

Privacy Policy

Effective Date: July 3, 2026

Developer: Denys Mylymko

This Privacy Policy describes how Apexly: AI Calorie Tracker (“we,” “our,” or “us”) collects, uses, and protects the personal information of users (“you”) who access our mobile application and related services (the “App”). By using the App, you agree to the terms of this Privacy Policy.

If you do not agree with this Privacy Policy, please stop using the App immediately.

1. Information We Collect

1.1 Information You Provide

When using Apexly, you may provide the following information:

- Personal profile data: age, gender, height, weight, activity level, and fitness goals (e.g. weight loss, muscle gain, maintenance).
- Food and nutrition data: meals logged, portion sizes, calorie targets, and dietary preferences or restrictions.
- Photos of food: images you take or upload for AI-powered food recognition and calorie estimation. These images are processed by our third-party AI provider (see Section 1.4) to identify food items and calculate nutritional values.
- Voice recordings: short audio clips you record to describe meals by voice. Recordings are converted to text by our third-party AI provider (see Section 1.4) and are not retained after transcription.
- Account information: email address if you register an account or sign in via Apple ID or Google.
- Feedback and support messages you send to us.

1.2 Automatically Collected Information

When you use the App, we automatically collect:

- Device information: device model, operating system version, and unique device identifiers.
- Usage data: features used, session duration, screens viewed, and interaction timestamps.
- Diagnostic data: crash logs, error reports, and performance metrics to ensure App stability.
- IP address and approximate location (country/region level only — we do not collect precise GPS location).

1.3 Camera and Photo Library Access

Apexly requests access to your device's camera and photo library solely to allow you to photograph food for AI analysis. We do not store food photos on our servers beyond what is necessary to process your request. Photos are transmitted securely, analyzed by our third-party AI provider (see Section 1.4), and are not used for any other purpose such as advertising or profiling.

You can revoke camera and photo library permissions at any time via your device's Settings → Privacy & Security → Camera / Photos.

1.4 AI Data Processing (OpenAI)

Apexly's AI features — food recognition from text, photos, and voice, and the AI Coach — are powered by OpenAI, L.L.C. (United States), acting as our data processor. When you use these features, the following data is transmitted securely (TLS/HTTPS) to OpenAI for processing: meal descriptions and chat messages you type; food photos you submit for analysis; voice recordings, in order to convert them to text; and your daily nutrition targets and logged meals, when you request AI Coach advice.

This data is used solely to provide the analysis you requested and is never used for advertising or profiling. Under OpenAI's API data usage policies, data submitted via the API is not used to train OpenAI's models and is retained only for a limited period for abuse and misuse monitoring before being deleted. OpenAI provides a level of data protection equal to or greater than the protections described in this Privacy Policy.

The App asks for your explicit consent before any of your data is shared with OpenAI for the first time. No data is sent without your agreement. You can withdraw your consent at any time in the App (Settings → AI data analysis); once withdrawn, AI features stop transmitting data until you opt in again.

2. How We Use Your Information

We use the information we collect to:

- Provide core App features: AI-powered food recognition, calorie counting, macronutrient breakdown, and personalized daily targets.
- Improve recognition quality: we may use aggregated, anonymized statistics (e.g., most frequently logged foods) to improve the App's food database and recognition quality. Your personal data is never used to train third-party AI models.
- Personalize your experience: suggest daily calorie goals, track progress toward your fitness objectives, and provide micronutrient insights.
- Improve App performance: analyze usage patterns, fix bugs, and develop new features.
- Respond to your support requests and feedback.
- Send important App updates (with your consent, we may also send tips or promotional messages; you can opt out at any time).
- Comply with applicable laws and legal obligations.
- Detect, investigate, and prevent fraud or misuse of the App.

3. Sharing Your Information

We do not sell your personal information. We may share data only in the following limited cases:

3.1 Service Providers

We work with trusted third-party providers for cloud hosting, analytics, AI processing, and customer support. These providers are contractually required to protect your data and use it solely to perform services on our behalf. For AI processing we use OpenAI, L.L.C., as described in Section 1.4; AI data is shared with OpenAI only after you have given your explicit in-app consent.

3.2 Legal Obligations

We may disclose your information if required by applicable law, regulation, or legal process (such as a court order or subpoena), or to protect the rights, safety, or property of our users or others.

3.3 Business Transfers

In the event of a merger, acquisition, or sale of assets, your information may be transferred to a successor entity. We will notify you of any such change via in-app notification or email.

4. Data Retention

We retain your data for as long as necessary to provide the App's services or comply with legal obligations:

- Account and profile data: retained until you delete your account.
- Food logs and calorie history: retained for up to 24 months or until account deletion.
- Uploaded food photos: processed by our AI system and not stored longer than necessary.
- Diagnostic and usage data: retained for up to 12 months.

You may request deletion of your data at any time by contacting us at apexly.support@gmail.com.

5. Your Privacy Rights

5.1 GDPR Rights (EEA Users)

If you are located in the European Economic Area, you have the right to:

- Access the personal data we hold about you.
- Request correction of inaccurate or incomplete data.
- Request erasure of your data ("right to be forgotten").
- Restrict or object to our processing of your data.

- Request data portability to another service provider.
- Withdraw consent at any time, where processing is based on consent.

5.2 California Privacy Rights (CCPA)

California residents have the right to know what personal information we collect and share, request deletion of their data, and opt out of the sale of personal information. We do not sell personal information.

To exercise any of your rights, please contact us at [**apexly.support@gmail.com**](mailto:apexly.support@gmail.com).

6. Data Security

We implement industry-standard security measures to protect your data, including:

- Encryption of data in transit using TLS/HTTPS protocols.
- Restricted access controls: only authorized personnel can access stored data.
- Regular security assessments and vulnerability monitoring.

While we take reasonable steps to protect your information, no method of transmission over the internet or electronic storage is 100% secure. We encourage you to use a strong password and keep your account credentials confidential.

7. Children's Privacy

Apexly is not intended for use by individuals under the age of 16. We do not knowingly collect personal information from children. If you believe a child has provided us with personal data, please contact us at [**apexly.support@gmail.com**](mailto:apexly.support@gmail.com) and we will promptly delete such information.

8. International Data Transfers

Your information may be processed and stored in countries other than your own. Where we transfer data internationally, we implement appropriate safeguards (such as Standard Contractual Clauses for EEA transfers) to ensure your data receives a level of protection consistent with applicable laws.

9. Cookies and Tracking Technologies

Our App may use analytics SDKs and similar tracking technologies to understand how users interact with the App and improve performance. These tools may collect anonymized identifiers and usage patterns.

You can limit certain tracking through your device's privacy settings (e.g., limiting ad tracking on iOS via Settings → Privacy & Security → Tracking).

10. Changes to This Privacy Policy

We may update this Privacy Policy from time to time. When we make material changes, we will notify you via in-app notification or email prior to the change.

becoming effective. The updated policy will be available within the App and will display the revised effective date. Your continued use of the App after the effective date constitutes your acceptance of the updated policy.

11. Contact Us

If you have any questions, concerns, or requests regarding this Privacy Policy, please contact us:

Developer: Denys Mylymko

App: Apexly: AI Calorie Tracker

Email: apexly.support@gmail.com