



# Data protection regulations (DPR)

*Version 2.2 valid from 1.8.2020 until revoked*

## 1. Basic principles

**1.1.** In the course of initiating, concluding, processing and rescinding a purchase contract via the electronic communication channels (telephone, fax, B2B online platform, e-mail and other electronic means of communication) we collect, store and process data within the framework of the statutory provisions. These are essentially personal data, business data, personal details (profiling data) such as address data of the Purchaser, product data and – in particular in the area of online orders via the B2B platform – cookie data that are collected during the ordering process (session cookies) or via the ordering behaviour (permanent cookies) or cookies from third party providers such as social media (Facebook, Twitter, etc.), to which we are linked. All these data are referred to as „data“ below.

When you visit our B2B platform, the IP address currently used by your PC, date and time, the browser type and operating system of your PC as well as the pages you view are logged. However, this does not allow us, nor is it intended to draw direct conclusions about your personal details. The collected business data do not include personal data or profile data subject to the Data Protection Act, but data of your company, which could only be subject to business secrets. Nevertheless, we voluntarily handle these data in accordance with the general principles of the relevant data protection act. We also consider compliance with business secrets to be binding and mandatory.

**1.2.** We will only store the data if you provide us with them, e. g. when placing an order or by e-mail or fax (e.g. your name and your personal contact details). We will only process these data for the purpose for which you have provided us with the data (e.g. processing of the order, correspondence with you).

**1.3.** The data will be stored on the servers of orbiz Software AG located in Constance, Germany, in compliance with the obligation of confidentiality. By accepting and applying this DPR by delivering it in paper form or by clicking on this DPR on the B2B platform (by setting a checkout tick in the order process before submitting your shopping cart order), you give your consent to the collection, storage (outside of Germany) and the following purposes.

**1.4.** We will only pass on your data to the shipping company (logistics partner) charged with the delivery, as far as this is necessary for the delivery of the goods. In order to process payments, we pass on your payment data to the bank responsible for payment. If you pay by credit card, we will pass on your credit card details to the participating credit card company. Exceptionally, personal data is transferred within the scope of the order data processing in accordance with section 4.

**1.5.** In addition, we will not pass on your data to third parties unless we are legally obliged to do so, or you have given your express prior consent. Insofar as we make use of the services of third parties (order data processors) for the purpose of implementing and settling work processes, the provisions of the Swiss Federal Data Protection Act (DSG 235.1) are expressly complied with.

**1.6.** With the involved third parties with whom we cooperate in connection with the processing of your order (sections 1.3., 1.4. and 1.5.) we conclude corresponding contracts in which we expressly require these companies to comply with the data protection provisions set out here.

**1.7.** Questions, information and requests in connection with data protection issues shall be addressed exclusively to us as contractual partners.

## 2. Duration of storage

**2.1.** All data communicated to us via our electronic communication channels will only be stored until the purpose for which they were entrusted to us has been fulfilled, unless we are obliged by commercial or tax law to keep them for a longer period of time (obligation under commercial law to retain business-relevant data in accordance with Art. 958f OR is 10 years for business correspondence and financial documents) or you have expressly consented to their further use.

## 3. Your rights

**3.1.** If you no longer consent to the storage of your data or if it has become incorrect, we will initiate the deletion, correction or blocking of your data in accordance with the statutory provisions, unless there are legal obligations to retain them. In the event of a request for deletion, we will only be able to delete the data if you provide us with a prior liability confirmation in writing. You have the right at any time to receive information about all data that we have stored about your company or orders. Details on the right to information are regulated by the Federal Act on Data Protection (DSG, in particular Section 8).

**3.2.** Revocation Policy: If you have expressed your interest and consent to receive the latest information and offers from Utz at regular intervals, we will use the information required or separately provided by you to deliver this information accordingly. Unsubscribing from this information and newsletters is possible at any time and can either be done via a dedicated link in the newsletter or by a message to the contact option described below.

**3.3.** Our contact details for questions of data protection are as follows: Georg Utz AG, Data Protection Representative, Augraben 2-4, 5620 Bremgarten, Telephone +41 56 648 77 11, [data-protection.ch@utzgroup.com](mailto:data-protection.ch@utzgroup.com)

## 4. Order data processing

**4.1.** We have entrusted orbiz Software AG, headquartered in Konstanz, Germany, with the provision and technical support of our B2B platform (web server operation, hosting). Insofar as data are transferred, stored and processed in this connection, this is done in accordance with the instructions of Georg Utz AG and within the scope of an order data processing according to the DPR.

**4.2.** The contractual relationship with the order data processor is regulated by means of written contracts and the data protection provisions shown here have been transferred to this order data processor. Similarly, an audit or audit right for data processing on site at orbiz Software AG has been contractually agreed upon for us as the owner of the B2B platform. We regularly monitor the measures taken by orbiz Software AG to protect your data. Transferring these data to third parties by the order data processor has been contractually excluded.

## 5. Links to other Internet pages

**5.1.** Insofar as we refer or link to third party websites from our B2B platform, we cannot accept any liability for the accuracy or completeness of the content and data security of these websites. As a rule, such references or links are displayed via framing in such a way that you can immediately recognise that you are no longer on our B2B platform.

**5.2.** Since we have no influence on the adherence to data protection regulations by these third parties, you should check and accept the respective offered data protection declarations of these third parties separately, in particular with regard to the application of cookies and other collection programmes for marketing measures.



## 6. Social Media – Use of Social Plugins

**6.1.** At present, we renounce the use of social plugins, such as from Facebook, Twitter, Pinterest and others. On our website, we offer an icon to connect directly to our social media channels. Thus, your personal data will not be passed on directly to the social media channel.

**6.2.** If you are already logged in to one of the social media channels, the service provider can assign your click from our website to your profile on Facebook, Twitter or Instagram. If you do not want these services to be able to make this connection, you must log out of the corresponding service before visiting our website or clicking on our social media icon.

**6.3.** By expressly accepting these DPRs in the context of the electronic ordering process or by means of the order confirmation, or by the valid application of the DSRs after delivery to you as Purchaser in paper form, you acknowledge the use, purpose and operation of these tools and expressly agree to the use of such tools.

## 7. Google Tools – Analytics, Tag Manager, Dynamic, AdWords

**7.1.** Our B2B platform uses Google Analytics, a web analytics service provided by Google Inc. („Google“). Google Analytics uses so-called „Cookies“, text files that are stored on your computer and that allow an analysis of your use of the website. The information generated by the cookie about your use of this website is usually transferred to and stored on a Google server in the USA. However, if you enable IP anonymisation on this site, Google will first shorten your IP address within Member States of the European Union or in other signatory states to the EEA Agreement. The full IP address is only transferred to a Google server in the USA and shortened there in exceptional cases. On behalf of the operator of this website, Google will use this information to evaluate your use of the website, to compile reports on website activity and to provide the website operator with further services associated with website and internet use. The IP address transmitted by your browser within the scope of Google Analytics will not be merged with other Google data. You may refuse the use of cookies by selecting the appropriate settings on your browser software; however, please note that in this case you may not be able to use the full functionality of our B2B platform.

**7.2.** You can prevent Google from collecting the data generated by the cookie and relating to your use of the B2B platform (including your IP address) and from processing these data by downloading and installing the browser plug-in available under the following link (<https://tools.google.com/dlpage/gaoptout?hl=en>).

**7.3.** Please find more detailed information on usage conditions and data security under <http://www.google.com/analytics/terms/gb.html> or under <https://www.google.de/intl/gb/policies/>. We would like to point out that on this website, Google Analytics has been extended by the code „gat.\_anonymizelp ();“ in order to guarantee an anonymous capture of IP addresses (so-called IP masking). We also use Google Analytics to evaluate data from AdWords and the double-click cookie for statistical purposes. If you do not want this to happen, you can deactivate it using the Ads Preferences Manager (<https://adssettings.google.com/authenticated?hl=en>).

**7.4.** By expressly accepting these DPRs in the context of the electronic ordering process or by means of the order confirmation, or by the valid application of the DSRs after delivery to you as Purchaser in paper form, you acknowledge the use, purpose and operation of these tools and expressly agree to the use of such tools.

## 8. Cookies

**8.1.** Most of the cookies we use are automatically deleted from your hard disk after the end of the browser session on the B2B platform (session cookies). These session cookies are required to offer you the shopping cart function across several pages, for example. In addition, we also use cookies that remain on your hard drive (permanent cookies). On subse-

quent visits, the system will automatically recognise that you have already visited our site once and which entries and settings you prefer. These temporary or permanent cookies (life span 1 month to 10 years) are stored on your hard disk and will be deleted automatically after the specified period of time, whereby the runtime will be extended if you use our B2B platform again.

**8.2.** Cookies are used to make our B2B platform more user-friendly and secure. For example, they enable us to provide you with information on the site that is specifically tailored to your interests. Cookies are therefore intended to make browsing on our site as user-friendly as possible. Most browsers have functions that allowing you to refuse to accept cookies or have any accepted cookies deleted after your visit to an Internet page. Certain functions on the B2B platform cannot be used without cookies.

**8.3.** By expressly accepting these DPRs, in particular in the context of the ordering process, you acknowledge the use, purpose and operation of these tools and expressly agree to the use of such tools.