

## Privacy Policy according to the GDPR

### I. Controller's name and address

The controller within the meaning of the General Data Protection Regulation and other national data protection laws of the Member States as well as other data protection regulations is:

SAFE CHEM Europe GmbH

Tersteegenstr. 25

40474 Duesseldorf

Germany

Phone: +49 211 4389-300

Fax: +49 211 4389-389

E-mail address: [service@safechem.com](mailto:service@safechem.com)

Website: [www.safechem.com](http://www.safechem.com)

### II. Data protection officer's name and address

The controller's data protection officer is:

Mr Christoph Larsen

DS Datenschutz Christoph Larsen

Nordring 35

D-51647 Gummersbach

Germany

Phone: +49 22 61 56 09 20

E-mail: [datenschutz@safechem.com](mailto:datenschutz@safechem.com)

### III. General information about data processing

#### 1. Scope of personal data processing

In principle, we only collect and use our users' personal data to the extent necessary for the provision of a functional website and our content and services. Our users' personal data is only collected and used with their consent. An exception is made in cases where prior consent cannot be obtained due to practical reasons and the processing of the data is permitted by law.

## **2. Legal basis for the processing of personal data**

If we obtain the data subject's consent for processing personal data, Art. 6 (1) (a) EU General Data Protection Regulation (GDPR) is the legal basis.

For the processing of personal data necessary for the performance of a contract to which the data subject is a party, Art. 6 (1) (b) GDPR serves as the legal basis. The same applies to processing operations that are necessary to carry out pre-contractual measures.

If the processing of personal data is required to fulfil a legal obligation to which the company is subject, Art. 6 (1) (c) GDPR is the legal basis.

In the event that vital interests of the data subject or another natural person require the processing of personal data, the legal basis is Art. 6 (1) (d) GDPR.

If the processing is necessary to safeguard the legitimate interests of our company or a third party, and if the interests, fundamental rights and freedoms of the data subject do not prevail over the aforesaid interest, Art. 6 (1) (f) GDPR serves as the legal basis for processing.

## **3. Data deletion and storage duration**

The data subject's personal data will be deleted or blocked as soon as the purpose of the storage ceases to exist. If provided for by the European or national legislator in EU regulations, laws or other regulations to which the controller is subject, data can be stored beyond this period. The data is also blocked or deleted when a storage period prescribed by the standards mentioned expires, unless the conclusion or performance of a contract requires further storage.

## **IV. Provision of the website and creation of log files**

### **1. Description and scope of the data processing**

Each time our website is accessed, our system automatically collects data and information from the accessing computer system.

The following data is hereby collected:

- (1) Information about the browser type and version used
- (2) The user's operating system
- (3) The user's internet service provider
- (4) The user's IP address
- (5) Date and time of access
- (6) Websites from which the user's system is rerouted to our website

## **2. Legal basis for data processing**

The legal basis for the temporary storage of data and log files is Art. 6 (1) (f) GDPR.

## **3. Purpose of data processing**

The system needs to temporarily store the IP address to deliver the website to the user's computer. To this end, the user's IP address must be stored for the duration of the session.

Storage in log files is carried out to ensure the functionality of the website. In addition, the data is used to optimise the website and to ensure the security of our information technology systems. The data is not evaluated for marketing purposes in this relation.

These purposes also comprise our legitimate interest in data processing pursuant to Art. 6 (1) (f) GDPR.

## **4. Duration of storage**

The data is deleted as soon as it is no longer required for the purpose for which it was collected. If the data is collected for the purpose of providing the website, this is the case when the respective session is ended.

If the data is stored in log files, this happens no more than seven days following its collection. A longer storage period is possible. In this case, the users' IP addresses are deleted or anonymised, so that reference to the accessing client is no longer possible.

## **5. Objection and deletion options**

The collection of data for the provision of the website and the storage of the data in log files is essential for the operation of the website. Consequently, the user has no right to object.

## **V. Registration for my.webservice@SAFECHEM and the Smart Service app**

### **1. Description and scope of the data processing**

On our website, we offer users the opportunity to register by providing personal data. This involves entering the data into an input screen, whereby it is transmitted to us and stored. Data is not transferred to third parties. The following data is collected during the registration process:

- a) Username
- b) Short name/ Login
- c) First name
- d) Last name
- e) E-mail address
- f) Phone number

At the time of registration, the following data is also stored:

- g) The user's IP address
- h) Date and time of access
- i) App Id

The user's consent to process this data is obtained during the registration process.

## **2. Legal basis for data processing**

The legal basis for the processing of these data is Art. 6 (1) (a) GDPR if the user has granted its consent.

If registration serves the purpose of performing a contract to which the user is party, the additional legal basis for the processing of the data is Art. 6 (1) (b) GDPR.

## **3. Purpose of data processing**

User registration is required for the provision of certain content and services on our website.

my.webservice@SAFE CHEM provides users with access to business transactions such as orders and deliveries, SAFE-TAINER™ tracking, CHEMAWARE™ laboratory analyses, scrap analyses and safety data sheets.

SAFE CHEM uses this site to collect market-relevant data with the assistance of the SAFE CHEM Service Alliance (e.g., distributors, equipment manufacturers or associations). This data is collected with a focus on the customer and can be statistically processed and made available to the Service Alliance in anonymous form.

## **4. Duration of storage**

The data is deleted as soon as it is no longer required for the purpose for which it was collected.

This is the case for the data collected during the registration process when the registration on our website is cancelled or modified.

## 5. Objection and deletion options

As a user, you have the option of cancelling the registration at any time. You can change the data stored about you at any time.

Please contact [service@safechem.com](mailto:service@safechem.com) for this purpose

## VI. Contact form and e-mail contact

### 1. Description and scope of the data processing

There is a contact form available on our website that can be used for electronic contact. If a user makes use of this option, the data entered on the input screen will be transmitted to us and saved. This data is:

- a) Salutation
- b) First name
- c) Last name
- d) E-mail address
- e) Company
- f) Address
- g) House number
- h) Postcode
- i) City
- j) Country
- k) Message (free text)

At the time of sending the message, the following data is also stored:

- The user's IP address
- Date and time of access

During the sending process, your consent is obtained for the processing of the data and reference is made to this Privacy Policy.

Alternatively, contact is possible via the e-mail address provided. In this case, the user's personal data transmitted with the e-mail will be stored.

SAFECEM operates within a Service Alliance and reserves the right to forward inquiries to affiliated companies who support SAFECEM in providing the services required. In order to receive further information about my inquiry, I allow SAFECEM to share my personal data with its trading partners. The user will be informed by SAFECEM about the transfer of their inquiry.

## **2. Legal basis for data processing**

The legal basis for the processing of these data is Art. 6 (1) (a) GDPR if the user has granted its consent.

The legal basis for the processing of the data transmitted when sending an e-mail is Art. 6 (1) (f) GDPR. If you contact us via e-mail with the intention of concluding a contract, the additional legal basis for the processing of your data is Art. 6 (1) (b) GDPR.

## **3. Purpose of data processing**

We only process the personal data from the input screen for the purposes of processing the contact request. In the case of contact via e-mail, this also includes the required legitimate interest in the processing of the data.

The other personal data processed during the sending process serves to prevent misuse of the contact form and to ensure the security of our information technology systems.

## **4. Duration of storage**

The data is deleted as soon as it is no longer required for the purpose for which it was collected. In the case of personal data sent via the input screen of the contact form and via e-mail, this happens when the respective conversation with the user has ended. The conversation is ended when it can be inferred from the circumstances that the relevant matter has been finally settled.

## **5. Objection and deletion options**

The user has the option to revoke their consent to the processing of the personal data at any time. If the user contacts us by e-mail, they may object to the storage of their personal data at any time. In this case, the conversation cannot continue.

Please contact [service@safechem.com](mailto:service@safechem.com) for this purpose

All personal data stored during contact will be deleted in this case.

## **VII. Disclosure of data to third parties**

### **1. Facebook**

We use components of the provider facebook.com on our website. Facebook is a company of Facebook Inc, 1601 S. California Ave, Palo Alto, CA 94304, USA. With each individual visit to our website that is equipped with such a component, this component causes the browser you are using to download a corresponding representation of the component from Facebook. This process informs Facebook which specific page of our website is currently being visited.

If you visit our website and are logged in to Facebook at the same time, Facebook recognises which specific page you are visiting through the information collected by the component and assigns this information to your personal account on Facebook. If, for example, you click on the "Like" button or make corresponding comments, this information will be transmitted to your personal user account on Facebook and stored there. In addition, Facebook is informed that you have visited our website. This happens regardless of whether you click on the component or not.

If you wish to prevent this transmission and storage of data about you and your behaviour on our website by Facebook, you must log out of Facebook before visiting our website. Facebook's privacy policy provides more detailed information on this, in particular on the collection and use of data by Facebook, your rights in this respect and the settings options for protecting your privacy: <http://de-de.facebook.com/about/privacy/>

#### **Joint controllership with Facebook**

We use the statistical information (the visits to our website, the range of posts, visits and average duration of video playbacks, information on which countries and cities our visitors come from and statistics on the gender ratios of our visitors) relating to the use of the fan pages that Facebook makes available in anonymised form via the Facebook service "Insights". Conclusions about individual users and access to individual user profiles by us are not possible.

For this reason, we and Facebook are considered "joint controllers" within the meaning of the GDPR and have therefore entered into a so-called joint controller agreement in order to comply with the requirements of the GDPR. You can find this joint controller agreement here. Here you will find all relevant information for you as a data subject, in particular on how to exercise your rights under data protection law.

Apart from the processing of the personal data mentioned in this privacy policy, we have no influence on the processing of personal data in connection with your use of the fan pages.

## 2. LinkedIn

The party responsible for processing has integrated components of LinkedIn Corporation into this website. LinkedIn is an Internet-based social network that enables users to connect with existing business contacts and to make new business contacts. LinkedIn has over 400 million registered users in more than 200 countries. This makes LinkedIn currently the largest platform for business contacts and one of the most frequently visited websites in the world.

The operating company is the LinkedIn Corporation, 2029 Stierlin Court, Mountain View, CA 94043, USA. LinkedIn Ireland, Privacy Policy Issues, Wilton Plaza, Wilton Place, Dublin 2, Ireland, is responsible for data protection issues outside the USA.

With each individual call-up of our website that is equipped with a LinkedIn component (LinkedIn plug-in), this component causes the browser used by the person concerned to download a corresponding representation of the component from LinkedIn. Further information on LinkedIn plug-ins can be found at <https://developer.linkedin.com/plugins>. Within the scope of this technical procedure, LinkedIn receives information about which specific sub-page of our website is visited by the data subject.

If the data subject is logged in to LinkedIn at the same time, LinkedIn recognises which specific sub-page of our website the data subject is visiting with each call-up of our website by the data subject and for the entire duration of the respective stay on our website. This information is collected by the LinkedIn component and assigned by LinkedIn to the respective LinkedIn account of the data subject. If the data subject activates a LinkedIn button integrated on our website, LinkedIn assigns this information to the personal LinkedIn user account of the data subject and stores this personal data.

LinkedIn always receives information via the LinkedIn component that the data subject has visited our website if the data subject is simultaneously logged into LinkedIn at the time of calling up our website; this takes place regardless of whether the data subject clicks on the LinkedIn component or not. If the data subject does not want this information to be transmitted to LinkedIn, they can prevent the transmission by logging out of their LinkedIn account before accessing our website.

At <https://www.linkedin.com/psettings/guest-controls>, LinkedIn offers the possibility to unsubscribe from e-mail messages, SMS messages and targeted ads as well as to manage ad



settings. LinkedIn also uses partners such as Quantcast, Google Analytics, BlueKai, DoubleClick, Nielsen, Comscore, Eloqua and Lotame, which may set cookies. Such cookies can be rejected at <https://www.linkedin.com/legal/cookie-policy>. LinkedIn's applicable privacy policy is available at <https://www.linkedin.com/legal/privacy-policy>. LinkedIn's cookie policy is available at <https://www.linkedin.com/legal/cookie-policy>.

### **3. Salesforce – Sales Cloud**

For the purpose of managing user accounts and optimising and automating sales processes, we use Sales Cloud, a cloud-based application from Salesforce.com. Inc, The Landmark @ One Market, Suite 300, San Francisco, CA 94105 (hereinafter "Salesforce"). In this context, your user master data is processed, for example, to enable you to log in with your Accord login (username and password) and to manage your communication settings. In addition, Salesforce carries out tracking measures with the help of pixel tags and cookies and collects statistical information (e.g. the type, frequency and intensity of use of the website) as well as the history of the pages, offers and products accessed. In addition to a general statistical analysis, the information collected is added to your Salesforce user account so that we can optimise our sales processes based on your actual or perceived interests.

We have concluded a data processing contract with Salesforce for the use of the Sales Cloud. Under this contract, Salesforce guarantees that it will process the data in accordance with the General Data Protection Regulation and ensure the protection of data subjects' rights. Salesforce has been awarded the TRUSTe Privacy Seal and restricts data access to the access permitted by law. In addition, Salesforce Sales Cloud is certified by reliable security standards, including PCI-DSS, SOC2, ISO 27001.

EU standard contractual clauses have been concluded with the processor on the basis of Art. 46(2)(c) GDPR.

You can prevent tracking by Salesforce by clicking on this link. An opt-out cookie will be stored, which prevents the future collection of your data when you visit this website. The opt-out cookie is only valid in this browser and only for our website and is stored on your device. If you delete the cookies in this browser, you must set the opt-out cookie again.

For more information about Salesforce privacy, please see Salesforce's privacy policy.

The use of Salesforce is made pursuant to Art. 6 (1) clause 1 (f) GDPR on the basis of our legitimate economic interest in optimising our sales activities and managing user accounts.

These interests are to be regarded as justified within the meaning of the aforementioned provision.

#### **4. Pardot**

We use the Pardot Marketing Automation System ("Pardot MAS") of Pardot LLC, 950 E. Paces Ferry Rd. Suite 3300 Atlanta, GA 30326, USA ("Pardot"). Pardot is a Salesforce software module for recording and evaluating the use of a website by website visitors. Insofar as Pardot LLC processes personal data, the processing is carried out exclusively on our behalf and in accordance with our instructions. We have ensured compliance with the EU Data Protection Regulation through a separate agreement with salesforce.com.

When you visit our website, Pardot MAS records your click path and uses it to create an individual, pseudonymised usage profile. Cookies, which allow your browser to be recognised, are used for this purpose. By using our website, you consent to the use of cookies and also agree to the use of cookies by Pardot.

You can revoke your consent at any time with effect for the future. To do so, contact the data protection officer shown at the end of the imprint. In addition, you can deactivate the creation of pseudonymised usage profiles at any time by configuring your Internet browser so that cookies from the domain "pardot.com" are not accepted. However, this may lead to certain restrictions in the functions and user-friendliness of our offer.

### **VIII. Data subject's rights**

If your personal data is processed, you are a data subject within the meaning of the GDPR and you have the following rights with respect to the controller:

#### **1. Right to information**

You can request confirmation from the controller as to whether we process personal data concerning you.

If such processing exists, you can request information from the controller with regard to the following:

- (1) The purposes for which the personal data is processed;
- (2) The categories of personal data that are processed;

- (3) The recipients or categories of recipients to whom the personal data concerned has been disclosed or are yet to be disclosed;
- (4) The planned duration of the storage of your personal data or, if specific information regarding this is not available, criteria for determining the duration of storage;
- (5) The existence of a right to rectification or deletion of your personal data, to limitation of processing by the controller, or to a right of objection to such processing
- (6) The existence of the right to appeal to a supervisory authority;
- (7) All available information on the source of the data, if the personal data is not collected from the data subject;
- (8) The existence of automated decision-making including profiling in accordance with Art. 22 (1) and (4) GDPR and, at least in these cases, meaningful data about the involved logic, scope and intended impact of such processing with regard to the data subject.

You have the right to request information about whether your personal data is transmitted to a third country or to an international organisation. In this regard, you can request the appropriate guarantees in accordance with Art. 46 GDPR in connection with the transfer.

## **2. Right to rectification**

You have a right to rectification and/or completion by the controller, if the personal data it processes is incorrect or incomplete. The controller must make the correction without delay.

## **3. Right to restriction of processing**

You may request the restriction of the processing of your personal data under the following conditions:

- (1) If you contest the accuracy of your personal data for a period of time that enables the controller to verify the accuracy of your personal data;
- (2) The processing is unlawful, and you refuse deletion of the personal data and instead request restriction of the use of personal data.
- (3) The controller no longer needs the personal data for the purposes of processing, but you require this to assert, exercise or defend legal claims, or

- (4) If you object to the processing pursuant to Art. 21 (1) GDPR and it is not yet clear whether the controller's legitimate reasons outweigh your legitimate reasons.

If the processing of your personal data has been restricted, this data may, with the exception of storage, only be used with your consent or for the purpose of asserting, exercising or defending legal claims, or for protecting the rights of another natural or legal person or for reasons in the Union's or a Member State's important public interest.

If the restriction of processing is restricted according to the aforementioned conditions, you will be informed by the controller before the restriction is lifted.

#### **4. Right to deletion**

##### **a) Deletion obligation**

You may require the controller to delete your personal data without delay, and the controller is required to delete that information immediately if one of the following reasons applies:

- (1) Your personal data is no longer necessary for the purposes for which it was collected or otherwise processed.
- (2) You revoke your consent on which the processing was based under the provisions of Art. 6 (1) (a) or Art. 9 (2) (a) GDPR and no other legal basis for the processing exists.
- (3) You submit an objection to the processing pursuant to Art. 21 (1) GDPR, and there are no overriding legitimate reasons for the processing, or you object to the processing pursuant to Art. 21 (2) GDPR.
- (4) Your personal data was processed unlawfully.
- (5) The deletion of your personal data is necessary to fulfil a legal obligation required by the law of the Union or Member States to which the controller is subject.
- (6) Your personal data was collected in relation to information society services offered pursuant to Art. 8 (1) GDPR.

##### **b) Information to third parties**

If the personal data concerning you has been made public by the controller and it is obligated to delete it pursuant to Art. 17 (1) GDPR, the controller shall, taking into account the available

technology and the implementation costs, take appropriate measures, including those of a technical nature, to inform the data controllers who process the personal data that you as the data subject have requested them to delete all links to this personal data or copies or replications of this personal data.

#### c) Exceptions

There is no right to deletion if the processing is required

- (1) to exercise the right to freedom of speech and information;
- (2) in order to fulfil a legal obligation which requires the processing under European Union law or the law of a member state to which the controller is subject, or in order to perform a task which is in the public interest or is carried out in the exercise of official authority vested in the controller;
- (3) for reasons of public interest in the field of public health pursuant to Art. 9 (2) (h) and (i) as well as Art. 9 (3) GDPR;
- (4) for archival purposes of public interest, scientific or historical research purposes or for statistical purposes pursuant to Art. 89 (1) GDPR, to the extent that the law referred to in paragraph (a) is likely to render impossible or seriously affect the achievement of the objectives of that processing, or
- (5) for the assertion, exercise or defence of legal claims.

### **5. Right to information**

If you have asserted the right to rectification, deletion or restriction of processing with regard to the controller, it is obliged to notify all recipients to whom your personal data has been disclosed regarding this correction or deletion, restriction of processing, unless this proves to be impossible or involves a disproportionate effort.

You have a right to request the controller to inform you about these recipients.

### **6. Right to data portability**

You have the right to receive your personal data that was provided to the controller in a structured, common and machine-readable format. In addition, you have the right to transfer this

data to another controller without hindrance by the controller to which the personal data was provided, provided that

- (1) the processing is based on consent pursuant to Art. 6 (1) (a) GDPR or Art. 9 (2) (a) GDPR or on a contract pursuant to Art. 6 (1) (b) GDPR and
- (2) the processing is carried out using automated procedures.

By exercising this right, you also have the right to ensure that your personal data is transmitted directly from one controller to another, if this is technically feasible. The freedoms and rights of other persons may not be affected by this.

The right to data portability does not apply to the processing of personal data necessary for the performance of a task in the public interest or in the exercise of official authority vested in the controller;

## **7. Right to object**

You have the right at any time, for reasons arising out of your particular situation, to object to the processing of your personal data pursuant to Art. 6 (1) (e) or (f) GDPR; this also applies to profiling based on this provision.

The controller will no longer process your personal data unless it can demonstrate compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or unless the processing is for the purposes of asserting, exercising or defending legal claims.

If your personal data is processed for the purposes of direct advertising, you have the right to object at any time to the processing of your personal data for the purpose of such advertising; this also applies to profiling, if it is associated with such direct advertising.

If you object to the processing for direct advertising purposes, we will no longer process your personal data for such purposes.

Notwithstanding Directive 2002/58/EC, you also have the option to exercise your right of objection relating to the use of information society services by means of automated procedures that use technical specifications.

## **8. Right to revoke granted consent to the data processing**

You have the right to withdraw your consent to data processing at any time. The revocation of consent does not affect the legality of the processing carried out on the basis of the consent until the revocation.

### **9. Automated decision-making, including profiling in individual cases**

You have the right not to be subject to a decision based solely on automated processing - including profiling - which is legally binding upon you or similarly significantly affects you. This shall not apply if the decision

- (1) is necessary for the conclusion or performance of a contract between you and the controller,
- (2) is permitted by legislation of the Union or the Member States to which the controller is subject and that legislation contains adequate measures to safeguard your rights and freedoms, and your legitimate interests, or
- (3) is made with your express consent.

However, these decisions must not be based on special categories of personal data pursuant to Art. 9 (1) GDPR, unless Art. 9 (2) (a) or (g) apply and appropriate measures have been taken to protect your rights and freedoms, and your legitimate interests

With regard to the cases stated to in (1) and (3), the controller shall take reasonable steps to safeguard your rights and freedoms, and your legitimate interests, including at least the right to secure the intervention of a person on the part of the controller, to express his or her point of view and to contest the decision.

### **10. Right to complain to a supervisory authority**

Without prejudice to any other administrative or judicial remedy, you have the right to complain to a supervisory authority, in particular in the Member State where you reside, in your place of work or the place of the alleged infringement, if you believe that the processing of the your personal data is in violation of the GDPR.

The supervisory authority to which the complaint has been submitted shall inform the complainant of the status and results of the complaint, including the possibility of a legal remedy pursuant to Art. 78 GDPR.