

## **CONDITIONS OF SALE OF FRESHLY COSMETICS, S.L.**

Hello! Welcome to Freshly Cosmetics!

The purchasing of our products through the website [www.freshlycosmetics.com](http://www.freshlycosmetics.com) (hereinafter, the “Website” or “freshlycosmetics.com”) will be governed by the following Conditions of Sale.

For any queries related to the Conditions of Sale, please contact our Customer Love Team by sending an email to [hello@freshlycosmetics.com](mailto:hello@freshlycosmetics.com)

### **1. IDENTIFICATION DETAILS**

The website, [freshlycosmetics.com](http://freshlycosmetics.com), is a domain owned by FRESHLY COSMETICS, S.L., a trading company incorporated in accordance with Spanish legislation, with address at Reus, postcode 43204, calle Nicaragua, number 34, registered in the Mercantile Registry of Tarragona under Volume 2,899, Folio 18, Sheet number T-48804, and holder of Tax Identification Code (C.I.F) B-55666143 (hereinafter, “FRESHLY COSMETICS”).

The activity of FRESHLY COSMETICS consists of the sale of cosmetic products online, through the Website, and also face-to-face at our Freshly Stores.

### **2. HOW DO I PURCHASE FROM THE WEBSITE?**

Every order placed with FRESHLY COSMETICS through our Website will be covered by these Conditions of Sale. By placing the order, the User acknowledges that they have read, understood and accepted these Conditions of Sale.

#### **MINIMUM AGE**

You must be of legal age to purchase our products through the Website.

#### **PRICES AND TAXES**

Products will be sold at the price indicated on the Website, which is the price that is charged at the time the order is confirmed by the customer.

All prices include current Value Added Tax (VAT) but exclude shipping costs that will vary depending on the value of the products purchased and the country or region to which the delivery must be made.

#### **PURCHASE PROCESS**

It's really simple! :) First of all, you need to select the product or products you want to purchase. To do this, go to the top of the website where you will find the menu with different sections. Choose the one that interests you most.

When you click on a product, you can choose the desired quantity and add the products to the basket. You can also read all the information, find all the ingredients they contain and see comments from other customers. They will no doubt be of great help!

Once you have added the products to your basket, you can keep shopping, adding more products or even changing the quantities of any products already selected. Once all your favourites are in your basket, you can click "**GO TO BASKET**" and then "**PROCEED TO CHECKOUT**". Once you have filled in your email address you must accept our Conditions of Sale and our Privacy and Data Protection Policy. We ask that you read them carefully and accept them by clicking on "*I have read and accept the Conditions of Sale, the Conditions of Use and the Privacy and Data Protection Policy*", then you must click "**CONTINUE**".

Remember! If you have a coupon, you can apply it in the blank space provided for this. Then click "**APPLY**" followed by "**CONTINUE**" to move to the next step. Remember that for promotions, coupons cannot normally be used together and only one coupon can be used at any time.

**Also remember that if you are a member of the FRESHLY CLUB, you can earn rewards on your purchases such as discounts and special gifts. Find out more in your FRESHLY CLUB area!**

Next, fill in your personal details and delivery and/or billing address and then click "**CONTINUE**". You can also leave comments for the courier, with a note about your address, delivery time, etc., or for FRESHLY COSMETICS, should you want to separate the order into two different boxes, add a brief message to include in your order, etc. In the addresses section, you will also find the order gift wrapping option.

Choose your delivery method and continue with the process! You can choose delivery to an address or a collection point. If you prefer delivery to a collection point, you must remember to select the delivery point that best suits your needs and then click "**CONTINUE**".

Then, select the payment method and click "**COMPLETE ORDER**". For the payment, you can choose to pay by **card**, **PayPal**, payment in instalments through **Aplazame**, **cash on delivery** or **Multibanco**.

If at this point you still have not used your coupon, don't worry! :) To the right of the screen you will see a summary of your order and there is a space to enter your discount coupons. Remember to click "**APPLY**" in order for the discount to be applied.

As soon as the payment process has been completed, you will receive an email confirming your order along with the invoice.

If you still have questions or cannot add or modify a product, write to us at [hello@freshlycosmetics.com](mailto:hello@freshlycosmetics.com) ! We will help you as soon as possible.

### **3. INFORMATION ON NATIONAL DELIVERIES**

#### **Delivery times for National Deliveries**

We understand that, as a customer, you want to receive your order as quickly as possible and that is why we work to deliver your order as soon as possible and within 24 to 48 working hours in Mainland Spain. Launch periods, promotions or campaigns such as Freshly Days and Black Friday are excluded and delivery times for these periods are not guaranteed. However, rest assured that it will be worth the wait!

In Mainland Spain, your Freshly products will arrive in 24 to 48 hours from the moment you receive your order confirmation email. For orders shipped to the Canary and Balearic Islands the delivery time is 48 to 72 hours.

What's more, shipping is always free! Except for the Portuguese islands, when the delivery charge is €19.90.

To track when your order has been sent, keep an eye on your email inbox. We will send you confirmation when your order has been shipped and you will also receive a text message from the delivery company, indicating the estimated delivery date. If you place the order on a working day before 1pm, you could receive it the next working day, but at the latest one day after that. On weekends or bank holidays, deliveries are handled on the next working day.

#### **How does the delivery work and what do I do if I am not home on the delivery day?**

A first delivery will be attempted at the shipping address given and if you are not in at the time of delivery the local office that covers your area will try to contact you to arrange a second delivery. If you are also not home for the second delivery, your order will stay at the local office in your area so that you can go and collect it. If for some reason they have not contacted you to arrange delivery, you can write to us at [hello@freshlycosmetics.com](mailto:hello@freshlycosmetics.com) so that we can provide you with contact information or help where necessary.

For deliveries to the Canary Islands, the customs process may require your order to be opened.

#### **Can I collect my order from a local office or collection point?**

Of course! We offer deliveries to Nacex collection points. It's very simple. Before completing your order, simply choose the 'collection point' shipping option and select the one that is most convenient for you.

But remember! These delivery points are not lockers or other points such as citybox or citypack, as in our case we work with Nacex. ;)

Even if you choose this method, you will receive the same information sent out for a home delivery and the delivery company will notify you via text message when your

order is ready for collection at the delivery point. And you will also be helping us to care for the environment. Does that sound good?

Moreover, if you live close to a Freshly Store, you can also place your order online and collect it from your local store. When your order is available at your Freshly Store, you will receive an email with a QR code so that you can collect your order and have the chance to discover our stores.

### **How can I track my delivery?**

You can track your delivery by using the link that you will find in the email confirming the shipping of your order. If you prefer, you can track it using the system you will find in the text message sent to you by the delivery company.

### **Can I receive my order in a time slot of my choosing?**

You can leave your delivery time preferences in the box for comments for the delivery company, which you will find before completing your order. Although we know that they will do their best to deliver your order within the specified time, it may be difficult for them to do this given the route of the delivery driver. If you prefer, you can also select a collection point and pick up your order whenever you wish.

### **What happens if my delivery address is incorrect?**

If you notice that any details are incorrect, if your order has not yet been prepared you can amend them through your customer area, or you can write to us at [hello@freshlycosmetics.com](mailto:hello@freshlycosmetics.com). This process may delay delivery by between 24 and 48 hours. Don't forget to thoroughly check all the fields!

## **4. INFORMATION REGARDING INTERNATIONAL DELIVERY**

COUNTRY	DELIVERY TIMES	SHIPPING COSTS
Spain	24/48h working hours in mainland  48/72h working hours on the islands	Free shipping

<p>Germany, Austria, Belgium, Bulgaria, Czech Republic, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Malta, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovenia, Slovakia, Sweden, Andorra, Monaco, United Kingdom, Norway, United Kingdom, Switzerland</p>	<p>48/72h working hours</p>	<p>Free shipping</p>
<p>France</p>	<p>48/72h working hours home delivery  48/72h working hours delivery to a collection point  24/48h working hours home delivery express  24/48h working hours delivery to a collection point express</p>	<p>Free shipping 48/72h  4,99€ delivery to a collection point express  5,99€ home delivery express</p>

Italy and Belgium	<p>48/72h working hours home delivery</p> <p>24/48h working hours delivery to a collection point</p> <p>24/48h working hours home delivery express</p>	<p>Free shipping en 48/72h</p> <p>4,99€ delivery to a collection point</p> <p>5,99€ home delivery express</p>
Portugal	<p>24/48 working hours in mainland</p> <p>72 working hours on the islands</p>	<p>Free shipping on mainland</p> <p>20€ on Portuguese Islands, free from 50€ and over</p>
United States	48/72h working hours	<p>4,99\$ - For orders under 90\$.</p> <p>Free shipping on orders over \$90</p>
Canada	48/72 working hours	<p>9,99CAD - For orders under 125CAD</p> <p>Free shipping from 125CAD</p>

Brazil	72/96h working hours	49BRL - For orders below 350BRL  Free shipping from 350BRL
Mexico	72/96h working hours	199 Mexican pesos - For orders below 1500 pesos.  Free shipping from 1500 Mexican pesos.

*\*Delays may occur due to customs inspection.*

### **Can I receive my order at a collection point?**

Of course! It's very simple. Before completing your order, simply choose the 'DHL point' shipping option and select the one that is most convenient for you.

Even if you choose this method, you will receive the same information sent out for a home delivery and the delivery company will notify you via text message when your order is ready for collection at the delivery point. What's more, you will also be helping us to care for the environment.

### **5. BANK HOLIDAYS**

Non-working days at our logistics centre in 2022. Orders are not prepared on these days, so they will be delayed until the next working day. We apologise for any inconvenience caused:

January: 1st and 6th

April: 15th and 18th

May: 1st

June: 6th and 24th

August: 15th

September: 11th

October: 12th

November: 1st

December: 6th, 8th, 25th and 26th

## 6. INFORMATION REGARDING PAYMENT METHODS

Payment is made in the final step of the purchase process.

### Payment options

You can pay for your order with a credit or debit card, Aplazame, through a PayPal account, cash on delivery or Multibanco.

- **Bank Card:** if you select card payment, you can enter all of your card details in the Adyen or Checkout secure payment section. Payment of your order can be made with Visa, Visa Electron, MasterCard or American Express.
- **PayPal:** to purchase with PayPal, select this payment method and click on COMPLETE ORDER. You will then be redirected to the PayPal page to make the payment.
- **Aplazame:** the Aplazame service will only be valid for deliveries to Spain. A window will open in which you will have to enter your Spanish ID Number (DNI). Bear in mind that this method is only available for credit cards. This will allow you to split your payment into up to three interest-free instalments for purchases of at least fifty euros.
- **Multibanco:** only available in Portugal.
- **Cash on Delivery:** orders made for cash on delivery must be paid for in cash upon delivery of the order. This service is available in Spain, Italy and Portugal.

If for any reason you cannot complete the order or there is an error, please call us or write to us at [hello@freshlycosmetics.com](mailto:hello@freshlycosmetics.com), we are always here to help you.

When you have completed the corresponding steps for any of the payment options, you will be directed back to the FRESHLY COSMETICS Website where you will see an order completed message. You will also receive an order confirmation email.

### Privacy and security/Payment methods

PayPal, Adyen, Checkout and Aplazame are the most reliable, secure and fastest way to make payments online. Effectively, since PayPal, Adyen, Checkout and

Aplazame charge our customers directly, FRESHLY COSMETICS will not have access to your bank details.

For more information, you can visit [www.paypal.com](http://www.paypal.com), [www.aplazame.com](http://www.aplazame.com), [www.checkout.com](http://www.checkout.com), [aplazame.com](http://aplazame.com), the payment platform section of [www.adyen.com](http://www.adyen.com), or you can contact us at [hello@freshlycosmetics.com](mailto:hello@freshlycosmetics.com)

- Payment with Aplazame: the user accepts that all their personal data will be fully transferred to Aplazame from the moment they start arranging to use the deferred payment service offered by the latter at the time of choosing that payment method. This acceptance extends to third parties that need to access the files for the successful completion of the contract.

We have purchased the SSL Certificate, which protects the privacy of the consumer.

We reserve the right to use commercial data anonymously to study purchasing habits and uses.

## 6. FIND OUT ABOUT OUR RETURNS - RIGHT OF WITHDRAWAL POLICY

Last update: 19/05/2022

**Have you changed your mind about your order? Don't worry, returning it is very easy!**

If you have changed your mind about your order or made a mistake when placing it, don't worry! We will take care of everything!

**If you have not used your products, the products to be returned must be in the same condition in which they were received; unopened and with the original packaging and box and within 60 calendar days from the day of receipt. Remember! If it is a pack, it cannot be split, so you will need to return the entire pack.**

\*For orders made between 1 November and 31 December 2022, the returns period is extended to 4 March 2023.

Returns are always free, with the exception of the Canary Islands and United Kingdom because of the customs issue. Once we receive the returned products, we will check that everything is correct and then contact you to confirm that the refund or exchange for another product is being processed.

So that we can process this, please write to us at [hello@freshlycosmetics.com](mailto:hello@freshlycosmetics.com) or fill out the [form](#)! Send us the order details and we will tell you how to do it.

Should you have a Freshly Store nearby, you can return the products to the Freshly Store itself. If you made the purchase in a store, you will need the receipt, and if it is

an online order, you will need to provide the order reference. Remember, packs are considered as single products so you cannot return only a part of them.

### **What happens if the product is not what I expected?**

Write to us so that we can exchange it for another product that suits you better or process the return. In the event of a product exchange, it must have the same RRP or lower. If it is lower, we will refund the difference. All of this with no shipping costs for you!

Should you have a Freshly Store nearby, you can return or exchange the products at the Freshly Store itself by bringing the receipt or order confirmation email.

We will not provide a refund in the following cases:

- Products damaged due to misuse or negligence.
- Products not purchased from the Website.

### **Guarantee in the event of a defect or a product not matching the purchase reference**

If this occurs, we will take care of the entire process very simply and at no cost to you. Send an email to [hello@freshlycosmetics.com](mailto:hello@freshlycosmetics.com) with the details of the order and a photograph of what you have received so that we can resolve it quickly.

Once we receive the returned products, we will review them in our quality control.

- If quality control confirms the non-conformity or defects in the returned product, we will contact you to confirm that the refund is being processed. In these cases, we will reimburse you within a maximum period of 14 calendar days for all expenses incurred, including the amount you paid for the product(s) being returned and, if applicable, the initial delivery costs and the shipping costs generated by the return. The refund will be made using the same payment method you chose when placing the order.
- If quality control does not detect any non-conformity or material manufacturing defect, we will reimburse you for the price of the product plus the initial delivery costs. In this case, the customer must pay for any shipping costs that may be incurred due to the return.

## **7. ORDER FAILURES OR CANCELLATIONS**

FRESHLY COSMETICS guarantees the quality of the products purchased through its website. FRESHLY COSMETICS will make every reasonable effort to fulfil its obligations. However, FRESHLY COSMETICS cannot be held responsible for delayed or failed deliveries caused by circumstances beyond its reasonable control.

These circumstances include strikes, war, natural catastrophes or any other situation that may prevent the production, transportation or delivery of the products.

## **8. FORCE MAJEURE**

### **I have just made a purchase but I want to cancel it. What can I do?**

If you want to cancel your order, please notify us as soon as possible through our chat, phone or email: [hello@freshlycosmetics.com](mailto:hello@freshlycosmetics.com)

If the order has not yet been processed, we can cancel it and refund the entire amount of the purchase. However, if the order is already being processed or has been shipped and is in the hands of the delivery company, you must follow the returns process.

## **8. INFORMATION REGARDING THE PROCESSING OF PERSONAL DATA**

If you want to find out how we process the personal data we collect through the Website, please see our [\*\*Privacy and Data Protection Policy\*\*](#).

## **9. AMENDMENTS**

FRESHLY COSMETICS reserves the right to amend these Conditions of Sale through publication of an updated version of them on this website.

## **10. APPLICABLE LAW AND DISPUTE RESOLUTION**

These Conditions of Sale will be interpreted in accordance with the rules of Spanish law. However, the law of the country in which you reside may contain more favourable rules, of which you may avail yourself.

For the resolution of disputes that may arise from the interpretation, validity and execution of these Conditions of Sale, if you are a resident or citizen of the European Union, you can use the European Commission's Online Dispute Resolution Platform.

, through the following link:  
<https://ec.europa.eu/consumers/odr/main/index.cfm?event=main.home2.show&lng=ES>.

Alternatively, you can also use the Courts and Tribunals of Justice with authority in accordance with the provisions of the applicable legislation.

