

Data protection declaration AGRO AG

This data protection declaration informs you of which personal data we collect in respect of your use of www.agro.ch and for which purpose these data are used. You can review this information at any time on our website at:

http://www.agro.ch/website/media/agro_pdf/datenschutzerklaerung-agro_en.pdf .

1 Responsible body/Contacts

The responsible body within the meaning of the data protection laws is:

AGRO AG
Korbackerweg 7
CH- 5502 Hunzenschwil

If you have any questions or suggestions relating to data protection, please feel free to contact us by email at datenschutz@agro.ch .

You can contact our data protection officer as follows:

AGRO AG
Korbackerweg 7
CH- 5502 Hunzenschwil
Phone: +41(0)62 889 47 47
E-mail: datenschutz@agro.ch

Our EU representative is:

KAISER GmbH & Co. KG
Ramsloh 4
D-58579 Schalksmühle
Phone: +49(0)2355.809.0
E-mail: datenschutz@kaiser-elektro.de
Web: www.kaiser-elektro.de

2 Subject matter of data protection

The subject matter of data protection is personal data. According to Art. 4 No. 1 GDPR (General Data Protection Regulation), this is all information which refers to an identified or identifiable natural person; this comprises for example names or also identification numbers.

3 Collection and use of your data

3.1 Automated data capture

For technical reasons your terminal automatically transmits data when it accesses our website. The following data are stored separately from other data which under certain circumstances you transmit to us:

- Name of the website which was called up
- File
- Date and time of the retrieval
- Volume of transmitted data
- Notification of successful retrieval
- Browser type, plus version and operating system
- Referrer URL (the site/page which was visited previously)

These data are stored exclusively for technical reasons, and at no time are they assigned to a specific person.

3.2 Registration data

3.2.1 You must register in order to store project lists which you have drawn up yourself. In order to do this, you must provide the following mandatory information – irrespective of whether you are registering as a client or as a company:

- Form of address and name
- E-mail address
- Address
- Password
- Target group (applies only to companies)

We use these data to set up and administer a user account for you and so that you can store your project lists. In addition, we may require this and possibly further information in order to be able to respond properly and professionally to any of your enquiries.

Insofar as we process your data in the ways described above for the purpose of providing the functions of our website, you are obliged to make these data available to us, otherwise we are not able to make these functions available to you.

3.2.2 We capture the following data if you order a brochure or catalogue from us:

- Form of address and name
- Details of the address
- E-Mail address

We use these data in order to be able to send the brochure to you and to contact you in the event of any related questions.

Accordingly you are obliged to provide us with this information, otherwise we are unable to send you the documentation.

3.2.3 In addition, within the framework of registration or placing an order, you can provide information on a voluntary basis. This information is not required for the purpose of logging in.

We capture the above-mentioned data in order to make it possible for you to store project lists which you have generated yourself or to be able to send you brochures, samples or additional information about our products, Art. 6 para. 1 lit. b, GDPR and – insofar as the data are not mandatory for provision thereof – to receive and store further information about you as a customer on the basis of our legitimate interest therein, to the extent specified by you, in order to invite you, in the case of alterations to products and of new products, to events (e.g. trade fairs, courses of training and similar) and to assign a direct contact person to deal with your questions and the circumstance that your interests do not prevail (Art. 6 para. 1 lit. b, GDPR).

3.3 Contact information

In the event that you send us enquiries by email or our contact form, your data as per the contact form including the contact data listed there by you (reference, message, form of address and name, email address and any other optional information) are stored and used for the purpose of processing the enquiry. As a standard procedure, your email enquiries are deleted after they have been processed. Longer storage only takes place if there is a legitimate reason for this (extensive claims, serious complaints, ongoing warranty periods, possible legal relevance of the enquiry). In this case, para. 8 of this data protection declaration shall apply.

We capture these data in order to be able to accept and process your enquiry, Art. 6 para. 1 lit. b GDPR.

Insofar as we process your data in the ways described above for the purpose of receiving and processing your enquiries, you are obliged to make these data available to us. Without these data we are not in a position to accept and process your enquiries.

4 Cookies

We store cookies in order to offer you a comprehensive range of functions and to make our web pages easier to use. Cookies are small files which are stored on your computer with the assistance of your internet browser. If you do not wish cookies to be used, you can prevent their storage on your computer by means of suitable internet browser settings. Please note that this may restrict the functionality and the range of functions of our offer.

Specifically we make use of the following cookies:

- **acceptB2B:** Storage of whether information on B2B sales must be clicked on and does not need to be displayed again
- **__utma:** Storage of if and how often the page has already been visited (Google Analytics)
- **__utmb & __utmc:** Stores length of stay on the website per session (Google Analytics)
- **__utmt:** Storage of whether a page was accessed or another action was performed on the web page (Google Analytics)
- **__utmz:** Storage of how the user got to the website (search engine query, link, etc.; Google Analytics)
- **Session-Cookies:** Provision of the website and security queries (CSRF)

These cookies cannot identify you as a person. In any case, the use of cookies is justified on the basis of our reasonable interest in a needs-based design and the statistical analysis of our website and the circumstance that your justified interests do not prevail, Art. 6 para. 1 lit.f GDPR.

5 Pseudonymous usage profiles

5.1 Google Analytics

We make use of Google Analytics, a web analysis service provided by Google LLC ("Google"). From your pseudonymous data relating to use of our website, Google Analytics captures only your abbreviated IP address. These data are transmitted to a Google server in the USA and stored there. Google will use this information to evaluate for us your use of the website, to prepare reports about the use of our website, and to generate additional analyses and evaluations relating to the use of our website and use of the internet. Where appropriate, Google will also transmit this information to third parties to the extent that this is prescribed by law or insofar as third parties process these data on behalf of Google.

Google Analytics stores your data for a period of 14 months. The data are deleted after this period of time has expired, and only aggregated statistics are retained.

More information about how Google makes use of your data can be found in Google's data protection declaration: <https://www.google.com/policies/privacy/>.

If you do not wish to have web page analysis, you can deactivate Google Analytics by means of a browser add-on which you can download here: <http://tools.google.com/dlpage/gaoptout?hl=de>. Alternatively you can click on [click here](javascript:gaOptOut();).

The use of Google Analytics takes place on the basis of our legitimate interest in a needs-based design, the statistical evaluation and the efficient promotion of our website and the circumstance that your reasonable interests do not prevail, Art. 6 para. 1 lit. f GDPR.

6 Changes in purpose

Processing of your personal data for other than the purposes described takes place only insofar as legislation permits this or you have given your agreement to the changed purpose of such data processing. In the case of further processing for purposes other than those for which the data were originally captured, we shall inform you in advance of the further processing about these changes in purpose and shall make available to you all the information which is relevant to this.

7 Automated individual decisions or profiling measures

We do not make use of automated processes to bring about a decision or profiling.

8 Information disclosure

As a matter of principle, disclosure of your personal data only takes place without your express previous permission in the following specified cases:

- If required in order to clarify illegal use of our services or for prosecution, personal data will be passed on to the law enforcement agencies and if necessary to injured third parties. However, this only occurs if there are concrete indications of illegal and/or improper behaviour. Disclosure may also take place if this is for the purpose of enforcing conditions of use or other conditions. In addition, we are legally obliged to provide on request information to public authorities. These are law enforcement agencies, authorities which pursue administrative offences which entail a fine, and the tax authorities.

Disclosure of these data takes place on the basis of our legitimate interest in combating abuse, prosecuting criminal offences and the securing, assertion and enforcement of claims and that your rights and interests in the protection of your personal data do not prevail, Art. 6 para. 1 lit. f GDPR or on the basis of a legal obligation in accordance with Art. 6 para. 1 lit. c GDPR.

- We are reliant for the performance of the services on contractually-bound external companies and service providers ("order processors"). In such cases, personal data are transmitted to these order processors to enable them to carry out further processing. These order processors are carefully selected by us and regularly checked in order to ensure that your rights and freedoms are maintained. The order processors are only permitted to use the data for the purposes which we specify, and furthermore we contractually oblige them to deal with your data exclusively in accordance with this data protection declaration and the Swiss data protection laws.

In particular, we make use of the following order processors:

- Webhoster Communicode AG – Rellinghauser Str. 332, D-45136 Essen
- Google LLP (Google Analytics)

The transmission of data to order processors takes place on the basis of Art. 28 para. 1 GDPR, alternatively on the basis of our legitimate interest in the financial and technical advantages which result from the use of specialised order processors and the circumstance that your rights and interests in the protection of your personal data do not prevail, Art. 6 para. 1 lit. f GDPR.

We also process data in countries outside the European Economic Area ("EEC").

With regard to the USA, in its resolution dated 12.7.2016 the European Commission took the decision that an appropriate level of data protection exists under the regulations of the EU-U.S. Privacy Shield (Adequacy decision, Art. 45 GDPR). More information - including regarding the certification of the service providers which we use - is available on

<https://www.privacyshield.gov>. We use the following service providers who are certified in accordance with the EU-U.S. Privacy Shield:

- Google LLP
- Within the framework of the further development of our business, the company structure of AGRO AG or KAISER GmbH & Co. KG, the parent company of AGRO AG, may change in that the legal form changes and subsidiaries, parts of companies or elements are founded, purchased or sold. In the event that such transactions take place, information on customers will be transferred together with the part of the company which is being transferred. For every transfer of personal data to third parties and to the extent described above, we ensure that this takes place in accordance with this data protection declaration and the relevant data protection laws.

Any transmission of personal data is justified in that we have a legitimate interest in adapting our business form to the financial and legal conditions accordingly when necessary and that your rights and interests in the protection of your personal data do not prevail, Art. 6 para. 1 lit. f GDPR.

9 Deletion of your data

We delete or anonymise your personal data as soon as they are no longer required for the purposes for which we have collected or used them as per the above paragraphs. As a rule, and insofar as not otherwise defined in this data protection declaration, we store your personal data for the period of the user or contractual relationship plus a period of 36 months after the last interaction with you by retaining backup copies after the deletion insofar as these data are not required for a longer period of time for legal reasons or criminal prosecution or to secure, assert or enforce legal claims.

If you delete your user account, your profile will be completely and permanently deleted. However, we retain backup copies of your data for a period of 6 months before permanently deleting them insofar as these data are not required for a longer period of time for legal reasons or criminal prosecution or to secure, assert or enforce legal claims.

Insofar as data need to be retained for legal reasons, they are blocked. The data are then no longer available for further use.

10 Your rights as an interested party

10.1 Right to information

You have the right to receive at any time and on request information about the personal data which refer to you to the extent of Art. 15 GDPR. In order to do this, you can apply by post or email to the address stated above.

10.2 Right to correct inaccurate data

You have the right to demand from us the immediate correction of personal data pertaining to you insofar as these data are incorrect. For this purpose, please contact the addresses listed above.

10.3 Right to deletion

On the basis of the preconditions described in Art. 17 GDPR, you have the right to demand from us the deletion of personal data which relate to you. In particular, these preconditions allow for a right to deletion if the personal data are no longer required for the purposes for which they were collected or were processed in any way, of the presence of a contradiction or the existence of an obligation to delete in accordance with European Union law or the law of the member state by which we are governed. With regard to the period of time of the data storage, otherwise see para. 8 of this data protection declaration. In order to assert your above-mentioned right, please contact the addresses listed above.

10.4 Right to restriction of processing

According to Art. 18 GDPR you have the right to demand from us the restriction of the processing. In particular this right exists if the accuracy of the personal data between the user and ourselves is disputed for the period of time required for the checking of the accuracy and in the event that given an existing right to deletion the user demands limited processing; furthermore in the event that the data are no longer required for the particular purposes pursued by us, but the user requires them for the assertion, exercise or defence of legal claims and if the successful execution of a claim between ourselves and the user is still disputed. In order to assert your above-mentioned right, please contact the addresses listed above.

10.5 Right to data portability

According to Art. 20 GDPR, you have the right to receive from us the personal data which relate to you and which you have made available to us in a structured, common, machine-readable format. In order to assert your above-mentioned right, please contact the addresses listed above.

10.6 Right of objection

You have the right at any time and for reasons which result from your special situation to assert a right of rejection regarding the processing of data which relate to you and which takes place among others on the basis of Art. 6 para. 1 lit. e or f GDPR. We will cease the processing of your personal data unless we can demonstrate compelling and legitimate reasons which prevail over your interests, rights and freedoms, or if the processing is for the purpose of the assertion, exercising or defence of legal claims.

10.7 Right of appeal

Additionally and in the event of complaints you have the right to contact the responsible supervisory authority. The responsible supervisory authority is:

Federal Data Protection and Information Commissioner (FDPIC)
Feldeggweg 1
CH-3003 Bern
Phone: +41(0)58 462 43 95
www.edoeb.admin.ch

The FDPIC telephone helpline is not always open during regular office hours. Please check the website for opening hours. Alternatively, you can report violations of the Data Protection Act at any time using the contact form on the FDPIC website.

11 Amendments to this data protection declaration

The latest version of this data protection declaration can always be downloaded from http://www.agro.ch/website/media/agro_pdf/datenschutzerklaerung-agro_en.pdf.

12 Note

This English-language translation of our data protection declaration is provided for information purposes. Only the German-language version is valid in a court of law.

Date: 21. Juni 2018