

# MARIA GALLAND

## PARIS

# PRIVACY NOTICE

## FOR BUSINESS CUSTOMERS

In the privacy notice below, we inform you about the type, scope and purpose of processing of personal data.

Controller within the meaning of Art. 4 No. 7 of the GDPR is Maria Galland GmbH, Wintrichring 58 · München D-80992 Germany (hereinafter: “we” or “us”).

### I. PURPOSES AND LEGAL BASIS FOR THE PROCESSING

#### **1. Processing of your contact data**

We will process your contact data (such as name, first name, academic degree, specialisation/professional qualification, address, telephone numbers, e-mail addresses). We collect this data partly from you or from publicly available sources, partly from our service providers.

We process the aforementioned data insofar as this is necessary for the conclusion and performance of contracts with you.

Legal basis is point b) of Art. 6 (1) of the GDPR (if you are our contractual partner) or point f of Art. 6(1) of the GDPR (if you are a contact person of the company that is our contractual partner). In the latter case, the legitimate interest is the communication with you in connection with the conclusion and performance of the contract.

We also process the aforementioned data for the following legitimate interests: Maintaining our business relationship with you as well as for the purposes of scientific information, marketing purposes and market research.

Legal basis is point f of Art. 6 (1) of the GDPR or point a of Art. 6 (1) of the GDPR (if you have given us your consent to processing).

In addition, we also process your contact data for the compliance with relevant legal obligations (see below under I. 4).

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### **2. Processing in the context of field visits and interviews by service providers engaged by us**

After a visit by our field service, we process the date and content (e.g. order and POS data, as well as location-related data) of the visits made, as well as your preferred visit times and your requirements. Furthermore, we process data in the context of market research surveys, which we have carried out by an external service provider via order processing in accordance with Art. 28 of the GDPR.

We process the aforementioned data for the following legitimate interests: Maintaining our business relationship with you, managing our field service, adapting our field visits to your interests, evaluating the quality of visits, improving the presentation and design of our products, as well as for information and marketing purposes.

Legal basis is point f of Art. 6 (1) of the GDPR.

If you have given us your consent to do so, we will also process your personal data in order to contact you by email, fax, phone or video telephony and to send you information and offers tailored to your individual interests.

The subject matter of the information and offers include, in particular, information and news about the company, product information, reports on new product developments, appointment agreements/visit announcements of our field service for the digital, telephone and physical performance of field appointments, brand- and product-independent support and service contents and consultations (e.g. business organisation, local marketing), digital sample and material requirements forms, seminars/trainings, invitations and/or advice on events, congresses, lectures, trade fair visits, online seminars or invitations to short surveys/market research surveys.

Legal basis is point a of Art. 6(1) of the GDPR.

### **3. Processing in the context of competitions**

We process the personal data you provide in the context of competitions (e.g. name, address data, answers to competition questions) exclusively for the purpose of conducting the competition and awarding the prizes.

Legal basis is point b of Art. 6(1) of the GDPR.

You are not obliged to provide us with your personal data in the context of a competition. However, you may not be able to participate or the prize may not be sent to you without your details.

### **4. Processing for compliance with a legal obligation**

We process your personal data insofar as this is necessary for the performance of a legal obligation to which we are subject.

In particular, we will process your name and contact details if you inform us of any undesirable effects or quality defects with regard to our products. If we carry out observation studies in cooperation with you, we will process your name, your contact details, and the type and amount of compensation actually paid to you in connection with observation studies.

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We process the above mentioned data in order to comply with our legal obligations under the relevant legal regulations, such as e.g. sample levies, reports of adverse effects, observation studies.

Legal basis is in each case point c of Art. 6 (1) of the GDPR in conjunction with the relevant legal norms.

### **5. Processing for creditworthiness verifications and data transmission to credit agencies**

In individual cases, we also process the data you provide (name, address, date of birth and, if applicable, gender) about the application, implementation and termination of the business relationship for queries and creditworthiness information on the basis of mathematical-statistical procedures at credit reporting agencies in order to verify your creditworthiness before concluding a contractual relationship and, if necessary, transmit data about non-contractual or fraudulent behaviour during the contractual relationship to a credit agency. The exchange of data with a credit agency is also used for identity verification. We will be able to identify whether a person is stored in their database at the address given by the customer based on the matching rates provided by the credit agency.

Legal basis is point f of Art. 6 (1) of the GDPR, insofar as this is necessary for the protection of our legitimate interests or of third parties and unless you have prevailing interests or fundamental rights and freedoms, which require the protection of personal data. The legitimate interest is to protect us from payment defaults and that the credit agency informs third parties about negative payment experiences and thus protects us from disadvantages.

### **II. RECIPIENTS OR CATEGORIES OF RECIPIENTS OF YOUR DATA**

In our companies, only those employees are given access to your data who need your personal data to fulfil our contractual and legal obligations. Your data will, as a rule, only be passed on to external parties if this is permitted or required by law or if you have given your consent.

Below, please find the categories of external recipients of your data:

- Affiliated companies within the group of companies, insofar as they are acting as service providers for us and, for example, provide IT services, insofar as this is necessary for the provision of our services or if and insofar as these require the data for the compliance with our contractual and legal obligations or on the basis of our legitimate interests. This may be for economic, administrative or other internal business purposes, only to the extent that your interests or fundamental rights and freedoms, which require the protection of personal data, do not prevail.

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- Private entities outside the group of companies, such as, in particular:
  - Payment service providers and banks to collect outstanding payments from accounts or to pay reimbursement amounts;
  - Complaint handlers to receive and process your inquiries and complaints;
  - Agencies (e.g. online and offline), printing companies and lettershops that support us in the performance of advertising measures (e.g. competitions, promotions, sending of invitations and letters, etc.);
  - IT service providers, which, among other things, store data, assist with the administration and maintenance of the systems, as well as file archivers and file shredding companies;
  - Logistics service providers to deliver goods, etc.;
  - Credit agencies when requesting credit information;
  - Debt collection agencies and legal consultants;
  - Services providers in the context of reporting adverse effects;
  - License partners;
  - Market research companies.
- Public bodies and institutions, insofar as we are legally obliged to do so. For example, as part of our legal obligation, we report quality defects of our products (e.g. complaints and forgeries) to the state authorities competent for our company. Your data collected by us in the context of non-interventional studies or application observations (see above under I.4.) will be reported to the relevant competent authorities, to which a reporting obligation exists, in the context of our legal obligations.

### III. TRANSFER TO THIRD COUNTRIES

Data will not be transferred to any countries outside the EU or the European Economic Area (EEA) (so-called third countries), unless insofar as this is necessary or legally permitted or required in the context of the processing of our contractual relations (e.g. tax reporting obligations), you have given us your consent or in the context of a contract processing. When service providers are deployed in a third country, they are bound by the EU standard contractual clauses to respect the level of data protection in Europe. Alternatively, we transmit the data on the basis of an adequacy decision by the European Commission. For further information, please contact our data protection officer.

### IV. DURATION OF STORAGE OF YOUR PERSONAL DATA

We process your personal data only as long as this is necessary for fulfilling the purposes listed under point I. and then we erase the data, unless we are obliged to retain the data for a longer period.

For reasons of product safety, we are obliged to store data relating to safety-relevant events for testing purposes up to 10 years beyond the marketability of the product, depending on the status of the product as a cosmetic or food.

In addition, we are subject to various retention and documentation obligations, which arise in particular from the German Commercial Code (HGB) and the German Revenue Code (AO). The periods prescribed therein for retention or documentation apply up to ten years after the end of the business relationship or the pre-contractual legal relationship.

Furthermore, specific legal requirements may require a longer retention period, such as e.g. the preservation of evidence under the statutory statute of limitations. While, Sec. 195 et seq. of the German Civil Code (BGB) prescribes a regular limitation period of three years, limitation periods of up to 30 years may also apply.

### V. ABSENCE OF AUTOMATED DECISION-MAKING IN INDIVIDUAL CASES (INCLUDING PROFILING)

We do not use any procedures for purely automated decision-making in individual cases (including profiling) in accordance with Art. 22 of the GDPR. Insofar as we do use such a procedure in individual cases in the future, we will inform you about this separately.

### VI. YOUR DATA PROTECTION RIGHTS

You may assert your data protection rights against us under certain conditions.

- **Right of access**  
You are entitled, at any time, to request confirmation from us as to whether we are processing personal data concerning you. If this is the case, you are entitled to receive information about this

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personal data as well as certain other information (including processing purposes, categories of personal data, categories of recipients, planned storage period, your rights, the origin of the data, the use of automated decision-making and in the case of any transfer to third countries, the appropriate safeguards).

- **Right to rectification**

You are entitled to demand that we rectify the personal data stored about you if it is inapplicable or incorrect.

- **Right to erasure**

Under certain conditions, you are entitled to demand that we erase any personal data relating to you immediately. The right to erasure does not apply, inter alia, if the processing of personal data is necessary for (i) the compliance with the right to freedom of expression and information, (ii) the fulfilment of a legal obligation to which we are subject (e.g. statutory retention obligations) or (iii) the assertion, exercise or defence of legal claims.

- **Right to restriction of processing**

You are entitled to demand that we restrict the processing of your personal data.

- **Right to data portability**

Under certain conditions, you are entitled to request us to provide you with the personal data concerning you that you have provided to us in a structured, commonly used and machine-readable format.

- **Right of withdrawal**

You have the right to withdraw your consent to the processing of personal data at any time with effect for the future.

### ***Information about your right to object in accordance with Art. 21 of the GDPR***

***1. You have the right to object, at any time, to the processing of your data pursuant to point f of Art. 6 (1) of the GDPR (data processing on the basis of a balancing of interests), if there are grounds for doing so based on your particular situation. This also applies to profiling based on this provision within the meaning of Art. 4 No. 4 of the GDPR.***

***If you object, your personal data will no longer be processed by us, unless we are able to demonstrate compelling legitimate grounds for processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.***

***2. We also process your personal data in individual cases for direct marketing purposes. If you do not wish to receive advertising, you have the right to object at any time; this also applies to profiling, insofar as it is connected with such direct advertising. We will observe this objection for the future.***

***We will no longer process your data for direct marketing purposes if you have objected to any processing for these purposes.***

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You can address inquiries regarding the establishment of your above-mentioned data protection rights either at the above-mentioned contact details of the controller or by sending an e-mail to us at [service.consommateurs@maria-galland.fr](mailto:service.consommateurs@maria-galland.fr) or by contacting our external Data Protection Officer at the following contact details:

Mr. Alexander Bugl, Bugl & Kollegen Gesellschaft für Datenschutz und Informationssicherung mbH, Eifelstrasse 55, 93057 Regensburg, Germany, phone +49 941-630 49 789, e-mail:

[Datenschutz.buglundkollegen@klosterfrau.de](mailto:Datenschutz.buglundkollegen@klosterfrau.de)

You have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement, if you consider that the processing of your personal data infringes the GDPR.

Maria Galland GmbH, Wintrichring 58 · München D-80992 Germany

Status: July 2023