

Information obligations for business partners

In the following, we provide information about the collection of personal data for

1. offers, 2. archiving customer data sales, 3. order confirmations, 4. evaluations customer feedback, 5. visitor registration, 6. debtor reminders, 7. e-mail, 8. fax dispatch on behalf, 9. competitions, 10. contact data business partners, 11. opinion surveys, 12. sample dispatch, 13. newsletter dispatch, 14. invoices, 15. complaints, 16. damage reports, 17. telephone system, 18. telephone exchange, 19. transponder administration, 20. web store, 21. customs clearance, 22. compliance reporting system

Personal data is all data that can be related to you personally, e.g. name, address, e-mail addresses, telephone number, image/film material

Contact details and company data protection officer

The controller pursuant to Article 4(7) GDPR is **Develey Senf und Feinkost GmbH**, Ottobrunner Str. 45, 82008 Unterhaching, telephone: 089/ 61102-0, e-mail develey-kontakt@develey.de. The company data protection officer of Develey Senf & Feinkost GmbH can be contacted at the above address for the attention of the Organization/IT department or at datenschutz.dsf@develey.de.

Culifoods GmbH, Oberweg 8, 82008 Unterhaching, telephone: (089) 611 02 - 1834 operates the Develey Senf und Feinkost GmbH store.

purposes of data processing and legal bases

The data is collected, stored and, if necessary, passed on by us, insofar as it is

1. The data is collected, stored and, if necessary, passed on by us insofar as it is necessary to make a declaration of intent that must be received, which contains all essential contractual components and by which a contract is offered to another party in such a way that the conclusion of the contract depends only on the consent of the recipient. The collection, storage and disclosure is therefore carried out for the purpose of pre-contractual measures at the request of the data subject on the basis of Article 6 paragraph 1 sentence 1 letter b GDPR. Failure to provide this data may result in the interested party or customer not being able to receive an offer and, if necessary, a contract not being concluded.

2. The data is collected, stored and, if necessary, passed on by us to the extent necessary to document the products purchased by the customer. The collection, storage and disclosure is therefore carried out for the purpose of fulfilling the contract and on the basis of Article 6(1) sentence 1(b) GDPR and to fulfill a legal obligation of the controller on the basis of Article 6(1) sentence 1(c) GDPR. Failure to provide this data may mean that invoices or other documents cannot be checked, retention periods cannot be complied with and cannot be made available retroactively.

- 3.** The data is collected, stored and, if necessary, passed on by us to the extent required to inform the customer of the acceptance of an offer. The company that issues an order confirmation has usually previously issued an offer for the delivery of the goods, for the quantity and prices or for a service and its prices. The collection, storage and disclosure is therefore carried out for the purpose of fulfilling a pre-contractual measure at the request of the data subject on the basis of Article 6 paragraph 1 sentence 1 letter b GDPR. Failure to provide this data may mean that no goods and services can be sold.
- 4.** We collect, store and, if necessary, pass on the data to the extent required to evaluate customer feedback. The collection, storage and disclosure is therefore carried out for the purpose of legitimate interest, which is weighed up on a case-by-case basis by balancing interests if this is opposed by an interest worthy of protection (especially in the case of children) on the basis of Article 6(1) sentence 1(f) GDPR and for the purpose of pre-contractual measures at the request of the data subject on the basis of Article 6(1) sentence 1(b) GDPR. Failure to provide this data may mean that we are unable to evaluate customer feedback and receive inquiries.
- 5.** The data is collected, stored and, if necessary, passed on by us insofar as it is necessary to record a visit by data subjects to a company and thereby determine who is on the business premises. The collection, storage and disclosure is therefore carried out for the purpose of legitimate interest, which is weighed up in individual cases by balancing interests if there is an interest worthy of protection (especially in the case of children) on the basis of Article 6 paragraph 1 sentence 1 letter f GDPR and for the purpose of pre-contractual measures at the request of the data subject on the basis of Article 6 paragraph 1 sentence 1 letter b GDPR. Failure to provide this data may result in visitors not being able to be registered and therefore not being able to visit the company.
- 6.** The data will be collected, stored and, if necessary, passed on by us to the extent necessary to demand the debtor's performance owed by the creditor. If the debt is due, the debtor is in default of payment due to the unsuccessful reminder in accordance with § 286 BGB. The collection, storage and forwarding is therefore carried out for the purpose of fulfilling the contract and on the basis of Article 6 (1) sentence 1 letter b GDPR. Failure to provide this data may mean that outstanding claims cannot be collected.
- 7.** We collect, store and, if necessary, pass on the data to the extent necessary to enable learning in which electronic or digital media are used for the presentation and distribution of learning materials and/or to support interpersonal communication. The collection, storage and disclosure is therefore carried out for the purpose of fulfilling the employment relationship and on the basis of Article 88 (1) GDPR in conjunction with Section 26 (1) BDSG-neu. § Section 26 (1) BDSG-new". Failure to provide this data may result in the correct functioning of the server being prevented.
- 8.** The data is collected, stored and, if necessary, forwarded by us to the extent required to ensure the sending of faxes. The collection, storage and disclosure is therefore carried out for the purpose of contractual/pre-contractual measures at the request of the data subject on the basis of Article 6(1) sentence 1(b) GDPR and to fulfil legal obligations of the controller pursuant to Article 6(1) sentence 1(c) GDPR. Failure to provide this data may mean that order confirmations cannot be sent and contracts cannot be concluded.

9. The data will be collected, stored and, if necessary, passed on by us to the extent necessary to enable an offer to participate in a game in which a prize is offered if the game is won. The collection, storage and disclosure is therefore carried out for advertising purposes and only if you have given us your express consent to do so in accordance with Article 6(1)(a) GDPR. Failure to provide this data may result in you not being able to participate in the competition and therefore not being able to win anything.

10. The data is collected, stored and, if necessary, passed on by us to the extent necessary to collect contact data from business partners such as suppliers and interested parties, which are stored in contact folders in order to achieve long-term interactions between two economic entities that are geared towards economic goals and from which business transactions arise. The collection, storage and disclosure is therefore carried out for the purpose of fulfilling the contract with the data subject on the basis of Article 6(1) sentence 1(b) GDPR, for the purpose of pre-contractual measures at the request of the data subject on the basis of Article 6(1) sentence 1(b) GDPR and for the fulfilment of legal obligations of the controller pursuant to Article 6(1) sentence 1(c) GDPR. Failure to provide this data may mean that business partners cannot be contacted/delivered to.

11. The data is collected, stored and, if necessary, passed on by us insofar as it is necessary to collect the opinions of a number of people on a specific topic in a survey. The data is therefore collected, stored and passed on for advertising purposes and only if you have given us your express consent to do so in accordance with Article 6(1)(a) GDPR. Failure to provide this data may mean that no trends can be recognized and no potential target groups can be created.

12. The data is collected, stored and, if necessary, passed on by us to the extent necessary to send a customer or interested party sample goods that have been requested by them. The collection, storage and disclosure is therefore carried out for the purpose of fulfilling the contract with the data subject on the basis of Article 6(1) sentence 1(b) GDPR. Failure to provide this data may mean that the interested party or customer cannot be supported and does not receive any sample goods.

13. With your consent, you can subscribe to our newsletter, with which we inform you about our current interesting offers. The advertised goods and services are named in the declaration of consent. You subscribe to our newsletter using the so-called double opt-in procedure. This means that after your registration you will receive an e-mail to the e-mail address you have provided in which we ask you to confirm that you wish to receive the newsletter. If you do not confirm your registration within 24 hours, your information will be blocked and automatically deleted after one month. We also store the IP addresses you use and the times of registration and confirmation. The purpose of this procedure is to be able to prove your registration and, if necessary, to clarify any possible misuse of your personal data. The only mandatory information for sending the newsletter is your e-mail address. The provision of further, separately marked data is voluntary and is used to be able to address you personally. You do not have to provide this data. After your confirmation, we will save your e-mail address for the purpose of sending you the newsletter. The legal basis for this is Article 6 paragraph 1 sentence 1 letter a GDPR.

14. The data is collected, stored and, if necessary, passed on by us to the extent necessary to create a document in which a company informs its customer of the fee due under a contract. The collection, storage and disclosure is therefore carried out for the purpose of fulfilling the contract and on the basis of Article 6 paragraph 1 sentence 1 letter b GDPR and for the fulfilment of legal obligations of the controller pursuant to Article 6 paragraph 1 sentence 1 letter c GDPR. Failure to provide this data may result in the services not being invoiced.

15. The data is collected, stored and, if necessary, passed on by us to the extent necessary to deal with dissatisfaction with a product or service expressed verbally or in writing by internal or external customers. This may be due to actual defects or misunderstandings or unrealistic expectations.

The collection, storage and disclosure is therefore carried out for the purpose of fulfilling the contract and on the basis of Article 6 paragraph 1 sentence 1 letter b GDPR, for the purpose of fulfilling a legal obligation of the controller on the basis of Article 6 paragraph 1 sentence 1 letter c GDPR and for the purpose of fulfilling vital interests of the data subject and on the basis of Article 6 paragraph 1 sentence 1 letter d GDPR. Failure to provide this data may mean that the complaint cannot be processed..

16. The data is collected, stored and, if necessary, passed on by us to the extent necessary to process damage reports from customers.

The collection, storage and disclosure is therefore carried out for the purpose of fulfilling the contract and on the basis of Article 6(1) sentence 1(b) GDPR and for the purpose of fulfilling a legal obligation of the controller on the basis of Article 6(1) sentence 1(c) GDPR. Failure to provide this data may mean that the claim cannot be processed.

17. The data is collected, stored and, if necessary, passed on by us insofar as it is necessary to connect a switching device, which connects several end devices such as telephone, fax, answering machine both to each other and to one or more lines of the public telephone network. The collection, storage and forwarding is therefore carried out for the purpose of fulfilling the employment relationship and on the basis of Article 88 (1) GDPR in conjunction with Section 26 (1) BDSG-neu. § Section 26 (1) BDSG-new. Failure to provide this data may result in work processes not being able to be carried out properly and could come to a standstill.

18. The data is collected, stored and, if necessary, passed on by us insofar as it is required to receive calls at a central point, to forward them or to record callbacks. The collection, storage and disclosure is therefore carried out for the purpose of pre-contractual measures at the request of the data subject on the basis of Article 6(1) sentence 1(b) GDPR and for the purpose of fulfilling the contract and on the basis of Article 6(1) sentence 1(b) GDPR. Failure to provide this data may mean that calls cannot be processed properly.

19. The data is collected, stored and, if necessary, passed on by us to the extent necessary to document the handover of a transponder (in Excel if necessary) in order to ensure that it is collected again when the employee leaves the company. The collection, storage and transfer is therefore carried out for the purpose of fulfilling the employment relationship and on the basis of Article 88 (1) GDPR in conjunction with Section 26 (1) BDSG-neu. § Section 26 (1) BDSG-new. Failure to provide this data may result in the employee not being able to enter the office premises.

20. The data is collected, stored and, if necessary, passed on by us to the extent necessary to process your order correctly. The collection, storage and disclosure is therefore carried out for the purpose of contractual/pre-contractual measures at the request of the data subject on the basis of Article 6 paragraph 1 sentence 1 letter b GDPR. Failure to provide this data may mean that no goods can be sold.

21. The data is collected, stored and, if necessary, passed on by us to the extent necessary to process goods and services through customs and to submit data. The collection, storage and disclosure is therefore carried out for the purpose of fulfilling a legal obligation of the controller in accordance with Article 6 (1) sentence 1 letter c GDPR and for the purpose of fulfilling the employment relationship and on the basis of Article 88 (1) GDPR in conjunction with Section 26 (1) BDSG-new. § Section 26 (1) BDSG-new". Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. Failure to provide this data may result in legal requirements being violated and goods or services being blocked by customs.

22. The data is collected, stored and, if necessary, passed on by us to the extent necessary to check a compliance report of concerns or an offence. This report is made to the company by the reporting party via a digital reporting system, by email, by post, by telephone or in person. The collection, storage and transfer of the data provided is carried out for the purpose of fulfilling legal obligations (Art. 6 para. 1 lit. c GDPR) and on the basis of our legitimate interest (Art. 6 para. 1 lit. f GDPR). Failure to provide this data may mean that the report cannot be checked and processed and, if necessary, that no feedback can be provided to the reporting party. In principle, we are legally obliged under Art. 14 GDPR to inform third parties that we have received a report about them and process their personal data as soon as this information no longer endangers the follow-up of the report. The identity of the whistleblower will not be disclosed, insofar as this is legally permissible. Confidentiality cannot be guaranteed if false information is knowingly posted with the aim of discrediting a person (denunciation).

We transmit personal data to responsible employees/departments; the works council; the competent court; to employees of the parent company; to employees of subsidiaries; to a law firm; to an auditor; to a tax consultant; to cooperation partners of the competition; to competition insurers; to data subjects who have completed the contact form; to business partners to whose business area or supply chain a report relates; to auditors; to investigating authorities or private investigative service providers; to the police. To the police; to temporary employment agencies; to the tax office; to a debt collection agency; to the responsible bank; to the responsible insurance company; to the responsible expert; to the lessor; to all callers; to customs; to the district administration office; to freight forwarders.

Further processing will only take place if you have given your consent or if legal authorization has been granted.

In some cases, we use external service providers based in the European Economic Area to process your data.

These service providers have been carefully selected by us, commissioned in writing and are bound by our instructions. They are regularly monitored by us. The service providers will not pass this data on to third parties, but will delete it after fulfilment of the contract and the conclusion of statutory storage periods, unless you have consented to further storage.

(2) We maintain up-to-date technical measures to ensure the protection of personal data. These are always adapted to the current state of the art.

Duration of data storage

If we do not process your contact data for operational purposes, we will store the data collected until the purpose for which the data was collected has been fulfilled and is no longer required or, in the case of

1. offers until the purpose has been fulfilled, max. 6 years.
2. archiving customer data until the purpose has been fulfilled, max. 10 years.
3. order confirmation until the purpose has been fulfilled, max. 6 years.
4. evaluation of customer feedback until the end of the 10-year period.
5. visitor registration until the end of the 6-month period.
6. debtor reminders until the end of the 10-year period.
7. e-mail until the end of the 10-year period.
8. fax dispatch (by order) until the end of the 10-year period.
9. competitions until the end of the 10-year period.
10. business partner contact data until the end of the 10-year period.
11. opinion polls until the purpose of storage is fulfilled.
12. sample dispatch until the end of the 8-year period.
13. newsletter dispatch until the end of the 6-month period.
14. invoices until the end of the 10-year period.
15. complaints until the end of the 10-year period.
16. notification of damage until the end of the 10-year period.
17. telephone system until the end of the 10-year period.
18. telephone switchboard until the end of the 6-month period.
19. transponder management until the end of the 6-month period.
20. webshop until the end of the 6-month period.
21. customs clearance until the end of the 10-year period.
22. compliance reporting system until the end of the 7-year period (Section 10 (1) LkSG)

Your data protection rights

You have the right to request information from us at any time about the personal data we have stored about you (Article 15 GDPR). This also applies to the recipients or categories of recipients to whom this data is disclosed and the purpose of storage. You also have the right to request rectification under the conditions of Article 16 GDPR and/or erasure under the conditions of Article 17 GDPR and/or restriction of processing under the conditions of Article 18 GDPR. Furthermore, you can request data transfer at any time under the conditions of Article 20 GDPR - provided that the data is still stored by us.

In the case of processing of personal data for the performance of tasks carried out in the public interest (Article 6(1) sentence 1(e) GDPR) or for the purposes of the legitimate interests pursued (Article 6(1) sentence 1(f) GDPR), you may object to the processing of your personal data at

any time with effect for the future. In the event of an objection, we must refrain from any further processing of your data for the aforementioned purposes, unless

- there are compelling legitimate grounds for the processing which override your interests, rights and freedoms, or
- the processing is necessary for the establishment, exercise or defense of legal claims.

If the processing of your personal data is based on your consent, you have the right to withdraw your consent at any time. This shall not affect the lawfulness of processing based on consent before its withdrawal (Article 7(3) GDPR).

Under the conditions of Article 21(1) GDPR, data processing may be objected to on grounds relating to the particular situation of the data subject.

Contact us

Please send all requests for information, requests for information, revocations or objections to data processing by e-mail to our data protection officer at datenschutz.dsf@develey.de or by letter to the address given under 1. For further information, please refer to the full text of the GDPR, which is available online at <https://eur-lex.europa.eu/legal-content/DE/TXT/HTML/?uri=CELEX:32016R0679&from=DE>.

You also have the option of complaining to the competent supervisory authority about data protection issues.

Bavarian State Commissioner for Data Protection

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