



Privacy Policy

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Date: 6.12.2018



1. What Is this Privacy Policy about?

The protection of data is a matter of trust and your trust is important to us. It is for this reason that we have published this Privacy Policy. With a view to the new European General Data Protection Regulation ("**GDPR**"), it specifies which personal data we process, how we process this data, and for what purposes. Although the GDPR is a European Union Regulation, it is relevant to us. The Swiss Federal Act on Data Protection ("**FADP**") is heavily influenced by EU law and the future FADP, as amended, will incorporate many of the provisions of the GDPR. In addition, companies outside of the European Union are required to comply with the GDPR in certain circumstances. However, we want to ensure that the high level of protection established by the GDPR is afforded to all individuals whose personal data we process. For this reason, we have decided to align this Privacy Policy, in general, with the GDPR. You can view the GDPR (<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&from=EN>).

We are committed to providing comprehensive information on the processing of your personal data. This Privacy Policy therefore explains how and why we collect, process, and use your personal data. It is important to us that you understand:

- what personal data about you we collect and process;
- when we collect your personal data;
- the purposes for which we use your personal data;
- how long we store your personal data;
- who has access to your personal data; and
- what rights you have with respect to your personal data.

We provide information and guidance on all of these matters below. If you have any questions, please do not hesitate to contact us. Our contact details are included in section 2.

2. Who Are We?

For each data processing activity, a particular company is responsible for ensuring compliance with data protection provisions. In each case, this is the company that defines whether a certain processing activity (e.g. processing in connection with a service or the use of a website) should take place, for what purposes it is performed, and the general principles that should apply (where such decisions are made jointly by more than one company, the companies may also be jointly responsible).

The following company ("**we**" or "**us**") is generally responsible for the data processing activities covered by this Privacy Policy:

Chocolat Frey AG
Chewing Gum
Bresteneeggstrasse 4
CH 5033 Buchs AG
T +41(0)62 836 26 26
welcome@chewinggum.ch



We have appointed a Data Protection Officer who may be contacted as follows:

Datenschutz Chocolat Frey AG

T +41(0) 62 836 26 26

datenschutz@chocolatfrey.ch

We have also appointed the following company as a representative in the EU and/or the European Economic Area ("EEA"; including, for example, the Principality of Liechtenstein):

M-Industry Germany

Rudolf-Diesel-Strasse 24

D-64625 Bensheim

datenschutz@chocolatfrey.ch

In certain cases, responsibility does not lie with us, but rather with a different company:

- If you contact another Migros Group company (e.g. in contacting Customer Services), this company will be responsible for the relevant data processing activity – unless this Privacy Policy states otherwise in relation to the processing activity concerned.

3. What Is "Personal Data" and What Does "Processing" Mean?

The rules governing the processing of personal data are laid down in data protection legislation. Personal data (or "**personal information**") means any information relating to an identifiable natural person, i.e. an individual. This may, for example, include the following information:

- Contact details, for example name, mailing address, email address, telephone number;
- Other personal details, for example gender, date of birth and age, marital status, nationality;

In Switzerland, information relating to a particular legal entity (e.g. details about a contract with a company) also constitutes personal data.

Certain personal data are afforded special protection under the legislation, including "sensitive personal data" (also referred to as "**special categories of personal data**"). Such data may include information that discloses an individual's race or ethnic origin, political views, religious or philosophical beliefs, or trade union membership as well as genetic data, biometric data allowing the unique identification of an individual, health data and data concerning an individual's sex life or sexual orientation, as well as data concerning criminal convictions and offenses and, in certain circumstances, data relating to social security matters.

We do not necessarily process all the categories of personal data mentioned in this section. Specific information about the personal data processed by us can be found in *section 5* and in the *table* at the end of this Privacy Policy. Depending on the type of processing involved, we will provide additional information by way of a separate privacy policy or notification, especially if a certain data processing activity is not self-explanatory.

"**Processing**" (or "**use**") therefore refers to any use of your personal data. This may include the following actions:

- Collection and storage;



- Organization and administration;
- Adaptation and alteration;
- Disposal and usage;
- Transfer and disclosure;
- Combining;
- Restriction;
- Erasure and destruction.

4. For Whom and for What Purpose Is this Privacy Policy Intended?

This Privacy Policy applies to our personal data processing activities in all of our business areas. It applies to the processing of personal data that has already been collected and personal data that will be collected in future. **Additional data protection provisions** may also apply to certain services.

Our data processing activities may affect, in particular, the following individuals (so-called "**data subjects**"):

- Individuals who write to us or contact us in some other way;
- Customers in our shops;
- Visitors to our premises incl. Visitor Center Chocolat Frey AG;
- Individuals who use our services or come into contact with our services;
- Visitors to our website;
- Recipients of information and marketing communications;
- Participants in competitions, prize draws and customer events;
- Participants in market research and opinion surveys;
- Contacts at our suppliers, outlets, and other business partners; and
- Job applicants.

Further information on data processing activities relating to specific offers may be included in general terms and conditions, terms of participation, and similar provisions.

5. Which Personal Data Do We Process and for What Purposes?

We process different personal data depending on the reasons and purposes. Further information is provided in this section and, in many instances, in the applicable general terms and conditions, conditions of participation, and additional privacy policies. We generally collect personal data directly from you, e.g. when you transfer data to us or communicate with us. However, personal data may also be collected from other sources, e.g. from third parties as for example credit reference agencies; mailing list brokers; media monitoring agencies; online service providers, e.g. providers of web analytics services; payment transactions carried out by financial services providers, from public registers, from the media, from the internet, etc. For example, we process personal data, which may include sensitive personal data, in the following situations for the following purposes:



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- **Communications:** We process personal data if you contact us or we contact you, for example when you contact Customer Services, if you write to us, or if you call us. As a general rule, information such as your name and contact details, the time of the messages in question and their content, which may also include personal data of third parties, will be sufficient for us. We use this data to ensure that we can provide you with information or notifications, deal with your concerns, and communicate with you, as well as for quality assurance and training purposes. We also forward information within the Migros Group to the relevant company officers, for example if your concern relates to another company.
 - **Purchase of goods and use of services:** We also process personal data in connection with products and services supplied by us, e.g. when you buy a product from us or use a service. We process your personal data, for instance, in the context of processing orders, the performance of contracts or for delivery and invoicing purposes. When you make purchases in online shops or use a bonus or loyalty card, we also collect and process personal data relating to your credit rating as well as shopping and payment patterns. For example, we collect credit reports from third party providers for the purpose of determining whether to allow you to buy on account and we also process information with respect to the purchases you make, when and how often you make them, and the stores or online shops where you purchase items. This information helps us understand your preferences for and interest in certain products or services, enabling us to provide targeted information regarding other offers and align our offerings more precisely with demand.
 - **Visiting websites:** When you visit our website, we will process personal data based on the offer and functionality involved. This includes technical data, e.g. information on the time you accessed our website, the duration of the visit, the pages accessed, and the device used (e.g. tablet, PC or smartphone; "end device"). We use such data for the purposes of providing the website, for reasons of IT security, and to improve the user-friendliness of the website. We also use "cookies", i.e. files that are stored on the end device when you visit our website. In many cases, cookies are required for the functionality of the website and are deleted automatically following the visit. Other cookies are used to personalize the offering and are saved for a set duration (e.g. two years). We also use analysis services from providers such as Google, in the USA or worldwide. By it the provider does not receive any personal data from us, but can collect information regarding patterns of behavior on the relevant website, to provide us with analyses on their basis. We may also integrate functions from providers such as Facebook, which may lead to the provider in question obtaining data about you. In most cases, however, we do not know the names of website visitors.
 - **Online offers and apps:** If you use online offers provided by us, we will also process your personal data (even if you do not purchase any goods or services) for the provision, the improvement and further development of these services. Depending on the type of offer, this information may include details of customer accounts and the use of such accounts as well as information on the installation and use of mobile applications ("apps").
 - **Information and direct marketing:** We process personal data in order to send information and advertising messages, unless you have objected to this processing. For example, if you register for a newsletter or an SMS notification, we will process your contact data.



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- **Competitions, prize draws, and similar events:** We now and again organize competitions, prize draws, and similar events. In such cases, we will process your contact information and details about your participation for the purposes of conducting the competitions and prize draws. Where applicable, we will also process this data to enable us to communicate with you and for advertising purposes. Further information in this regard can be found in the relevant terms of participation.
 - **Accessing our premises:** If you access our premises, we may make video recordings in appropriately identified areas for purposes relating to security and the provision of evidence. You may also have the option of using a Wi-Fi service. In this case, we will collect device-specific data during the registration process and, where applicable, may ask you to register by providing your name and email address or cell phone number.
 - **Customer events:** We will also process personal data in relation to any customer events held by us (e.g. advertising events, sponsorship events, cultural and sporting events). This includes the participants' or interested parties' names and mailing or email addresses as well as any further information that may be required, for example your date of birth. We will process this data for the purpose of holding customer events, but also to allow us to contact you directly and get to know you better. Further information in this regard can be found in the relevant terms of participation.
 - **Business partners:** We work with various companies and business partners, for example with suppliers, commercial purchasers of goods and services, cooperation partners, and service providers (e.g. IT service providers). For purposes relating to contract initiation and performance, planning, and accounting, as well as for other purposes associated with the respective contract, we may also process personal data pertaining to contacts at the relevant companies, for example their name, role, title and communications with us. Depending on the area of activity, we are also required to check the company in question and its employees in more detail, for example by performing a security check. In this case, we will collect and process additional information, if applicable, also from third party providers. We may also process personal data to improve our customer focus, levels of customer satisfaction, and customer retention (customer/supplier relationship management).
 - **Corporate transactions:** We may also process personal data for the purposes of undertaking preparatory work and undertaking corporate takeovers and –sales as well as purchases and sales of assets. The subject matter and scope of any data collected or transmitted will depend on the stage and object of the transaction.
 - **Job applications:** We will also process personal data if you apply for a position with us. Generally speaking, we will require the usual information and documents specified in the job advertisement, which may also contain personal data of third parties.
 - **Compliance with legal requirements:** We process personal data in order to comply with legal requirements and to prevent and uncover infringements. This includes, for example, the acceptance and processing of complaints and other notifications, internal investigations, and the disclosure of documents to an authority if we have good reason or are legally obliged to do so. In doing so, we may also process personal data of third parties.



- **Safeguarding of rights:** We may process personal data in various forms in order to safeguard our rights, for example to enforce our rights both in or out of court and before national or foreign authorities or to defend against any claims. For example, we may seek clarification as to the prospects of success in relation to legal proceedings or submit documents to an authority. In doing so, we may process your personal data and personal data of third parties or disclose personal data to third parties, either at home or abroad, to the extent required and permitted.

The *table* at the end of this Privacy Policy provides a more detailed description of the kinds of personal data about you that we collect and process, how this data is used, for what purposes, and on what legal grounds. It also provides information on whether you are obliged to supply your personal data to us.

6. To Whom Do We Disclose Personal Data?

Our employees have access to your personal data to the extent required for the purposes defined and for the performance of the activities of the employees in question. Our employees act in accordance with our instructions and are bound by confidentiality and non-disclosure obligations in handling your personal data.

We may also disclose your personal data to **other companies within the Migros Group** for the purpose of intra-Group management and for various processing purposes. Your personal data may therefore also be processed and combined with personal data originating from other Migros Group companies for the relevant purposes.

We may transfer your personal data to third parties within and outside the Migros Group if we wish to use their services ("**contract data processors**"). This primarily concerns services in the following areas:

- corporate management services, for example accounting or asset management;
- advisory services, for example the services of tax advisors, lawyers, and management consultants, as well as the services of advisors in the fields of personnel recruitment and placement;
- IT services, for example in the areas of hosting, cloud services, the delivery of email newsletters, and data analysis and enhancement;
- credit assessments, for example if you want to make a purchase on account;
- services in the areas of haulage and logistics, for example for the delivery of ordered goods;

In selecting contract data processors and by entering into appropriate agreements, we ensure that privacy is safeguarded throughout the processing of your personal data, including when data are processed by third parties. Our contract data processors are under an obligation to process personal data solely on our behalf and in accordance with our instructions.

Furthermore, personal data may be transferred to other third parties which may (also) use such data for their own purposes. In such cases, the data recipient is legally responsible **as the controller of the data**. This would apply in the following circumstances, for example:



- If we are required to transfer personal data to another company in relation to transactions contemplated or carried out by us, including company mergers or the acquisition or sale of individual parts of a company or its assets.
- We may disclose your personal data to third parties (e.g. to the courts and authorities within Switzerland and abroad) if this is required by law. We also reserve the right to process your personal data in order to satisfy a court order or for the purpose of enforcing or defending legal rights or claims or if we consider such processing to be necessary on any other legal grounds. We may also disclose your personal data to other parties involved in any proceedings.
- We may disclose personal data about you to former employers if you apply for a position with us (references) or to future employers if you wish to apply for a new job. However, we will not do so in the absence of any request to this effect from you or without your consent. If we transfer claims against you to other companies, such as collection agencies.

7. When Do We Transfer Your Personal Data Abroad?

The recipients of your personal data (*section 6*) may be located abroad – including outside of the EU or EEA. The countries in question may not have laws in place that afford your personal data the same level of protection as provided in Switzerland or in the EU or the EEA. In transferring your personal data to such a country, we are required to ensure the protection of your personal data in a suitable manner. One means of doing so is to conclude data transfer agreements with the recipients of your personal data in third countries that ensure the required level of data protection. These include agreements that have been approved, issued, or adopted by the European Commission and the Federal Data Protection and Information Commissioner, referred to as standard contractual clauses. Data may also lawfully be transferred to recipients that are subject to the US Privacy Shield Program (<https://www.privacyshield.gov/list>). Please contact us if you would like a copy of our data transfer agreements (*section 2*). Examples of the types of agreement generally used can be (https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_de). In exceptional circumstances, the transfer of personal data to countries without appropriate protection is also permitted in other cases, for example on the basis of explicit consent, for the performance of a contract with the data subject or the handling of his or her contract application, for the conclusion or performance of a contract with somebody else in the interests of the data subject, or for the establishment, exercise, or defense of legal claims.

8. Do We Conduct Profiling and Use Automated Decision-Making?

"**Profiling**" refers to a procedure during which personal data is processed on an automated basis in order to assess, analyze, or predict personal aspects, for example an individual's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements. We often conduct profiling, for example in analyzing shopping behavior, selecting job applicants or evaluating contractual partners, etc.



"Automated decision-making" refers to any decision that is made on an automated basis, i.e. with no relevant human influences, and may have negative legal implications or other similar adverse consequences for you. We will provide separate information on any automated decision-making deployed by us in specific cases, insofar as such information is legally required.

9. How Do We Protect Your Personal Data?

We take appropriate technical measures (e.g. encryption, pseudonymization, record keeping, access restrictions, data backups) and organizational measures (e.g. instructions issued to employees, confidentiality agreements, audits) in order to safeguard your personal data, protect you against unauthorized or unlawful processing activities, and to address the risk of loss, unintentional changes, inadvertent disclosure, or unauthorized access. In general, however, security risks cannot be completely ruled out; certain residual risks are unavoidable in most cases.

10. For How Long Do We Store Your Personal Data?

We store your personal data in a personalized form for as long as it is required for the specific purpose for which it was collected. In the case of contracts, personal data is stored for at least the duration of the contractual relationship. We also store personal data if we have a legitimate interest in storing it. This may apply, for example, if we require personal data for the purpose of enforcing rights or defending against claims, for archiving purposes and to ensure IT security. We also store your personal data if it is subject to a statutory retention requirement. For example, a ten-year retention period applies to certain data. Shorter retention periods apply for other data, for example for recordings from CCTV or for recordings of certain online processes (log data). In certain cases, we will also ask for your consent if we want to store your personal data for longer periods (e.g. for job applications that we wish to keep on file). At the end of the periods specified, we will erase or anonymize your personal data.

11. What Rights Do You Have in Connection with the Processing of Your Personal Data?

You may object to the processing of your personal data at any time and are generally free to withdraw your consent to any data processing activity. A right to object exists, in particular, with respect to data processing relating to direct advertising (e.g. advertising emails).

You also have the following rights, as far as the respective conditions are fulfilled and no legal exceptions are applicable:

Right to information

You have the right to transparent, easy-to-understand, and comprehensive information with respect to how we process your



personal data and what rights you have with regard to the processing of your personal data. We meet this obligation by providing this Privacy Policy. If you would like further information, please do not hesitate to contact us (*section 2*).

Right of access

You have the right to request access to any personal data stored and processed by us at any time free of charge. You therefore have the opportunity to check what personal data about you we process and that we use this data in accordance with the applicable data protection provisions.

In certain cases, the right of access may be restricted or excluded, in particular:

- if we have any doubts concerning your identity and are unable to identify you;
- to protect other individuals (e.g. to comply with confidentiality obligations or safeguard the data protection rights of third parties);
- in the event that the right of access is exercised excessively (alternatively, we may request payment in consideration of providing access in such instances); or
- if the providing full access would involve disproportionate effort.

Right to rectification

You have the right to have inaccurate or incomplete personal data rectified respectively completed and to be informed about such rectification. In such cases, we will inform the recipients of the affected data about the changes, unless this is impracticable or involves disproportionate effort.

Right to erasure

You have the right to have your personal data erased. You can request the erasure of your personal data if:

- the personal data is no longer required for the intended purposes;
- you have effectively withdrawn your consent or have effectively objected to the processing of your data; or
- the personal data is being processed unlawfully.

In such cases, we will inform the recipients of the affected data about the erasure, unless this is impracticable or involves disproportionate effort.

In certain cases, the right to have personal data erased may be excluded, especially if the processing activity is required:

- to exercise the right of freedom of expression;
- to comply with a legal obligation or is in the public interest; or
- to enforce legal claims.

Right to restriction of processing

Under certain conditions, you have the right to request that the processing of your personal data is restricted. This may mean, for example, the personal data is (temporarily) no longer processed or that



published personal data is (temporarily) removed from a website. In such cases, we will inform the recipients of the affected data about the changes, unless this is impracticable or involves disproportionate effort.

Right to data portability You have the right to receive personal data that you have provided to us in a readable format, free of charge, if:

- the specific data processing activity is based on your consent or is required for the performance of a contract; and
- the processing is performed with the assistance of automated processes.

Depending on the circumstances, your personal data may be transferred to you personally or directly to the third-party provider.

Right to lodge a complaint You have the right to lodge a complaint to a competent supervisory authority with respect to the manner in which your personal data is processed.

Right to withdraw consent In principle, you have the right to withdraw consent previously given at any time. Data processing activities performed in the past on the basis of your consent will, however, not become unlawful due to you withdrawing consent.

12. What Else Do You Need to Bear in Mind?

The processing of personal data is **allowed**, in particular, if:

- this is required for the performance of a **contract** with the data subjects or for pre-contractual measures requested by the data subjects (e.g. reviewing their application to enter into contract); or
- this is required for **legitimate interests**. These legitimate interests include our own interests and third-party interests. These interests are very diverse and include, for example, interests in connection with the supply of products and services to third parties (e.g. recipients); interests in connection with good customer support, maintaining contact and other communications with customers, including outside the framework of a contract; interests in performing advertising and marketing activities; our interest in getting to know our customers and other individuals better; our interest in improving existing products and services and developing new ones; our interest in facilitating intra-Group management and intra-Group communication, which is necessary with a Group that requires cooperation between parties; our interest in combating fraud, for example in online shops, and in the prevention and investigation of offenses; our interest in protecting customers, employees, and other individuals and data, as well as secrets and assets of the Migros Group; our interest in ensuring IT security, especially in connection with the use of websites, apps and other IT infrastructure; our interest in safeguarding and organizing business operations,



including the running and further development of websites and other systems; our interest in ensuring corporate management and development; any interest in selling or purchasing companies, parts of companies, or other assets; any interest in the enforcement or defense of legal rights and claims; and our interest in complying with Swiss law and internal rules and regulations;

- this is based on effective **consent** that has not been withdrawn; or
- this is **required for compliance** with legal obligations.

The processing of **sensitive personal data** (see *section 3*) is subject to more stringent restrictions. Such processing is, for example, permitted:

- on the basis of effective and explicit consent that has not been withdrawn;
- if the processing activity relates to personal data that the data subject has manifestly made public;
- if this is required for the safeguarding of rights; or
- if this is required in order to ensure compliance with certain legal provisions.

The transfer of data **abroad** is also only permitted under certain conditions. Information in this regard can be found in *section 7*.

In the *table* at the end of this Privacy Policy, you can find further information with respect to the legal basis typically applying to the relevant data processing activities. However, due to the complexity of many data processing activities, it cannot be ruled out that in certain circumstances other legal grounds may also apply.

Generally speaking, there is **no legal obligation** to disclose personal data to us unless you have entered into a contractual relationship with us that establishes such an obligation. We will, however, be required to collect and process any personal data that is necessary or legally prescribed for the purposes of commencing and performing a contractual relationship and meeting related obligations. Otherwise, it will not be possible for us to conclude or continue the contract in question. The processing of certain data is also mandatory, in practice, in relation to the use of websites. Although you can prevent cookies from being saved (further information in this regard can be found in this Privacy Policy), the recording of certain data, although generally not of a personal nature, such as your IP address, cannot be prevented for technical reasons.

Under certain circumstances, you may wish or be required to transfer **personal data of third parties** to us. Please note that in such cases you are required to inform the data subjects about the transfer of this data and about this Privacy Policy and to ensure that the personal data in question is accurate.



13. Changes to this Privacy Policy

This Privacy Policy may be updated over time, especially if we change our data processing activities or if new legal provisions become applicable. We will actively inform individuals whose contact details are registered with us of any material changes, provided that we can do this without disproportionate effort. Generally speaking the version of the Privacy Policy in effect at the time at which the data processing activity in question commences is applicable.



14. Table: Reasons for data collection; scope, purpose and obligation to provide data; legal basis for processing

- Communication**
- Purchase of goods and use of services**
- Visits to our website**
- Online offers and apps**
- Information and direct marketing**
- Participation in competitions, prize draws, and similar events**
- Accessing our premises**
- Participation in customer events**
- Contact with our company as a business partner**
- Corporate transactions**
- Job applications**
- Compliance with legal requirements**
- Exercising rights**

In this table, you can find detailed information on the individual processing purposes, the personal data processed to this end, the applicable legal basis, and any obligation to disclose relevant personal data to us. Please note that in many cases it is not possible to provide an exhaustive list.

Reason for data collection	Processed personal data	Processing purpose and obligation to provide personal data	Legal basis
Communication	<p>We collect and process personal data if you contact us or we contact you in writing, electronically, or by phone, for example if you contact Customer Services and if you send us an email or letter or call us, but also e.g. if you leave a comment on our website. In such cases, we process contact and communication details. This includes, in particular, the following personal data:</p> <ul style="list-style-type: none"> • name; • contact data based on the form of communication, for example your mailing address, email address or telephone number; • details about third parties who are mentioned in the communication, as applicable; • time of the communication and its content, which may also include personal data of third parties. <p>The exact scope of the personal data is largely dependent on the content of the communication. If you transfer sensitive personal data to us, we will also process this. Telephone conversations with us</p>	<p>In particular, we process personal data in this context for the following purposes:</p> <ul style="list-style-type: none"> • communication with you; • customer services and –care; • quality assurance and training; • all other processing purposes, to the extent that they require communication (e.g. performance of contracts). <p>In this case, you are generally under no obligation to provide us with specific information. Often, however, we can only respond to you, handle your concerns, and communicate with you if we process certain information as a minimum. If you do not want us to record telephone conversations, you can cut off the telephone call at any time and correspond with our Customer Services in another way (e.g. via email).</p>	<p>If communication is initiated by you, we will deem this to constitute consent to the processing of your personal data. The processing performed by way of Customer Services and through communication is in many cases also in our legitimate interest, as this allows us to communicate with customers and other individuals, improve the quality of our services, prevent errors in our processes, and achieve a high level of customer satisfaction.</p>



<p>Purchase of goods and use of services</p>	<p>may be recorded. In such cases, you will be informed accordingly in advance.</p> <p>If we make supplies to you, for example if you purchase goods or services from us, we will process personal data relating to your shopping and payment patterns. This includes, in particular, the following personal data, which may be sensitive:</p> <ul style="list-style-type: none"> • Name, address, contact information, delivery address(es); • Credit rating and payment information, which we can obtain from corresponding providers such as credit agencies; • Information about what purchases you make as well as where you make the purchases, how often, and using which payment methods in which stores or online shops; • Details about your behavior in an online shop (ordered and cancelled shopping baskets, wish lists, viewed articles, etc.). <p>However, the foregoing is subject to you shopping online, using a bonus or loyalty card, or identifying yourself in some other manner. In our stores, however, you can generally also shop without us knowing your name.</p> <p>We may also evaluate information about in-store and online purchases and behavior and combine this with other personal data, for example with non-personalized statistical data and other personal data that we have collected about you. We may also check your credit rating in connection with the contract. To this end, we will normally consult information from specialist companies known as credit reference agencies.</p> <p>If you shop online, please also note the provisions of this Privacy Policy under "Use of online offers".</p>	<p>In this case, we will process your data, in particular, for the following purposes:</p> <ul style="list-style-type: none"> • Initiation and performance of the contract: We will process your personal data so that we can decide whether and how (e.g. with which payment options) we enter into a contract with you so that we can record products and services purchased, make deliveries in the event of orders, and for invoicing purposes, as well as generally for the purpose of entering into, performing, and, where necessary, enforcing the terms of the contract. • Information about your shopping behavior: We analyze the shopping behavior of our customers and to obtain information on your preference for and interest in specific products or services as well as additional information that we take into account when improving our services (product range, location selected, etc.) This allows us to tailor our offers to our customers' needs (as a group and individually) and to respond optimally to their demands. • Statistical purposes: We process your personal data for statistical purposes, for example to evaluate information on interactions with our customers on a non-individual basis. This also makes it easier for us to cater to our customers' needs. It also allows us to know which products are preferred and how we can improve our offering. <p>You are not obliged to disclose personal data to us when making purchases. However, it is not possible to place orders, purchase services or purchase certain goods without us processing personal data. We must also process the personal data</p>	<p>We process such data on the basis that we are permitted to process personal data for the purpose of dealing with contract requests and performing contracts. The processing also serves legitimate interests, for example when delivering goods to third parties (e.g. for gifts), and the evaluation of information about your shopping behavior allows us to gear our services towards your needs and interests in a more accurate and targeted manner and to expand and improve our offers. This is important to us, as it enables us to compete successfully in the market.</p> <p>Any processing activities involving sensitive data will generally be based on your explicit consent.</p>
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	<p>Visits to our website</p> <p>Technical data: Each time our website is visited, certain data is automatically collected by us for technical reasons and stored in log files. This includes, for example, the following data:</p> <ul style="list-style-type: none"> • IP address and device-specific details such as the MAC address and device operating system; • the user's Internet service provider; • accessed contents and the date and time of the website visit. <p>Cookies: We store cookies depending on the functionality. Cookies are small files that your browser creates automatically and that are saved on your end device (tablet, PC, smartphone, etc.) when you visit our website. Firstly, we use session cookies in which a unique identification number is stored, a so-called session ID, as well as information about the origin and storage period of the cookie. These cookies are deleted following any visit to our website. We use such cookies, for example, to enable shopping baskets to be saved. Secondly, we use permanent cookies that also remain stored once the browser session has been completed. Such cookies are used to recognize a visitor upon a later visit.</p> <p>Some cookies also originate from third-party companies. This will apply, for example, if we use functions on our website that are provided by third parties. This affects analysis services, which also work with cookies; information in this regard can be found in this table under "Visits to our website (analyses)". It also affects partners of ours that display advertisements for third-party companies on our website.</p> <p>Technical data and cookies often do not contain any personal data. It is often not possible for us to assign the information collected in this way to a particular person.</p>	<p>required for the purposes of online shopping.</p> <p>We process your personal data in this context for the following purposes:</p> <ul style="list-style-type: none"> • Provision of the website: The recording of certain log files and cookies is essential for the provision of the website and its functions for technical reasons. Other cookies help us to provide and safeguard the various functions and offers available on our website. • Personalization of website: Some cookies are used to adjust our online offers in line with your needs (e.g. by saving your chosen language). • Website management: The saving and processing of log files and cookies helps us with maintenance and troubleshooting, in safeguarding the security of our website, and in combating fraud. • Third-party cookies allow the companies in question to provide services to us or to display advertisements to you that you may actually be interested in. <p>Collecting the data specified is not mandatory but is required in many cases for the purpose of using the website and certain functions. However, you can configure your end device to display a message before a new cookie is created. This means you can also reject cookies. Furthermore, you can delete cookies from your end device. You also have the option to prevent the recording of data created by the cookie (incl. your IP address) and the processing of this data by downloading and installing an appropriate browser add-on. The rejection or deactivation of cookies may, however, mean that you are unable to use all of the website's functions.</p>	<p>The processing of log files and cookies for the stated purposes is in our legitimate interest. Some cookies are required, for example, in order to save individual settings or provide shopping baskets. Such customization is also in the interests of visitors to our websites. The analysis of the use of our websites also represents a legitimate interest.</p> <p>The processing purposes specified are in our legitimate interest. Our webpages are a</p>
	<p>Analysis of user behavior: On our website, we use Google Analytics, an analysis service of Google, LLC in the US.</p>	<p>This information is used, in particular, in order to better understand the use of our website and to improve its</p>	<p></p>



Google uses therefor cookies that enable analysis of website usage. This means not that Google does receive any personal data about you from us, but does record information about your behavior on our website and the end device (tablet, PC, smartphone, etc.) used for this purpose. This includes, for example, the following usage data:

- browser type and version;
- the address (URL) of the website from which you accessed our website;
- provider name;
- IP address of end device;
- date and time our website was accessed;
- visited pages and length of stay.

This information is saved on a Google server in the US. Provided you have activated the IP anonymization function, your IP address will, however, be abbreviated in the EU or EEA. The full IP address is only transmitted to the US in exceptional circumstances. In the US, Google is bound by the US Privacy Shield Program –

(<https://www.privacyshield.gov/list>).

Based on this information, we receive evaluations from Google. Google Analytics also makes it possible to assign dates, sessions and interactions across several end devices to a pseudonym user ID, allowing the activities of an unnamed user on different devices to be analyzed. Further information can be found under the Terms of Service (<https://www.google.com/analytics/terms/us.html>) or the Privacy Policy (<https://policies.google.com/?hl=en>) of Google.

We use similar services of other providers with locations worldwide. These providers often do not receive any personal data, but they may record the usage of the relevant website by the user, for example through the use of cookies and other technologies. These records may be combined with similar information from other websites. The behavior of a particular user can thus be recorded across several websites and several end devices. The provider concerned may also use this data for its

content, functionality, and retrievability. For example, this data allows us to see the sites from which most of our users access our website, which pages are visited the most, and on which page most visitors leave our website.

We may also evaluate this personal data and combine this with other personal data, for example to non-personalized statistical data and other personal data that we have collected about you in order to extrapolate information about your preferences and interest in certain products or services.

You can prevent the use of Google Analytics by installing a browser add-on

(<https://tools.google.com/dlpage/gaoptout?hl=de>). You can also set an opt-out cookie. An opt-out cookie prevents any future recording.

However, it only applies for the browser in question. In order to prevent recording across several end devices, you need to implement the opt-out on all devices and browsers used. If you delete your cookies in a browser, the opt-out cookie will also be removed.

You also have the option to withdraw any consent issued to providers (information in this regard can be found in the left-hand column) or to object to their processing activities, for example those performed by Google via

[<https://adssettings.google.com> – please provide link: <https://adssettings.google.com>].

very important tool for us in terms of customer communication and -acquisition. It is key for us that we keep our websites functional, attractive, and personal.



own purposes, for instance for personalized promotions on its own website and other websites that it provides with advertisements. If a user is registered with the provider, the provider may be able to attribute usage data to the individual concerned. It will generally obtain the consent of the data subject for such purpose and allow him or her to withdraw such consent in accordance with its requirements. Such personal data is processed by the provider under its own responsibility and in accordance with its own data protection provisions.

Social plug-ins: Our webpages use social plug-ins, for example those of Facebook, YouTube, Twitter, Instagram, Pinterest, or Google+. Buttons for the relevant providers are therefore shown, for example the Facebook "Like" button, or contents of the provider in question are integrated into the webpage. If you access a website that uses a social plug-in of this kind, your browser will establish a connection to the relevant providers. The content of the social plug-in is transmitted to your browser by the provider in question and added by the provider to the relevant website. Due to this process, the relevant provider will receive, in particular, the following information:

- information that your browser has accessed the website in question;
- the IP address of the device used, even if you do not have an account with the provider.

If you are logged in with the relevant provider simultaneously, it may assign the visit to your personal profile. If you interact using a social plug-in, for example by clicking on a "Like" button or leaving a comment, the corresponding information will be transferred to and saved by the relevant provider. This information may be published by the provider in question on your profile and displayed to your contacts.

In particular, we use social plug-ins to make our website more attractive and facilitate interaction with respect to any offer concerned, for example by "liking" a page. This also helps us to increase the reach of our website. Further information on the processing of the relevant data can be found in the privacy notices of the respective providers.

If you do not want the provider concerned to collect data about you via our website, you must log out from the site of the relevant provider prior to visiting our website. Even when you are logged out, providers may collect data on an anonymized basis via social plug-ins. If you log in with the provider in question at a later time, this data may be assigned to your profile. In such cases, the relevant provider processes the personal data under its own responsibility and in accordance with its own data protection provisions. If you wish to prevent the provider from assigning data to your profile, you will need to erase the corresponding cookies. You can also completely prevent the loading of social plug-ins using add-ons for your browser "<https://noscript.net>".

The processing purposes specified are in our legitimate interests. It is important to us that we make our website attractive and increase the level of interaction with our visitors. The use of social plug-ins is an important tool to this end.

Online offers and apps

Online offers: We will also process personal data when you use online offers provided by us – even if you do not purchase any goods or services in the process. For example, if you register with us, we will process contact details

We process your personal data in connection with online offers and apps for the following purposes:

- Provision of the respective offer: We process personal data in

As a general rule, it is only possible to take up online offers if you accept the applicable terms and conditions of use. This means that you enter into a contract



and data relating to the offer concerned. In particular, this may include the following personal data:

- your name;
- your mailing address;
- your email address and, where applicable your telephone number;
- date and time of registration.

If you register with us via Facebook Connect or another login of a third-party provider (e.g. Google or LinkedIn), we may obtain access to certain data saved by the provider in question, for example your user name, profile picture, date of birth, gender, and other information. Information in this regard can be found in the privacy policy of the relevant provider.

Apps: We may also make mobile applications (apps) available. In this case, we will collect and process personal data when you install an app, when you use the app and the available functions, and when you update the app. In particular, this data includes the following information:

- date, time, and duration of installation;
- device-specific information, including the type of device and the current version of your operating system;
- information regarding use of the app.

Depending on the type of offer, we may process additional data comprising the following personal data, which may also include sensitive personal data:

- information on the use of a customer account;
- your age;
- your shopping behavior;
- your location;
- health information.

We may evaluate this personal data and combine this with other information, for example with non-personalized statistical data and other personal data that we have collected about you in

order to make the relevant offer available online or via an app and to implement the offer. This may include the opening and management of a customer account in your name.

- **Analysis and personalization:** We process personal data in connection with online offers and apps in order to better understand behavior with respect to these offers and apps and, in general, the interests and preferences of our customers, to present personalized offers, and to further develop our offers and apps. To this end, we may record, for example, which apps you download, how you use them, how long you leave them installed, and which offers you take up using such apps.
- The processing of personal data also helps us to combat fraud.

The use of online offers is voluntary. If you opt to make use of an online offer, this is generally not possible without processing relevant personal data (e.g. the provision of mandatory data in online forms).

with us. The processing of personal data is permitted for the performance of the contract.

The processing also serves legitimate interests. This allows us to gear our services to your needs and interests in a more precise and targeted manner and also expand and improve our offers. This is essential to allowing us to compete successfully in the market. Depending on the functions of the online offer, we may ask you for further consent.



order to extrapolate information about your preferences and interest in certain products or services. Further information can be found in the terms and conditions of use, where applicable, and in this table under "Visits to our website". If you shop with us in an online shop, you can find additional information under "Purchase of goods and use of services".

Information and direct marketing

If you register for an electronic newsletter and other electronic notifications, we will process, in particular, the following personal data:

- your name;
- your email address and/or your cell phone number;
- information as to whether you have consented to or objected to receiving such notifications.

We can also process data about your use and response to such notifications. This includes, in particular, the following personal data:

- delivery of notification;
- opening and possible forwarding of notification;
- links clicked (objective, date, and time).

We may also evaluate your personal data and combine this with other personal data, for example to non-personalized statistical data and other personal data that we have collected about you in order to extrapolate information about your preferences and interest in certain products or services.

We process your personal data so that we can send you electronic notifications, including messages of a promotional nature. We process personal data with respect to your use of and response to the notifications in order to get to know you better and to enable us to gear our offers to your needs in a more targeted manner.

Such data processing is optional for you. However, if you do not provide us with your personal data and, in particular, your email address, we will not be able to offer you this service. You can withdraw your consent for electronic newsletters at any time by deregistering from this service. This is possible via a link in every electronic newsletter.

We deem your registration for an electronic newsletter to represent consent to the processing of the named personal data for the specified purposes. We also have a legitimate interest in advertising directly and analyzing your response to such advertisements. Both are important to us so that we can be successful on the market.

Participation in competitions, prize draws, and similar events

We collect and process personal data if you participate in competitions, prize draws, and similar events (each referred to as an "event"). The scope of the processed personal data may vary from event to event. This information includes, in particular, the following personal data:

- your name;
- your date of birth;
- your contact details;
- the fact that you are participating;

We will process your personal data in connection with events in order to conduct the relevant event and to enable us to notify the winner. We may also use your name and contact details for advertising purposes.

Participation in such events is voluntary but is not possible without the processing of personal data.

By taking part in an event, you provide consent to the processing of your personal data for this purpose. The processing also serves legitimate interests. This allows us to gear our services towards your needs and interests in a more precise and targeted manner and also expand and improve our offers. This is important to us, as it enables us to compete successfully in the market.



- the outcome of your participation;
- correspondence about the event, as applicable.

Further information in this regard can be found in the relevant terms of participation.

We may also evaluate your personal data and combine this with other personal data, for example with non-personalized statistical data and other personal data that we have collected about you in order to extrapolate information about your preferences and interest in certain products or services.

Accessing our premises

Video-monitored areas: We make video recordings in appropriately identified areas. In doing so, we may obtain information on your behavior in the relevant areas. The use of CCTV is localized and clearly indicated. Furthermore, the data collected in this manner is only made available to selected employees.

This processing activity is performed for your own safety, the safety of our employees, and for evidential reasons. If there are any suspicions of criminal activity, we can make the recordings available to the law enforcement authorities. If you do not wish to be recorded, we have no choice but to ask you not to enter the areas in question.

It is in our legitimate interests to ensure the safety of our customers and employees in the relevant areas, to prevent possible crimes against our employees and customers, and to assist in the investigation of crime. If you voluntarily enter a monitored area that is identified accordingly, we will deem this to represent consent.

Use of Wi-Fi: We collect and process device-specific data from your end device (tablet, PC, smartphone, etc.) as soon as you register and log in via our Wi-Fi infrastructure. This information includes, in particular, the following personal data:

- the MAC address of the end device (a unique device identifier);
- Date, time, and duration of the connection.

In most cases, we are unable to assign this information to a particular person. It is possible, however, that you will need to register prior to the use of the Wi-Fi network and in doing so will receive a code via your e-mail address or an SMS function that you require for the use of our services. In this case, we will collect and process, in particular, the following personal data:

- your name;
- your email address;

We process this information so that we can offer you Wi-Fi and for the purposes of IT security. The use of a Wi-Fi service is voluntary. In principle, you are under no obligation to disclose personal information to us. Under certain circumstances, however, the use of the Wi-Fi service may not be possible without processing the relevant personal data.

By making use of our Wi-Fi service, you provide your consent to us processing your personal data for this purpose.



- your cell phone number, where applicable;
- Date and time of registration.

There is also the option to register via a social network or another service (e.g. Facebook Connect). This allows us to access certain data saved with the provider in question, for example your user name, profile picture, date of birth, gender, and other information. Information in this regard can be found in the privacy policy of the relevant provider.

If you use the Wi-Fi network, we will process, in particular, the following information:

- duration of connection;
- location of Wi-Fi service;
- used data volume.

Participation in customer events

We will process personal data if we invite you to customer events (e.g. promotional events, sponsorship events, cultural and sporting events). This includes, in particular, the following personal data, which may also constitute sensitive information:

- your name;
- your contact details;
- your participation or non-participation;
- other data appropriate to the customer event, such as your date of birth

We may also evaluate your personal data and combine this with other personal data, for example with non-personalized statistical data and other personal data that we have collected about you in order to extrapolate information about your preferences and interest in certain products or services.

In particular, we process your personal data so that we can invite you to our events and also to find out which customer events may be of interest to you. This allows us to draw your attention to customer events that we hope may be of interest to you in a targeted manner. Participation in such events is voluntary but is not possible without the processing of personal data.

We process your personal data after you have provided us with your consent in order to inform you about relevant customer events or if you have registered for one of our customer events.

The processing activities specified are in our legitimate interest, as they allow us to contact you personally and get to know you better. This allows us to gear our services towards your needs and interests in a more precise and targeted manner and also expand and improve our offers. This is important to us, as it enables us to compete successfully in the market.

Contact with our company as a business partner

If you work for a company that supplies goods or services to us, purchases goods or services from us, or cooperates with us in some other way, we may, for example, process the following personal data about you:

In particular, the processing of personal data serves the following purposes:

- to check whether we supply or purchase goods or services to or from your company or whether

The processing specified is in our legitimate interest, as it allows us to use and sell goods and services. We also have a legitimate interest in preventing abuse and ensuring an adequate level of



	<ul style="list-style-type: none"> • your name; • your title, position, area of activity, and relationship to the company concerned; • positions held during your career; • your interactions with us. <p>We will process other personal data, which may include sensitive data, when reviewing whether we want or are able to work with your company (e.g. in the course of performing security checks). If you work at our premises, we will also process other contact details, e.g. the following information:</p> <ul style="list-style-type: none"> • your nationality and residency status; • copies of passport and identification documents; • previous convictions and any criminal enforcement measures; • data pertaining to user accounts and the use of such accounts; • badge number and –use; • your use of our IT infrastructure; • video recordings (if you access areas monitored by CCTV). <p>We will generally inform you separately about such processing activities or request your consent.</p>	<ul style="list-style-type: none"> • we want and are able to work with your company (e.g. as part of suitability checks, checks for conflicts of interest); • to check whether your company provides the required level of security, for example in the event that it processes personal data on our behalf; • to communicate with you and your company, for example as part of the performance of a contract; • to plan staff deployment and, where applicable, your deployment and the deployment of your company's employees; • for training purposes; • for monitoring and performance assessment purposes; • to prepare and undertake corporate takeovers and sales as well as similar transactions; • for customer and supplier relationship management in order to get to know you and your company better, improve our customer focus, and increase levels of customer satisfaction and retention (customer relationship management, "CRM"); • for accounting purposes; • for the administration and management of our IT and other resources; • to exchange personal data within the Group. <p>You are under no obligation to disclose the personal data specified to us. If you do not wish to provide the required personal data to us, we may be unable to work with you. In exceptional circumstances, we may even be legally required to process such personal data.</p>	<p>security. The provision of customer care is also in our legitimate interest. If we have a contract directly with you or you wish to conclude a contract directly with us, we will process your personal data for the purpose of concluding and performing the contract concerned.</p> <p>To the extent that we process sensitive personal data for the specified purposes, we will generally do so for the purposes of enforcing, exercising or defending legal rights or on the basis of your explicit consent.</p>
<p>Corporate transactions</p>	<p>In certain circumstances, we may review transactions or execute transactions involving the sale or purchase of companies, parts of companies, or other assets, or the creation of encumbrances.</p>	<p>Data will be processed, in particular, for the purpose of assessing and, where applicable, executing the relevant transactions. It may also be</p>	<p>Processing for the specified purposes may be required for the performance of contracts. This is in our legitimate interest.</p>



	<p>In this context, the scope of personal data processing will depend on the purpose and stage of the transaction, and may also include sensitive personal data. In certain circumstances, such information may be disclosed to, or collected by, potential contracting partners, to the extent permitted by law. In the event that we sell receivables, we will, for example, transfer information to the purchaser regarding the reason for and amount of the receivable and, where applicable, regarding the credit rating and behavior of the debtor.</p>	<p>necessary to file reports with the authorities both at home and abroad.</p>	<p>To the extent that we process sensitive personal data, such processing activities will normally be based on your explicit consent.</p>
<p>Job applications</p>	<p>If you apply for a position with us, we will process your contact details and the information transmitted to us (e.g. the application, family status, résumé, knowledge and skills, interests, references, qualifications, certificates). Such information may include sensitive personal data, such as dates of birth or details of trade union membership. During the job application process, other personal data may also be required depending on the position and job profile.</p>	<p>We will process your personal data in order to assess your suitability for the position concerned and talk to you about potential employment, and, where applicable, for the purposes of preparing and concluding a contract. Subject to your consent, we will also, where applicable, keep your application on file if we decide not to recruit you, or you decide not to take a job, in the event that another position becomes vacant at a later date. Although providing the personal data specified is optional we are unable to process an application without the personal data required for this purpose.</p>	<p>If you apply for a position with us, we will process your personal data with a view to a possible contract. In submitting your application, you will also be deemed to have consented to such processing activities.</p>
<p>Compliance with legal requirements</p>	<p>In certain circumstances, we may be required or wish to process personal data in order to comply with legal obligations. We may, for example, receive and process complaints and reported irregularities, or the authorities may request documents containing your name and contact details or conduct an investigation in relation to us. We may also conduct internal investigations during which your personal data may also be processed.</p>	<p>We process this personal data for the following purposes:</p> <ul style="list-style-type: none"> to ensure compliance with legal obligations, including orders issued by the courts or the authorities; preventive measures to ensure compliance; measures to detect and investigate abuses. 	<p>Processing for the specified purposes is required for compliance with legal obligations and is in our legitimate interests.</p>
<p>Safeguarding rights</p>	<p>We will process personal data for the purpose of safeguarding our rights, for example to enforce our rights both in or out of court and before national or foreign authorities or to defend against any claims. For example, we may seek clarification as to the prospects of success in relation to legal proceedings or submit documents to an authority. The authorities may also require us to disclose documents that contain personal data. In addition to the contact</p>	<p>We will process this personal data for the following purposes:</p> <ul style="list-style-type: none"> investigating claims and enforcing rights, which may also include the rights and claims of affiliated companies and other contracting and business partners; the defense of claims against us, our employees, any affiliated 	<p>Processing for the specified purposes may be required for the performance of contracts. Such processing is in our legitimate interest and, where applicable, in the legitimate interests of third parties.</p>



details of data subjects, we may process other personal data, depending on the circumstances, such as information on events that led to or could give rise to a dispute. Such information may include sensitive personal data.

- companies, and any contracting or business partners;
- seeking clarification as to the prospects of success in relation to legal proceedings and with respect to any other legal, commercial or other matters;
- involvement in proceedings before the courts and authorities at home or abroad.