

# Privacy Policy in accordance with the EU General Data Protection Regulation (GDPR)

As of March 2022



This Privacy Policy will provide detailed information on when and why we collect your personal information and how we use it. Furthermore, we inform you about your rights under data protection law.

Please pass on this information to the current and future authorized persons.

## 1. Who is responsible for data processing and who is your contact person for questions?

Who is responsible for data processing:  
ARYZTA Bakeries Deutschland GmbH  
Industriestr. 4  
06295 Lutherstadt Eisleben  
GERMANY  
telephone: +49 34 75 729 0  
fax: +49 34 75 729 222

You can contact our Group Privacy Officer as follows:

Anne-Sophie Orth  
Hiestand Beteiligungsholding AG (CH) & Co KG  
c/o Aryzta Bakeries Deutschland GmbH  
Theodor-Heuss-Platz 7  
14052 Berlin  
Germany  
Tel.: +49 30 548022028  
E-Mail: [datenschutz@ARYZTA.com](mailto:datenschutz@ARYZTA.com)

## 2. What personal data do we use and where do we get it from?

We process personal data that we have received from you / your employees as an interested party, customer or contractual partner. In addition, we may process personal data that we have legitimately been permitted to receive and process from publicly available sources (such as trade and association registers, press, media, Internet).

Relevant personal data may be:

Name, address and other contact details (telephone, fax, e-mail address), tax ID, bank details.

Upon conclusion of the contract and use of our services / offers / products, in addition to the aforementioned data, further personal data may be collected, processed and stored. In this case you will be informed separately.

## 3. For what purpose do we process your data and on what legal basis?

We process the above-identified personal data in accordance with the provisions of GDPR and the German Federal Data Protection Act (BDSG):

### a) For the fulfilment of contractual obligations (Article 6 (1) (b) GDPR)

We do process personal data if it is necessary for the performance of a contract to which you / your company is party or in order to take steps at the request of the data subject prior to entering into a contract. The details of the purpose of the data processing can be found in the respective contract documents and the terms and conditions.

### a.) Due to legal requirements (Article 6 (1) e GDPR)

As far as legal regulations require the processing, we process your data in accordance with these legal requirements. Legal regulations may be e.g. social insurance, commercial or tax regulations.

### b.) for the purposes of the legitimate interests (Article 6 (1) f GDPR)

If necessary, we process your data beyond the actual fulfilment of the contract for the purposes of the legitimate interests pursued by us or third parties, e.g.

- enforcement of legal claims and the defense of legal disputes
- to ensure the IT security and IT operation of our company
- to prevent crime
- video surveillance to safeguard our house right, to collect evidence in case of damage and unauthorized access
- measures for protection of our buildings and plants as well as food defense (e.g. access control)
- measures to secure our house right

### c.) On the basis of your consent (Article 6 (1) a GDPR)

As you have given us consent to the processing of your personal data for specific purposes (for example, disclosure of data within the ARYZTA group), the legality of this processing is based on your consent. A given consent can be revoked at any time. This also applies to the revocation of declarations of consent that were granted prior to the validity of the GDPR, ie before May 25<sup>th</sup> 2018. Please note that the revocation only works for the future and processing until then is not affected.

## 4. Who receives your data?

Within our company, the departments / employees have access to your data, which need this data to fulfil our contractual and legal obligations. Our service providers and vicarious agents may also receive data for this purpose if they comply with our written data protection directives and act in compliance with data protection laws. We will only disclose information about you if we are required by law, if you have consented to it and / or if commissioned data processors guarantee compliance with our instructions and the requirements of the GDPR and actual national data protection law (BDSG).

## 5. Do we transfer your personal data to a third country or to an international organization?

A transfer to third parties outside the EU or the EEA (so-called third countries) will only take place, as far as necessary for the implementation of the existing contracts with you or required by law (e.g. due to tax reporting obligations), you have given us the consent or in a data processing. Insofar as we use service providers in the third country, they will be required to comply with the level of data protection in Europe in addition to written instructions by agreeing on EU standard contractual clauses.

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## 6. How long will your data be stored?

We process and store your personal data or that of your employees only as long as this is necessary for the fulfilment of (pre-) contractual or legal obligations. If the data is no longer required, this data will be deleted unless its - temporary - processing is required for the following purposes:

- fulfillment of statutory, commercial and tax retention periods. The specified periods for storage or documentation are two to ten years
- securing evidence under the statute of limitations. According to §§195 ff. of the German Civil Code (BGB), these limitation periods can be up to 30 years, whereby the regular limitation period is three years.

## 7. What privacy rights do you have?

Each data subject has the right of access (information) (Article 15 GDPR), the right to rectification (Article 16 GDPR), the right to erasure (Article 17 GDPR), the right to restriction of processing (Article 18 GDPR), the right to object (Article 21 GDPR) and the right to data portability (Article 20 GDPR).

With regard to the right of access (information) and the right to erase, the restrictions under §§ 34 and 35 BDSG apply. In addition, there each data subject has the right to lodge a complaint with a supervisory authority (Article 77 GDPR in conjunction with § 19 BDSG).

You may revoke your consent to the processing of personal data at any time. This also applies to the revocation of declarations of consent that were granted prior to the validity of the GDPR, i.e. before May 25th 2018. Please note that the revocation only works for the future and processing until then is not affected.

## 8. Is there a duty for you to provide data to us?

As part of our business relationship, you must provide us with the personal information necessary for the performance of the contract and the related contractual or legal obligations. Without this data, we can reject the conclusion of a contract or the execution of the contract or terminate / cancel an existing contractual relationship.

### Information about your right to object according to Article 21 GDPR

#### Case-specific right to object

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you, which is based on point (e) or (f) of Article 6 (1) GDPR, including profiling based on those provisions.

#### Consequences of objection

If you object, we will no longer process your personal data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing serves the establishment, exercise or defence of legal claims.

#### In what form and to whom is the objection to be addressed?

Your objection is not subject to any formal requirement and can be addressed to the contacts named in point 1.