

GLOBALG.A.P.
PRIVACY NOTICE FOR CPs AND/OR EMPLOYEES OF CPs

As part of the GLOBALG.A.P. Sublicense and Certification Agreement (“Agreement”), FoodPLUS GmbH, Spichernstrasse 55, 50672 Cologne, Germany, email: info@globalgap.org, (FoodPLUS) is a responsible data controller alongside the certification body, (“CB”) (together also “we”) for the processing of certain personal data of farmers/producers who are contractual parties (“CP”) of CB under the Agreement and who are natural persons, as well as personal data of certain employees of such CPs (together “Data Subjects”). The purpose of this document is to notify such Data Subjects about the processing of their personal data as required by law, in particular the General Data Protection Regulation (“GDPR”).

1. CATEGORIES OF DATA COLLECTED AND PURPOSES OF PROCESSING

During the course of the audit and in the context of the Agreement, CB will collect personal data of the Data Subjects described above. This personal data includes names, contact information, bank details, payment history, and may also include information about their professional qualifications and information related to their field of work.

CB will process personal data for the following purposes:

- to take steps at the CP’s request prior to entering into the Agreement as well as for the performance of the Agreement (in particular the conduct of audit, invoicing of fees)
- publication of names and business contact details of CPs who are natural persons, of legal representative(s) of CPs that are legal persons, and of employees of CPs nominated as contact persons by the CP in the certification certificate and/or audit report
- publication of name, position and business contact details of CPs who are natural persons, of legal representative of CPs that are legal persons, and of employees of CPs nominated as contact persons by the CP, the status of the certification as well as checklists including details of audits to registered users in the IT solutions maintained by FoodPLUS GmbH as described in the Data Access Rules which can be accessed in the document center of FoodPLUS under https://www.globalgap.org/uk_en/documents/

The legal basis for the processing of personal data is Art. 6 (1) b) GDPR. Moreover, CP and FoodPLUS may process and use personal data for their legitimate interests, in particular to increase transparency about the plausibility of the GLOBALG.A.P. standards through the publication of checklists or to enforce or defend claims (Art. 6 (1) f) GDPR). For any other purposes, CB will obtain the Data Subject’s proper consent prior to the processing (Art. 6 (1) a) GDPR).

2. DATA SHARING

For the performance of the Agreement, CB may share personal data with

- FoodPLUS which operates IT solutions on its own behalf for administration purposes and for the provision of the GLOBALG.A.P. certification system
- registered partners of FoodPLUS who are contractually entitled to access the IT solutions maintained by FoodPLUS (e.g. retailers)
- service providers to CPs and FoodPLUS that process personal data on their behalf and in accordance with their instructions
- other producers or groups of producers

In addition, personal data may also be transferred to public authorities if CB or FoodPLUS is legally required to disclose certain personal data due to court orders or requests by prosecution or regulatory authorities or authorized third parties for investigative procedures or because of suspected crimes, unlawful acts or other actions that may result in liability for the CP, CB or FoodPLUS (Art. 6 (1) c) GDPR).

3. DATA TRANSFER TO COUNTRIES OUTSIDE OF THE EEA/EU

CB and FoodPLUS may also share personal data with third parties outside of EEA/EU member states for which the European Commission does not find privacy protection levels to be comparable to those of the EU (e.g. the US). In such cases, before transferring your data, we will ensure that

the recipient possesses an adequate privacy protection level, especially by first obtaining the Data Subject's consent for the processing, or through specific safeguards pursuant to Art. 44 et seq. GDPR such as the EU-US Privacy Shield self-certification for US recipients or by concluding what are termed EU Standard Contractual Clauses for the third country. You can find further information about the members of the EU-US Privacy Shield here: www.privacyshield.gov/list.

The IT solutions may be connected with "Google Translate" and "Google Maps" from Google, LLC, USA, as well as with BI functionalities connected with Microsoft Corporation that are registered under the EU-US Privacy Shield. This is necessary for the provision of checklists and CP entries. However, the CB must not enter any personal data into comment fields which may be subject to translations by Google Translate. Further information on processing by Google or Microsoft can be found in Google's and Microsoft's privacy policies under: <https://policies.google.com/privacy> and <https://privacy.microsoft.com/de-de/privacystatement>.

4. RIGHTS OF DATA SUBJECTS

FoodPLUS will respond to all legitimate requests for information about personal data stored and, where applicable, to all requests to correct, update, or erase personal data or to restrict the processing of personal data according to Art. 15 to 19 GDPR. Furthermore, Data Subjects may be entitled to the right of data portability (Art. 20 GDPR). In any of these cases or to request a copy of the Standard Contractual Clauses (if applicable), the Data Subject can contact FoodPLUS under the contact details specified above.

The Data Subject can also contact FoodPLUS to object the processing of personal data based on a legitimate interest (Art. 6 (1) f) GDPR).