburg, 2017

Email Address: [enquiries@inforegulator.org.za](mailto:enquiries@inforegulator.org.za), [POPIACompliance@inforegulator.org.za](mailto:POPIACompliance@inforegulator.org.za)

Toll Free Number: +27 80 001 7160

### **Updates to this Privacy Notice**

From time to time, we may change this Privacy Notice. When we do, we will notify you of any material changes as required by law. This will include posting an updated Privacy Notice on our Sites. Please check periodically for updates to ensure you understand how we collect and use your data.

## **Hyperlinks**

Our Sites may provide links to third party websites for your convenience. If you access those links, you leave our website. We do not control those websites or their privacy practices, which may differ from ours. We do not endorse or make any representations about third-party websites. This Privacy Notice does not cover the personal data you choose to give to unrelated third parties. We encourage you to review the privacy notice of any company before submitting your personal data. Some third-party companies may choose to share their personal data with us; that sharing is governed by that third-party company's privacy notice.

## **Contact Us**

If you have any questions about this Privacy Notice, you can contact us at [ssaprivacyoffice@pepsico.com](mailto:ssaprivacyoffice@pepsico.com). If you feel that we do not comply with applicable data protection and privacy rules, you may lodge a complaint with a competent data protection authority.