

Privacy Notice for Clients, Interested Persons and Suppliers

– Information according to art. 13, 14 and 21 of the EU's General Data Protection Regulation (GDPR) –

With the following information, we would like to give you an overview of the processing of your personal data by us and your rights resulting therefrom. Which data will be processed in each case and how they will be used mainly depends on the respectively demanded or agreed services. Therefore, not all statements contained herein may be applicable to you. In addition, this privacy notice can be updated from time to time. You can find the updated version anytime on our website at: <https://www.gehwol.de/gdpr>.

1. Who is responsible for the data processing, and whom can I contact?

The responsible body (Data Controller) is:

EDUARD GERLACH GmbH
Chemische Fabrik
Bäckerstraße 4 - 8
32312 Lübbecke
Telephone: 0 57 41 / 3 30-0
Fax: 0 57 41 / 34 73 00
Email: info@gehwol.de

2. Types of personal data collected

We process, a. o., the following personal data, which we obtain from you within our business relationship:

- Company name with legal form and address
- Titles and names
- Addressees
- Telephone numbers
- Fax numbers
- Email addresses
- Field of activity / position
- Date of birth
- Information required to fulfill the order (delivery addresses, bank information, etc.)
- Contract data
- Creditworthiness data

3. We process your data for the following purposes and on the following legal basis

We process personal data in compliance with the provisions of the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG). If we have received any data from you, in principle, they will be processed only for the purposes for which we have obtained or collected them. A data processing for other purposes is only admissible if the legal requirements for that according to art. 6 Abs. 4 GDPR are fulfilled.

a) To fulfill contractual duties (art. 6 sec. 1. b GDPR)

The processing of data is realized to fulfill:

- A contract or contract-similar relationship (e. g. an offer)

b) Due to legal requirements (art. 6 sec. 1. c GDPR)

We are subject to different legal requirements leading to data processing. This includes e. g.:

- Tax laws and legal accounting
- The fulfillment of requests and requirements of the supervisory and prosecution authorities
- The fulfillment of control and notification duties under tax law
- The requirements and obligations for cosmetic products according to the Regulation (EC) n°. 1223/2009 on Cosmetic Products (Cosmetics Regulation).

In addition, the disclosure of personal data can become necessary within measures of authorities/courts for purposes of taking of evidence, prosecution or enforcement of civil law claims.

c) Within the balancing of interests (art. 6 sec. 1 f GDPR)

As far as required, we process your data, beyond the mere fulfillment of the contract, to preserve legitimate interests of ourselves or third parties. Examples of such cases are:

- The enforcement of legal rights and defense in case of legal disputes
- Processing in the CRM system
- Sending out product information

If we process data on the basis of a **balancing of interests**, you as the concerned person are entitled to **object** to processing of the personal data, taking the requirements of art. 21 GDPR into account.

d) On the basis of a consent (art. 6 sec. 1 a GDPR)

If personal data are processed on the basis of a **consent** from you, you have the right to **revoke** the consent anytime vis-à-vis us with effect for the future.

4. Who will obtain my data?

In principle, your personal data will only be forwarded to any third parties if this is required to fulfill the contract with you, forwarding them on the basis of a balancing of interests within the meaning of art. 6 sec. 1 lit. f) GDPR is admissible, if we are legally required to forward them or you have given your consent to that.

a) Within our company

Employees responsible for the contact with you or the contractual cooperation (including pre-contractual measures)

b) Within contract processing

Your data might be forwarded to service providers working for us as contract processors:

- Support / maintenance of data processing/IT applications
- Destruction of data

All service providers are contractually bound and, in particular, obliged to treat your data confidentially.

c) Other third parties

A transmission of data to recipients outside our company can only take place in compliance with the applicable privacy regulations. Recipients of personal data can be e. g.:

- Public bodies and institutions (e. g. finance and prosecution authorities) in case of an existing legal obligation or requirement of a government authority
- Credit and financial service providers (payment processing)
- Tax consultants, accounting or income tax auditors and other tax auditors (legal auditing mission)
- Decorators
- Legal consulting firms
- Credit agencies
- Filling and packaging companies
- Transport- and logistics service providers (e. g. DHL)
- Trade representation agencies
- Sales agencies
- Service partners
- Suppliers

5. Will any data be transmitted into a third country or to an international organization?

Your data will only be processed within the European Union and countries within the European Economic Area (EEA).

6. For how long will my data be stored?

We process and store your personal data as long as this is required for the fulfillment of our contractual and legal obligations. When the data are no longer required to fulfill any contractual or legal obligations, they will be regularly deleted.

There can be exceptions

- as far as legal retention duties must be fulfilled, e. g. from the Commercial Code (HGB) and the Tax Code (AO). In general, the retention / documentation periods imposed there amount to six to ten years;
- for the preservation of evidence within the legal statute of limitation. According to §§ 195 et seq. of the Civil Code (BGB), these periods of limitation can be up to 30 years, the regular period of limitation amounting to 3 years.

As far as the data processing occurs in the legitimate interest of ourselves or a third party, the personal data will be deleted as soon as this interest no longer exists. In such case, the mentioned exceptions apply.

7. Which data protection rights do I have?

You have the right to information according to article 15 GDPR,
the right to correction according to article 16 GDPR,
the right to deletion according to article 17 GDPR,
the right to restriction of the processing according to article 18 GDPR,
the right to objection from article 21 GDPR and the right to data portability from article 20 GDPR. Limitations of the right to information and deletion might apply according to §§ 34 and 35 BDSG. In addition, there is a right to complain with a competent data protection authority (article 77 GDPR in connection with § 19 BDSG). The competent supervisory authority for us is the Regional Privacy and Freedom of Information Officer: Landesbeauftragter für Datenschutz und Informationsfreiheit Nordrhein-Westfalen
Kavalleriestr. 2-4, 40213 Düsseldorf
Telephone: 0211/38424-0, Fax: 0211/38424-10, E-Mail: poststelle@ldi.nrw.de

8. Is there any obligation to provide data?

Within the contractual relationship, you must provide the personal data that are necessary to start, fulfill and terminate the contractual relationship and to fulfill the associated contractual duties or which we have a legal obligation to collect. In general, without these data, we will not be able to conclude or fulfill the contract with you.

9. Information on your right to object according to article 21 GDPR

Right to object with respect to an individual case

You have the right to object to the processing of personal data concerning you occurring on the basis of article 6 section 1 f GDPR (data processing on the basis of a balancing of interests) anytime for reasons resulting from your particular situation; this also applies to a profiling based on this provision within the meaning of article 4 n°. 4 GDPR. If you object, we will no longer process your personal data, unless we can prove compulsory reasons worthy of protection for the processing outweighing your interests, rights and freedoms or the processing serves to enforce, exercise or defend any legal rights.

Recipients of an objection

The objection can be made without any formal requirements with the title (Re:) "Widerspruch (Objection)" and indication of your name, your address and your date of birth and should be sent to our Data Protection Officer.

10. Our Data Protection Officer

We have appointed a Data Protection Officer in our company. You can reach him/her at the following contact data:

EDUARD GERLACH GmbH
z.H. Datenschutzbeauftragter
Bäckerstraße 4 - 8
32312 Lübbecke
Telephone: 0 57 41 / 3 30-0, Email: datenschutz@gehwo.de

Status: 01/2021