

## INFORMATION CLAUSE

FOR NESTLÉ CONTRACTING PARTIES (INCLUDING POTENTIAL CONTRACTING PARTIES),  
THEIR REPRESENTATIVES AND CONTACT PERSONS (INCLUDING REPRESENTATIVES AND CONTACT PERSONS OF POTENTIAL CONTRACTING PARTIES)  
pursuant to Article 13 and 14 of the GDPR

### I. Data controller

1. The data controller, with respect to personal data of the Contracting Parties (including potential Contracting Parties) and their representatives or contact persons (including the representatives or contact persons of potential Contracting Parties), collected to initiate cooperation and during the period of cooperation between Nestlé Polska S.A. and the Contracting Party, obtained both from the data subjects and from the Contracting Parties (as regards personal data of their representatives and contact persons), is: **Nestlé Polska S.A. with its registered office in Warszawa**, ul. Domaniewska 32, 02-672 Warszawa (hereinafter referred to as the “Data Controller”).
2. The Data Controller may process the following personal data:
  - a) in case of the Contracting Parties: first and last name, business name, e-mail addresses, correspondence addresses, telephone numbers, NIP, REGON, other numbers and data connected with entry to the public registers, other data provided to the Data Controller by the Contracting Parties and their representatives or contact persons;
  - b) in case of representatives or contact persons of the Contracting Parties: first and last name, business e-mail address, business correspondence address, business telephone number, data resulting from the content of powers of attorney, other data provided to the Data Controller by the Contracting Parties and their representatives or contact persons.
3. Any requests, questions or motions regarding personal data of Contracting Parties and their representatives or contact persons processed by the Data Controller, or related rights, should be addressed in writing to the following address: **Nestlé Polska S.A., ul. Domaniewska 32, 02-672 Warszawa** or by e-mail to: [data.privacy@pl.nestle.com](mailto:data.privacy@pl.nestle.com). Contact details of the Data Protection Officer: [DataProtectionOffice@nestle.com](mailto:DataProtectionOffice@nestle.com).

### II. Purpose and basis for the processing

1. Personal data referred to in item I.2 shall be processed by the Data Controller for the following purposes and on the following basis:
  - a) **for the purposes resulting from the legitimate interests of the Data Controller**; the purpose is:

(i) customer satisfaction survey; (ii) improvement and development of new products and services; (iii) control and improvement of quality of provided services; (iv) service of Contracting Party and management of relations with Contracting Parties; (v) learning the preferences and needs of Contracting Party; (vi) determine, assert claims or defend rights; (vii) verification of Contracting Party in public registers/evidences; (viii) (in case of representatives or contact persons of the Contracting Party) implementation of contracts with the Contracting Party or taking action at the request of the data subject prior to entering into the contract with the Contracting Party;
  - b) **in order to execute a contract with the Contracting Party or to take action at the request of the data subject prior to entering into a contract with the Contracting Party** – in the case of Contracting Party (natural person);
  - c) **in order to meet the legal obligations of the Data Controller** (if such obligations arise – e.g. obligation to issue a VAT invoice, obligations arising from the seizure of claims, etc.);
  - d) **in order to market products and services offered by the Data Controller** – upon consent.

### III. Rights of data subjects

1. The Contracting Party and its representatives or contact persons shall have the right to request from the Data Controller **access** to their personal data and **to receive a copy of the data, to rectify (correct) the data** and in cases where the law so provides – **the right to demand deletion of the data or restriction of the processing of their data** and, if the consent was given, the right to **withdraw such consent** at any time (with effect ex nunc), the right to **object to the processing** for direct marketing purposes or, for reasons related to the specific situation of the Contracting Party, their representative or contact persons, with regard to the processing necessary for legally reasonable interests of the Data Controller, the right to **transfer data**, and the right to **lodge a complaint with the President of the Personal Data Protection Office**.
2. Providing the data is voluntary. However, in the event that personal data are not provided, it will not be possible to contact the Data Controller, to use the Data Controller’s products or services or execute the contract with the Contracting Party.

### IV. Additional information

1. The personal data referred to in item I.2 may be transferred to or accessed by: (i) the Data Controller’s service providers who assist the Data Controller during the implementation of the aforementioned purposes of the processing (**categories of such data recipients are as follows**: entities providing warehousing, logistics, postal, courier and marketing services – i.e. organisation of special offers, emailing services, management of advertising campaigns – customer service, market research, maintenance and repair, IT/IS support, including the maintenance and development of websites and databases, payment services, credit rating entities, entities involved in law, debt collection, auditing, accounting and archiving), (ii) entities belonging to the Data Controller’s capital group or (iii) entities, to which the Controller is obliged to provide this data, in particular public administration bodies or bodies set up to monitor compliance and execution of legal regulations.
2. In the case where the processing of data involves the **transfer of data outside the European Economic Area**, the process shall be carried out using **standard provisions approved by the European Commission**, in order to ensure an adequate level of data protection required by law or on the basis of the consent given by the data subject if the Data Controller is allowed to do so under applicable regulations.
3. The Data Controller shall ensure appropriate data protection measures for representatives/contact persons of the Contracting Party that meet market standards in order to protect and ensure their confidentiality, correctness and availability as well as to protect them against unauthorised use or access, in accordance with guidelines and policies adopted by the Data Controller and applicable laws.
4. Personal data processed by the Administrator will not be subject to automated decision making, including profiling.
5. Personal data of Contracting Party and representatives or contact persons of Contracting Party will be processed and stored by the Administrator in accordance with the following rules:
  - a) in cases where personal data are processed by Data Controller for the purpose of executing the contract or in order to meet the legal obligations – personal data will be processed and stored by Data Controller for the period of duration of the tax claims/liabilities related to the purpose of the processing of personal data plus a period of 15 months calculated as of the end of the year in which the applicable

statute of limitations has expired. This additional period is reserved in case of claims lodged shortly before the expiration of the statute of limitations and serves to define a single period within which data of natural persons shall be deleted, destroyed or anonymised. Additionally in case of a claim, we may continue to process personal data for such an additional period as will be necessary for consideration of the claim;

- b) in cases where personal data are processed for the marketing purposes – persona data will be processed and stored by Data Controller for this purposes till the consent for such processing is withdrawn;
- c) in cases where personal data are processed by Data Controller for the purpose resulting from the legitimate interests of the Data Controller– persona data will be processed and stored by Data Controller for this purposes till objection of the data subject regarding such processing, unless unless the Data Controller demonstrates the existence of grounds for further processing (for example that it will be necessary to determine, assert claims or defend rights) and not longer than it is necessary for the performance of particular purpose of processing (in case of processing the data in order to determine, assert claims or defend rights retention period indicated in letter a) will apply).