

**deugro (Italia) S.r.l.**

Via Cassanese 224 Palazzo Caravaggio -  
3 Piano Quartiere Milano Oltre 20090  
Segrate, Milano, Italy

T: +39 02 2693171F: +39 02  
26955170  
E: [info@deugro.com](mailto:info@deugro.com) in:  
deugro.com

ID VASCHE: IT 114 535 001 56

**Subject: INFORMATION on the processing of customers' personal data pursuant to art. 13 of EU Regulation 2016/679 (GDPR)**

Personal Data are defined by art. 4 n. 1) of the GDPR as "any information relating to an identified or identifiable natural person (data subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person".

This policy explains how we collect, use and protect the personal data of our customers ("Customers") in relation to the contractual relationship established for the provision of the services offered by the company, such as data relating to your company as well as so-called common data (name and surname, tax code, contact information) concerning the natural persons who operate on its behalf (hereinafter the "Personal Data"). The processing of Personal Data will be inspired by lawfulness, fairness, transparency, purpose limitation, Data minimization, accuracy, storage limitation, integrity, confidentiality and accountability according to the general principles defined by art. 5 of the GDPR.

**1. Data Controller**

The data controller of the processed Personal Data is deugro (Italy) S.r.l., in the person of its *pro tempore legal representative* with registered office in Via Cassanese 224, 20054 Segrate (MI), C.F./P.I. 11453500156, e-mail [dataprotection.italy@deugro.com](mailto:dataprotection.italy@deugro.com).

**2. Purpose of the processing and legal basis**

Customers' Personal Data are processed by the Data Controller for the following purposes.

- a) Pre-contractual and contractual purposes of fulfilling the contract relating to the services provided to Customers. This purpose includes the processing of Personal Data carried out to execute the contractual relationship between the parties such as those relating to the management of quotes and offers, the signing and execution of the contract itself, accounting and administration, the management of loading and unloading bills and the sending of satisfaction questionnaires). The processing of Personal Data for this purpose finds its legal basis in Article 6 par. 1 letter b) of the GDPR, pursuant to which the processing is necessary for the performance of a contract to which the data subject is a party or for the execution of pre-contractual measures adopted at the request of the same.
- b) Purposes of fulfilling obligations provided for by law, regulations or EU legislation such as obligations provided for by tax, tax or accounting legislation or obligations relating to the protection of Personal Data (such as those relating to the exercise of the rights of data subjects). The processing of Personal Data for this purpose finds its legal basis in Article 6 par. 1 letter c) of the GDPR, pursuant to which the processing is necessary to comply with a legal obligation to which the Data Controller is subject.

una compagnia **deugro group**

Deutsche Bank SPA  
Conto EUR: 820809  
IBAN: IT64L 0310 4016 0000 0000 8208 09  
BIC (Swift-Code): DEUTITMMIL

Deutsche Bank SPA  
Conto USD: 460820809 VAR  
IBAN: IT70J 0310 4016 0082 0809 VARU  
SD  
BIC (Swift-Code): DEUTITMMIL

deugro (Italia) Srl  
Società con sede a: Segrate (Mi), Italia  
Registro commerciale: R.E.A. MI-1470175  
Interprov. Cast Veloce. MI 1645

VAT-ID.: 11453500156  
Cap. Soc. Euro 500.000,00  
Direzione Esecutiva: Thomas C. Press,  
Michele Laganaro, Felix Schneider



- c) Purposes of defence in court to allow the defence in court of a right or interest of the Data Controller before any competent authority or body. The processing of Personal Data for this purpose finds its legal basis in art. 6 par. 1 letter f) of the GDPR for which the processing is necessary for the pursuit of the legitimate interest of the Data Controller. It is in the legitimate interest of the Data Controller to exercise legal remedies to ensure compliance with its contractual rights or to demonstrate that it has fulfilled the obligations arising from the contract with the data subject or imposed on the Data Controller by law.
- d) Purpose of sending commercial communications via e-mail regarding services similar to those already purchased by the Customer, except for an express refusal to receive such communications, which may be expressed at the time of purchase or on subsequent occasions (so-called Soft spam). The processing of Personal Data for this purpose finds its legal basis in art. 6 par. 1 letter f) of the GDPR for which the processing is necessary for the pursuit of the legitimate interest of the Data Controller pursuant to the combined provisions of art. 130 paragraph IV of the new Privacy Code and art. 13 of Directive no. 2002/58/EC.

### **3. Methods of processing Personal Data**

Personal Data will be processed by personnel identified in writing among those to whom specific operating instructions have been provided, in compliance with the rules of confidentiality and the appropriate technical and organizational measures pursuant to the legislation on the processing of Personal Data.

### **4. Recipients and any categories of recipients of Personal Data**

Without prejudice to communications made in execution of legal obligations, Personal Data may be communicated, in accordance with the legislation on the processing of Personal Data, to:

- entities that provide activities functional to the management and implementation of the services covered by the contract between the parties such as sub-suppliers and contractors, customs brokers, IT service processing providers or payment providers;
- any law enforcement or regulatory body, government body or judicial authority where required by applicable law;
- companies in charge of sending commercial communications;
- companies that provide commercial information services;
- internal staff duly authorized and instructed on Personal Data processing policies;
- all those public and/or private entities, natural and/or legal persons (including legal, administrative and tax consultancy firms), if the communication is necessary or functional to the correct fulfilment of the contractual obligations assumed in relation to the Company's services as well as the obligations deriving from the law or in the case of ascertainment, exercise or defence of a right.

It should be noted that for business needs, some Personal Data may be communicated to companies belonging to the Data Controller's corporate group and to the parent company DEHOCO GmbH and to which technical and organisational tasks necessary for the management of contractual relationships are entrusted. The aforementioned transfers of personal data are in line with Recital No. 48 GDPR according to which "Data controllers that are part of an enterprise group or entities affiliated to a central body may have a legitimate interest in transmitting personal data within the enterprise group for internal administrative purposes, including the processing of personal data of customers or employees. This is without prejudice to the general principles for the transfer of personal data, within a business group, to an undertaking located in a third country."

In any case, Personal Data will only be communicated to subjects who have committed themselves to confidentiality or have an adequate legal obligation of confidentiality. Personal Data will not be disseminated.

### **5. Transfer of Personal Data outside the European Union**

For certain processing activities, the Data Controller may transfer Personal Data to external parties located in countries that do not belong to the European Union (EU) or the European Economic Area (EEA) (hereinafter,

"Third Countries"). The legitimacy of such transfer is carried out in compliance with the appropriate and opportune guarantees for the purposes of the transfer itself and in particular in compliance with the general principle for the transfer referred to in art. 44 GDPR, the existence of an adequacy decision of the European Commission pursuant to art. 45 GDPR, adequate guarantees pursuant to art. 46 GDPR - including the standard data protection clauses adopted by the Commission according to the examination procedure referred to in Article 93, paragraph 2 GDPR (SCC) - and in the presence of one of the specific derogation situations referred to in Art. 49 GDPR, including the explicit consent to the transfer by the data subject. Some Third Countries have in fact been authorized by the European Commission with a specific "adequacy decision" as they provide protection similar to that of EU data protection legislation and, therefore, no additional legal safeguards are required. In the case of foreign countries that have not obtained such authorization, adequate guarantees will be adopted pursuant to art. 46 GDPR. The list of Third Countries also containing the appropriate guarantees adopted by the Data Controller for the transfer will be updated from time to time and/or available upon request. Please contact us at [dataprotection.italy@deugro.com](mailto:dataprotection.italy@deugro.com), if you wish to request to be able to view this list and a copy of the specific protections applied to the export of the Data.

#### **6. Consequences of failure to provide Personal Data**

For the pursuit of the purposes referred to in art. 2 letters a) and b) the provision of Personal Data is necessary in order to comply with contractual and/or legal obligations. Failure to provide Personal Data will make it impossible to conclude the contract with the Customer.

For the purpose referred to in art. 2 letter c) the provision of Data is optional, there is no legal or contractual obligation that requires the data subject to provide Data for this purpose.

With reference to the purposes referred to in Article 2, letter d), the provision of Data is optional. The interested party may always express an express refusal to receive such communications at the time of purchase or on subsequent occasions and object to the processing by sending an e-mail to the address: [dataprotection.italy@deugro.com](mailto:dataprotection.italy@deugro.com).

#### **7. Personal Data retention period**

Personal Data are stored only for the period necessary for the purpose for which they are processed or within the terms provided for by applicable national and EU laws, rules and regulations.

For the pursuit of the purposes referred to in art. 2 letters a), b) and c) the Personal Data may be stored for the entire duration of the contract as well as for the following 10 years in order to verify any outstanding debts or to comply with any legal obligation (e.g. with reference to the obligation to keep accounting documentation and/or in relation to the expiry of the civil statute of limitations for the exercise of one's contractual rights).

In relation to the purpose referred to in art. 2 letter d) the Personal Data will be stored until the right to object is exercised and, in any case, no longer than 24 months from the conclusion of the first contract.

Subsequently, the Data Controller will delete the Personal Data in accordance with its Data retention and deletion rules or will retain them in relation to an additional legal basis that still exists.

#### **8. Rights over Personal Data**

Pursuant to art. 15 et seq. of EU Reg. 2016, the data subject may exercise the following rights: (1) request access to his/her Personal Data pursuant to art. 15 of the GDPR, (2) obtain the rectification and/or integration of the Data pursuant to art. 16 of the GDPR, (3) request and obtain the deletion of Data pursuant to and within the limits of art. 17 of the GDPR, unless one of the exceptions referred to in paragraph 3 of the same art. 17 applies, (4) request and obtain the limitation of processing pursuant to art. 18 of the GDPR, (5) obtain the portability of Data pursuant to and within the limits of art. 20 of the GDPR which allows the data subject to receive the Personal Data provided to the Data Controller in a structured, commonly used and machine-readable format and - under certain conditions - transmit them to another data controller without hindrance, (6) object, in whole or in part, to certain types of processing pursuant to art. 21 of the GDPR, including processing for marketing and profiling purposes, (7) withdraw consent pursuant to art. 7, paragraph 3 of the

GDPR without prejudice to the lawfulness of the processing based on the consent given before the revocation, (8) lodge a complaint with the Supervisory Authority (Privacy Guarantor), (9) receive clear, transparent and easily understandable information on how Personal Data is used and the exercise of rights, which is why the Data Controller provides the information contained in this document. The exercise of rights is not subject to any formal constraint and is free of charge. All rights may be exercised by sending a specific request to the Data Controller at the following e-mail address:

[dataprotection.italy@deugro.com](mailto:dataprotection.italy@deugro.com).

#### **9. Right to object**

The data subject has the right to object, at any time, on grounds relating to his or her particular situation, to the processing of Personal Data concerning him or her carried out pursuant to art. 6 par. 1 letter f) GDPR having as legal basis the legitimate interest of the Data Controller. The Data Controller shall refrain from further processing the Personal Data unless it demonstrates the existence of compelling legitimate grounds for proceeding with the processing that prevail over the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.