

FINGER-SCAN AND BIOMETRIC DATA INFORMATION POLICY

Akorn Operating Company LLC (“the Company”) has partnered with a third-party vendor or vendors to provide technology to collect and/or store data for the purpose of securing access to the Company’s controlled substance vault located in Gurnee, IL. Employees will be required to use system described in this Policy as a condition of employment, after having reviewed this Policy and having signed a written consent form (Attachment A).

To “log” into the system described in this Policy, a designated employee (with access rights to add and inactivate employee fingerprints) will use their user id and unique password. A finger of the employee being added to the system will be placed on the scanner, scanned, and the time clock technology will collect and store a mathematical representation of particular data about portions of the fingerprint. This data, in conjunction with an assigned identification number, is used for the purpose of logging personnel who accessed the vault.

The Company has carefully selected vendors/software providers, including the business partners who provide the Company’s technology, who share the Company’s commitment to protecting confidential and sensitive information. Finger-scan and any biometric data from the system may be shared with those vendors/software providers/business partners, but any data obtained through the time clock technology will otherwise not be disclosed or disseminated other than as outlined in this Policy without the associate’s consent unless required by any local, state, or federal law, municipal ordinance, valid warrant, or valid subpoena. Furthermore, the Company and the vendors/software providers/business partners will not sell, lease, trade, or otherwise profit from an associate’s data or biometric data.

All finger-scan or biometric data from the time clock system will be protected from disclosure using a reasonable and appropriate standard of care recognized within the industry and to the same degree as the Company’s confidential and sensitive information.

Any employee data collected and that is described in this Policy will be retained until, at the latest: (1) 90 days following the termination of active employment with the Company or upon any 1-year period of inactive employment status; or (2) 90 days after the employee moves to a role within the Company for which the finger-scan time clock technology is not used. At that time, the Company will take steps through its system and/or through its vendor(s)/software provider(s)/business partner(s) to permanently destroy such data.

This policy is intended to comply with all federal, state, and local laws. If you have questions about this Policy, including how the technology works contact privacyak@akorn.com. A copy of this Policy will be made publicly available at the Gurnee reception desk 5605 Centerpoint Court, Suite A and B Gurnee IL, 60031 and posted on the company web site.