

**Contractual relationship privacy policy  
(Information on data protection regarding our data processing in  
the context of the contractual relationship in accordance with  
Articles 13, 14 and 21 of the General Data Protection Regulation  
(GDPR))**

**(Effective 25 May 2018)**

We take data protection seriously and would like to inform you here of how we process your data, and about the claims and rights you are entitled to under the data protection regulations.

**1. Responsible party for data processing and contact data**

Company address:

CSM Nordic A/S  
Marsvej 26  
DK-6000 Kolding  
DENMARK

Contact person:

Lene Johansson

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**2. Purposes and legal basis on which we process your data**

We process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR) and other applicable data protection regulations. Details below:

**2.1 Purposes for the performance of a contract or precontractual measures  
(GDPR Art. 6(1) point (b))**

The processing of your personal data [name, address (post code, city, street no.), possibly telephone number/mobile phone number, e-mail address, billing address, bank details, legal form, title, date of birth], which you give us in the context of the contract and which is needed for the conclusion of the contract and for the provision of our products, is carried out for the establishment, implementation and possibly termination of our contracts with you and the execution of your orders. We process data that we receive in the course of a complaint in order to examine and process the incident. However, we also use our customers' data to recover our claims.

**2.2 Purposes in the context of a legitimate interest of our own or of third parties  
(GDPR Art. 6(1) point (f))**

In addition to the actual fulfilment of the (pre-)contract, we process your data if necessary in order to protect our legitimate interests or those of third parties, unless your interests or fundamental rights and freedoms conflict with this. Legitimate interests may include our economic interests, our legal interests, our interests in maintaining and assuring compliance, and also IT security. Legitimate interests exist, for example, in the following cases:

- Obtaining information for a credit standing inquiry with credit bureaus
- Providing e-learning for ensuring compliance and for information about our products
- Quality control, testing and optimisation of need analysis and communication procedures with you
- Analysis of key business figures to perform internal sales analysis, calculation and analysis of cost structures or payments
- Management and control by affiliated companies (e.g. parent company) or the respective supervisory bodies or control bodies (e.g. auditing), as well as risk management within the Group
- Measures for business management and further development of services and products
- Collection of claims by collection agencies;
- Asserting legal claims and defence in legal disputes by lawyers
- Ensuring EDP/IT security
- Video surveillance to safeguard domiciliary rights, to collect evidence of criminal acts
- Measures for building and system security (e.g. access control) and to ensure domiciliary rights
- Prevention and investigation of criminal offences
- Verifiability of orders, inquiries, etc. and other agreements, as well as quality control and for training purposes by recording telephone calls
- Goodwill procedures.

### **2.3 Use of data for advertising purposes, such as newsletters, surveys, etc. and your right to object (GDPR Art. 6(1) point (f))**

With your consent, we use your data for advertising purposes, such as the sending of our newsletter, for advertising surveys or invitations to events which may interest you, or we use your data for market research purposes. We collect compulsory information such as your e-mail address, but also information that you voluntarily give us. We use the voluntary information to permanently improve our customer relationship and to design it for you in a customer-friendly manner, to be able to approach you individually in the future, to analyse your preferences and to inform you about the products that are of interest to you. You can unsubscribe at any time by clicking on the link provided in the newsletter and unsubscribing.

We process your data for the sending of newsletters, surveys, etc. and the personalisation of what we say to you on the following legal basis:

- If you have given us your consent, in accordance with GDPR Art. 6(1) point (a);

- If you have provided us with your e-mail address in connection with the purchase of goods or services or if we send you personalised advertising, in order to safeguard our legitimate interests in accordance with GDPR Art. 6(1) point (b); our legitimate interest is based on our economic interests in the implementation of advertising measures and target group advertising.

#### **Data usage for e-mail advertising and your right to object**

If we receive your e-mail address in connection with the conclusion of the contract and the provision of our products and you have not objected to this, we reserve the right to send you regular offers of similar products from our range by e-mail. You can object to this use of your e-mail address at any time by sending a message to the contact option described below or via a dedicated link in the newsletter e-mail, without incurring costs other than the transmission costs according to the basic tariffs.

#### **2.4 Purposes for compliance with legal obligations (GDPR Art. 6(1) point (c))**

Like everyone involved in business, we too are subject to a variety of legal obligations. These are primarily legal requirements (such as, but not limited to, commercial and tax laws), but also, if applicable, supervisory or other regulatory requirements. The purposes of processing may include identity and age checks, prevention of fraud and money laundering, prevention, combating and investigation of terrorist financing and criminal acts which endanger assets, compliance with fiscal control and reporting obligations, and the archiving of data for privacy and data security purposes and audit by tax and other authorities. In addition, the disclosure of personal data in the context of administrative/judicial action may be required for purposes of gathering evidence, criminal prosecution or enforcing civil claims.

#### **2.5 Purpose of the credit standing check and data transmission to credit reference agencies**

We also use the data provided by you (name, address, date of birth and possibly gender) for the application, execution and termination of the business relationship for inquiries and credit reports based on mathematical and statistical procedures at credit reference agencies in order to check your creditworthiness before the conclusion of a contractual relationship, and may transmit data on non-compliant behaviour or fraudulent behaviour during the contractual relationship to a credit reference agency. The exchange of data with a credit reference agency also serves the purpose of verifying your identity. We can use the compliance rates provided by the credit reference agency to determine if a person is stored in their database at the address provided by the customer. Insofar as we obtain a query from a credit reference agency, the legal basis is GDPR Art. 6(1) point (b), or insofar as we pass on information about non-contractual behaviour to a credit reference agency, the legal basis is GDPR Art. 6(1) point (f), IV, to the extent that this is necessary for the protection of legitimate interests of our own or of third parties, and does not outweigh your interests or fundamental rights and fundamental freedoms that require the protection of personal data. The legitimate interest is that the credit reference agency informs third parties about negative payment experiences and

thereby protects them from suffering disadvantages themselves.

**3. The data categories processed by us, insofar as we do not receive data directly from you, and their origin.**

We receive the personal data that we process mainly from you in the context of our business relationship.

To the extent necessary for the provision of our services in the context of our business relationship or for the above purposes, we will process personal data obtained permissibly from other companies or from other third parties (e.g. credit bureaus, address publishers). In addition, we process personal data which we have legitimately gained, obtained or acquired from publicly available sources (such as telephone directories, trade and association registers, civil registers, debtor directories, land registers, press, internet and other media) and are allowed to process.

**4. Recipients or categories of recipients of your data**

Initially, only our employees will be aware of your personal data. A transfer of your data to third parties is always carried out only to the extent permitted or required by law or insofar as you have consented. We also share your data as necessary with the service providers we use to provide our services. We limit the disclosure of data to what is necessary to provide our services to you. Sometimes our service providers receive your data as processors and are then strictly bound by our instructions when handling your data. In part, the recipients act independently with your data which we transmit to them.

Here are the categories of recipients of your data:

- Affiliated companies within the group, to the extent that they work for us as processors and, for example, provide IT services, or as far as this is necessary for the provision of our services
- Payment service providers and banks, in order to collect outstanding payments from accounts or to pay reimbursement amounts
- Call centres and complaints processors, in order to respond to your requests and complaints
- Agencies, print shops and letter shops that support us in the implementation of promotional activities, competitions, promotions, etc.
- Providers of training, in order to provide eLearning programmes
- IT service providers who, among other things, store data, assist with the administration and maintenance of systems, as well as file archivers and shredders
- Logistics service providers, in order to deliver goods, etc.
- Credit bureaus, when calling up a credit report
- Collection agencies and legal advisers, in asserting our claims
- Public authorities and institutions, insofar as we are legally obliged to do so

In addition, we may share your personal data with our global business Group, such

as affiliates, who may need this data to fulfil our contractual and legal obligations or on the basis of our own legitimate interests. These may be economic, administrative or other internal business purposes; this applies only insofar as your interests or fundamental rights and fundamental freedoms that require the protection of personal data do not prevail. In addition, we do not pass on your data on to third parties.

#### **5. Third country transfer**

A transfer of data to countries outside the EU or the EEA (so-called third countries) only takes place as far as this is required or prescribed by law in the context of the processing of our contractual relationships (e.g. tax reporting obligations), as far as you have given us consent, or as part of processing. If service providers are deployed in the third country, they are required to comply with the level of data protection in Europe by agreeing on EU standard contractual clauses, in addition to written instructions. Alternatively, we provide the data on the basis of Binding Corporate Rules, or insofar as the data transfer is based on the Commission Implementing Decision (EU) 2016/1250 of 12 July 2016 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequacy of the protection provided by the EU-US Privacy Shield. Further information can be obtained from our aforementioned contact person. In addition, we do not transfer your personal data to countries outside the EU or the EEA or to international organisations.

#### **6. Duration of storage of your data**

We process your data for the duration of our business relationship. This also includes the initiation of a contract (pre-contractual legal relationship) and the execution of a contract. In addition, we are subject to various storage and documentation obligations that are derived from applicable legislation. Furthermore, specific legal regulations may require a longer retention period, such as the preservation of evidence under the statutory limitation provisions.

If the data is no longer required for the fulfilment of contractual or legal obligations and rights, these are regularly deleted, unless their - limited - further processing is required in individual cases to fulfil the purposes listed in Section 2. In such cases, we may also store and, if necessary, use your data after the termination of our business relationship or our pre-contractual relationship for a period consistent with the purposes.

#### **7. Your data protection rights**

**Under certain conditions, you can assert your data protection rights with us**

- **Right of access:** You are entitled at any time, under GDPR Art. 15, to require us to confirm whether we process personal data concerning you; if this is the case, you are also entitled under GDPR Art. 15 to receive information about such personal data as well as certain other information (including processing purposes, categories of personal data, categories of recipients, planned retention period, their rights, the source of the data, the use of automated decision-making and, in

the case of third country transfers, the appropriate guarantees) and to receive a copy of your data.

- **Right to rectification:** You are entitled, according to GDPR Art.16, to request that we rectify the personal data stored about you, if it is inaccurate or incorrect.
- **Right to erasure:** You are entitled, under the conditions of GDPR Art. 17, to request that we delete your personal data without delay. The right to erasure does not apply if the processing of personal data is required for (i) the exercise of the right to freedom of expression and information, (ii) the fulfilment of a legal obligation to which we are subject (e.g. statutory retention obligations) or (iii) to assert, exercise or defend legal claims.
- **Right to restriction of processing:** You are entitled, under the conditions of GDPR Art. 18, to require us to restrict the processing of your personal data.
- **Right to data portability:** You are entitled, under the conditions of GDPR Art. 20, to require that we provide you with the personal data relating to you, that you have made available to us, in a structured, commonly used and machine-readable format.
- **Right to object:** You are entitled, under the conditions of GDPR Art. 21, to object to the processing of your personal data, so that we must cease the processing of your personal data. The right to object exists only within the limits provided for in GDPR Art. 21. In addition, our interests may preclude cessation of processing, so that we may be entitled to process your personal data despite your objection.
- **Right of revocation:** You have the right to withdraw your granted consent to the processing of personal data at any time with effect for the future.
- **Right of appeal to a supervisory authority:** You are entitled, under the conditions of GDPR Art. 77, if you believe that the processing of your personal data is in violation of the GDPR, to lodge a complaint with a supervisory authority, in particular in the Member State of your residence, place of work or the place of the alleged infringement. The right of appeal is without prejudice to any other administrative or judicial remedy.

**However, we recommend that you always file a complaint first with our data protection officer.**

**Your requests for the exercise of your rights should, if possible, be sent in writing to the address indicated above or directly to our contact person.**

#### **8. Scope of your obligations to provide us with your data**

You only need to provide the data necessary to enter into a business relationship or enter into a pre-contractual relationship with us, or that we are required to collect by law. Without these data we will generally not be able to conclude or execute the contract. This may also apply to data required later in the context of the business relationship. If we request additional data from you, you will be informed about the voluntary nature of the information separately.

#### **9. Existence of automated decision-making in an individual case (including profiling)**

We do not use purely automated decision-making procedures under GDPR Article 22, or profiling. If we should use such a procedure in individual cases in the future, we will inform you about this separately.

#### **Information about your right to object, GDPR Art. 21**

- 1. You have the right at any time to file an objection against the processing of your data, based on GDPR Art. 6(1) point (f) (data processing on the basis of a balance of interests), if there are reasons for this arising from your particular situation. This also applies to profiling based on this provision within the meaning of GDPR Art. 4(4).**

**If you object, we will no longer process your personal data unless we can establish compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or the processing is for the purposes of asserting, exercising or defending legal claims.**

- 2. We also process your personal data in individual cases in order to perform direct marketing. If you do not wish to receive advertising, you have the right to object to it at any time; this also applies to profiling insofar as it is associated with such direct marketing. We will consider this objection for the future.**

**We will no longer process your data for direct marketing purposes if you object to its processing for these purposes.**

**The objection can be lodged without the use of forms and should be directed as far as possible to: **Enter country-specific e-mail address** [info.nordic@csmbakerysolutions.com](mailto:info.nordic@csmbakerysolutions.com)**