



# Data Privacy Declaration of Avangard Malz AG

## Preamble

With the following data protection declaration, we would like to inform you about which types of your personal data (hereinafter also referred to as "data") we process for what purposes and to what extent. The privacy policy applies to all processing of personal data carried out by us, both in the context of the provision of our services and in particular on our websites, in mobile applications and within external online presences, such as our social media profiles (hereinafter collectively referred to as "online offer"). The terms used are not gender-specific.

As of March 20th, 2023

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## 2. Responsible

AVANGARD MALZ AG

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Registration court: District Court of Gelsenkirchen

Registration number: HRB 9442

Sales tax identification number: DE814768037

Authorized persons:

Kirill Minovalov (Chairman of the Supervisory Board)

Thomas Druivenga (authorized representative -CEO)

E-mail address:

office@avangard-malz.de

Phone: +49 209 94091-0

Imprint: <https://www.avangard-malz.de/imprint/>

Contact Data Protection Officer:

DAWOCON GmbH

Dellbrücker Hauptstrasse 27

51069 Koeln, Germany

Email: [datenschutz@compounder.eu](mailto:datenschutz@compounder.eu)

Telephone: +49 (0)221 68003767

### 3. Overview of processing

The following overview summarizes the types of data processed and the purposes of their processing and refers to the data subjects.

#### 3.1 Types of data processed

- Contact details.
- Content Data.
- Usage Data.
- Meta, communication and procedural data.

#### 3.2 Categories of data subjects

- Communication partner.
- Users

#### 3.3 Purposes of processing

- Contact Requests and Communications.
- Safety measures.
- Management and response to inquiries.
- Feedback.
- Provision of our online offer and user-friendliness.
- Information technology infrastructure.

### 4. Relevant legal bases

Below you will find an overview of the legal bases of the GDPR, on the basis of which we process personal data. Please note that, in addition to the provisions of the GDPR, national data protection regulations may apply in your or our country of residence or domicile. If more specific legal bases are relevant in individual cases, we will inform you of them in the data protection declaration.

#### 4.1 Fulfillment of contract and pre-contractual inquiries (Art. 6 Para. 1 S. 1 lit. b) GDPR)

The processing is necessary for the fulfillment of a contract to which the data subject is a party, or for the implementation of pre-contractual measures that are required at the request of the data subject person.

#### 4.2 Legitimate interests (Art. 6 Para. 1 S. 1 lit. f) GDPR)

Processing is necessary to safeguard the legitimate interests of the person responsible or a third party, unless the interests or fundamental rights and freedoms of the data subject who protect require personal data prevail.

In addition to the data protection regulations of the GDPR, national data protection regulations apply in Germany. This includes in particular the law on the protection against misuse of personal data in data processing (Federal Data Protection Act - BDSG). In particular, the BDSG contains special regulations on the right to information, the right to erasure, the right to object, the processing of special categories of personal data, processing for other purposes and transmission as well as automated decision-making in individual cases including profiling. Furthermore, it regulates data processing for the purposes of the employment relationship (§ 26 BDSG), in particular with regard to the establishment, implementation or termination of employment relationships and the consent of employees. Furthermore, state data protection laws of the individual federal states may apply.

### 5. Safety measures

We take appropriate technical and organizational measures in accordance with the legal requirements, taking into account the state of the art, the implementation costs and the type, scope, circumstances and purposes of the processing as well as the different probabilities of occurrence and the extent of the threat to the rights and freedoms of natural persons to ensure a level of protection appropriate to the risk.

The measures include, in particular, securing the confidentiality, integrity and availability of data by controlling physical and electronic access to the data as well as access, input, disclosure, securing availability and their separation. Furthermore, we have set up procedures that ensure the exercise of data subject rights, the deletion of data and reactions to data threats. Furthermore, we already take

the protection of personal data into account during the development or selection of hardware, software and processes in accordance with the principle of data protection, through technology design and through data protection-friendly default settings.

TLS encryption (https): In order to protect your data transmitted via our online offer, we use TLS encryption. You can recognize such encrypted connections by the prefix https:// in the address line of your browser.

## 6. Deletion of data

The data processed by us will be deleted in accordance with the legal requirements as soon as your consent to processing is revoked or other permissions are no longer applicable (e.g. if the purpose of processing this data no longer applies or it is not required for the purpose). If the data is not deleted because it is required for other, legally permissible purposes, its processing will be limited to these purposes. This means that the data will be blocked and not processed for other purposes. This applies, for example, to data that must be stored for commercial or tax reasons or whose storage is necessary to assert, exercise or defend legal claims or to protect the rights of another natural or legal person.

Our data protection information can also contain further information on the storage and deletion of data, which apply primarily to the respective processing.

## 7. Use of cookies

Cookies are small text files or other memory notes that store information on end devices and read information from the end devices. For example, to save the login status in a user account, the content of a shopping cart in an e-shop, the content accessed or the functions used in an online offer. Cookies can also be used for various purposes, e.g. for the purpose of functionality, security and comfort of online offers as well as the creation of analyzes of visitor flows.

**Notes on consent:** We use cookies in accordance with legal regulations. Therefore, we obtain prior consent from users, except where not required by law. In particular, consent is not necessary if the storage and reading of the information, including cookies, is absolutely necessary in order to provide the users with a telemedia service (i.e. our online offer) that they have expressly requested. The revocable consent is clearly communicated to the users and contains the information on the respective cookie use.

**Notes on the legal basis for data protection:** The legal basis under data protection law on which we process the personal data of users with the help of cookies depends on whether we ask users for their consent. If the users consent, the legal basis for the processing of your data is the declared consent. Otherwise, the data processed with the help of cookies will be processed on the basis of our legitimate interests (e.g. in the commercial operation of our online offer and improving its usability) or, if this is done in the context of fulfilling our contractual obligations, if the use of cookies is necessary to enable our to fulfill contractual obligations. We will explain the purposes for which we process cookies in the course of this data protection declaration or as part of our consent and processing processes.

**Storage period:** With regard to the storage period, the following types of cookies are distinguished:

- **Temporary cookies** (also: session or session cookies): Temporary cookies are deleted at the latest after a user has left an online offer and closed his end device (e.g. browser or mobile application).

- **Permanent cookies:** Permanent cookies remain stored even after the end device is closed. For example, the login status can be saved or preferred content can be displayed directly when the user visits a website again. Likewise, the user data collected with the help of cookies can be used to measure reach. Unless we provide users with explicit information on the type and storage period of cookies (e.g. when obtaining consent), users should assume that cookies are permanent and the storage period can be up to two years.

**General information on revocation and objection (opt-out):** Users can revoke the consent they have given at any time and also object to the processing in accordance with the legal requirements in Art. 21 DSGVO. Users can also declare their objection via their browser settings, e.g. by deactivating the use of cookies (which can also limit the functionality of our online services). An objection to the use of cookies for online marketing purposes can also be declared via the websites <https://optout.aboutads.info> and <https://www.youronlinechoices.com/>.

## 8. Provision of the online offer and web hosting

We process user data in order to be able to provide our online services to them. For this purpose we process the IP address of the user, which is necessary to transmit the content and functions of our online services to the browser or the end device of the user.

• **Types of data processed:** usage data (e.g. websites visited, interest in content, access times); Meta, communication and procedural data (e.g. IP addresses, times, identification numbers, consent status); Content data (e.g. entries in online forms).

• **Affected persons:** users (e.g. website visitors, users of online services).

• **Purposes of processing:** Provision of our online offer and user-friendliness; Information technology infrastructure (operation and provision of information systems and technical devices (computers, servers, etc.)); Safety measures.

**Legal basis:** Legitimate interests (Art. 6 Para. 1 S. 1 lit. f) GDPR).

**Further information on processing processes, procedures and services:**

• **Provision of online offer on rented storage space:** For the provision of our online offer, we use storage space, computing capacity and software that we rent from a corresponding server provider (also called "web hoster") or obtain from another source;

**Legal basis:** Legitimate interests (Art. 6 Para. 1 S. 1 lit. f) GDPR).

• **Collection of access data and log files:** Access to our online offer is recorded in the form of so-called "server log files". The address and name of the retrieved websites and files, date and time of retrieval, amounts of data transferred, notification of successful retrieval, browser type and version, the user's operating system, referrer URL (the previously visited page) and, as a rule, IP Addresses and the requesting provider belong. On the one hand, the server log files can be used for security purposes, e.g. to avoid overloading the server (especially in the case of abusive attacks, so-called DDoS attacks) and on the other hand to reduce the load on the server and ensure their stability;

**Legal basis:** Legitimate interests (Art. 6 Para. 1 S. 1 lit. f) GDPR);

**Deletion of data:** Log file information is stored for a maximum of 30 days and then deleted or made anonymous. Data whose further storage is required for evidence purposes are excluded from deletion until the respective incident has been finally clarified.

• **E-mail sending and hosting:** The web hosting services we use also include sending, receiving and storing e-mails. For these purposes, the addresses of the recipients and senders as well as other information regarding the e-mail dispatch (e.g. the providers involved) and the content of the respective e-mails are processed. The aforementioned data can also be processed for SPAM detection purposes. We ask you to note that e-mails are generally not sent in encrypted form on the Internet. As a rule, e-mails are encrypted during transport, but (unless a so-called end-to-end encryption method is used) not on the servers from which they are sent and received. We can therefore assume no responsibility for the transmission path of the e-mails between the sender and receipt on our server;

**Legal basis:** Legitimate interests (Art. 6 Para. 1 S. 1 lit. f) GDPR).

• **ALL-INKL:** Services in the field of providing information technology infrastructure and related services (e.g. storage space and/or computing capacity);

Service provider: ALL-INKL.COM - Neue Medien Münnich, owner: René Münnich, Hauptstraße 68, 02742 Friedersdorf, Germany;

**Legal basis:** Legitimate interests (Art. 6 Para. 1 S. 1 lit. f) GDPR); Website: <https://all-inkl.com/>;

**Data protection declaration:** <https://all-inkl.com/datenschutzinformation/>; Order processing agreement: Provided by the service provider.

## 9. Contact and request management

When contacting us (e.g. by post, contact form, e-mail, telephone or via social media) and in the context of existing user and business relationships, the details of the requesting person are processed to the extent necessary to answer the contact request and any requested measures.

• **Types of data processed:** contact details (e.g. e-mail, telephone numbers); Content data (e.g. entries in online forms); Usage data (e.g. websites visited, interest in content, access times); Meta, communication and procedural data (e.g. IP addresses, times, identification numbers, consent status).

• **Affected persons:** communication partners.

• **Purposes of processing:** contact requests and communication; managing and responding to inquiries; Feedback (e.g. collecting feedback via online form); Provision of our online offer and user-friendliness.

- **Legal bases:** Legitimate interests (Art. 6 Para. 1 S. 1 lit. f) GDPR); Fulfillment of contract and pre-contractual inquiries (Art. 6 Para. 1 S. 1 lit. b) DSGVO).

**Further information on processing processes, procedures and services:**

- **Contact form:** If users contact us via our contact form, e-mail or other communication channels, we process the data communicated to us in this context to process the communicated request; Legal basis: Fulfillment of contract and pre-contractual inquiries (Art. 6 Para. 1 S. 1 lit. b) GDPR), legitimate interests (Art. 6 Para. 1 S. 1 lit. f) GDPR).10.

## 10. Change and update of the privacy policy

We ask you to inform yourself regularly about the content of our data protection declaration. We will adapt the data protection declaration as soon as the changes in the data processing we carry out make this necessary. We will inform you as soon as the changes require your participation (e.g. consent) or other individual notification.

If we provide addresses and contact information of companies and organizations in this data protection declaration, please note that the addresses can change over time and ask you to check the information before contacting us.

## 11. Rights of data subjects

As a data subject, you have various rights under the GDPR, which result in particular from Art. 15 to 21 GDPR:

- **Right of objection:** You have the right, for reasons arising from your particular situation, to object at any time to the processing of your personal data, which is based on Article 6 Paragraph 1 lit. e or f GDPR; this also applies to profiling based on these provisions. If the personal data concerning you is processed in order to operate direct advertising, you have the right to object at any time to the processing of your personal data for the purpose of such advertising; this also applies to profiling insofar as it is associated with such direct advertising.
- **Right to revoke consent:** You have the right to revoke your consent at any time.
- **Right for information:** You have the right to request confirmation as to whether the data in question is being processed and to request information about this data as well as further information and a copy of the data in accordance with legal requirements.
- **Right to rectification:** In accordance with legal requirements, you have the right to request that the data concerning you be completed or that incorrect data concerning you be corrected.
- **Right to erasure and restriction of processing:** You have the right, in accordance with the legal requirements, to request that the data concerning you be deleted immediately, or alternatively to request a restriction of the processing of the data in accordance with the legal requirements.
- **Right to data transferability:** You have the right to receive the data that you have provided to us in accordance with the legal requirements in a structured, common and machine-readable format or to request that it be transmitted to another person responsible (Art. 6 Abs. 1 S. 1 lit. f) DSGVO).
- **Complaint to the supervisory authority:** Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, your place of work or the place of the alleged infringement, if you believe that the processing of you relevant personal data violates the provisions of the GDPR.

## 12. Definitions of terms

This section provides you with an overview of the terms used in this data protection declaration. Many of the terms are taken from the law and defined above all in Art. 4 GDPR. The legal definitions are binding. The following explanations, on the other hand, are intended primarily for understanding. The terms are sorted alphabetically.

- **Personal data:** "Personal data" means any information relating to an identified or identifiable natural person (hereinafter "data subject"); an identifiable natural person is one who can be identified directly or indirectly, in particular by means of assignment to an identifier such as a name, an identification number, location data, an online identifier (e.g. cookie) or one or more special features, are an expression of the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

- **Person responsible:** The "responsible person" is the natural or legal person, authority, institution or other body that alone or jointly with others decides on the purposes and means of processing personal data.
- **Processing:** "Processing" is any operation or series of operations carried out with or without the aid of automated procedures in connection with personal data. The term goes far and covers practically every handling of data, be it collection, evaluation, storage, transmission or deletion.