

## Data protection – information

DS025 Version: 1.1 22.06.2018 Classification public	<b>Information on the processing of customer and supplier data</b> pursuant to articles 13 and 14 GDPR	 <b>ERFRISCHUNGS- GETRÄNKE UNION</b>
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### Data protection information for customers and suppliers

#### 1 Name and contact details of controller

The person responsible for the processing and use of your personal data within the meaning of art. 4, no. 7 GDPR is

**Erfrischungsgetränke-Union Kulmbacher Gruppe GmbH**  
**Lichtenfelser Str. 9**  
**95326 Kulmbach**

#### Legal representatives/managing directors

Markus Stodden  
Michael Dorner

#### Contact details

Tel.: +49 (0) 9221 / 705-0  
Fax: +49 (0) 9221 / 705-292  
Email: [info@erfrischungsgetraenke-union.de](mailto:info@erfrischungsgetraenke-union.de)

#### 2 Our data processing officer

We have appointed a data processing officer at our company. If you have any queries regarding the processing of your personal data you have the option of directly contacting the data processing officer. You can contact her as follows:

**Dr Marion Herrmann**  
**Datenschutz Symbiose GmbH, Hundingstr. 10. 95445**  
**Bayreuth**  
Email: [datenschutz@kulmbacher.de](mailto:datenschutz@kulmbacher.de)

#### 3 Collection and storage of personal data; nature, purpose and use

If you place an order or conclude a contract with us the data entered by you in the corresponding application or order form or which you provide us with is collected. In particular, this may include the following information:

- form of address, title, first name, surname;
- address;
- email address;
- telephone number (landline and/or mobile phone);
- where applicable fax number (if you have a fax and if desired);
- where applicable account details;
- where applicable date of birth;
- where applicable place of birth;
- where applicable nationality;
- where applicable identification data (e.g. ID card, passport etc.);
- where applicable access data (if required for our collaboration);
- where applicable creditworthiness data
- where applicable tax number

In addition, information required for the fulfilment of the contract concluded with you may also be collected; where applicable, it may also originate from publicly accessible sources (e.g. land register, commercial register or register of associations).

Processing, in particular the collection of personal data, takes place,

- to enable us to identify you as a customer or supplier;
- to enable us to provide you with tailored advice;
- before a contract is concluded, to fulfil (pre-)contractual obligations and, in part, as a basis to enable us to decide whether to conclude the contract;
- in order to fulfil our contractual obligations vis-à-vis you or third parties and, together with you, to perform the contract;
- in order to comply with our statutory obligations;
- to engage in correspondence with you;
- when invoicing and/or during dunning procedures;
- for the purpose of permissible direct marketing initiatives;
- in order to assert any claims against you.

Personal data is processed when you make an enquiry or while a contract is being concluded and is required for the abovementioned purposes, i.e. to process your order and to fulfil the obligations emanating from the underlying contract concluded with you or with third parties. The legal basis for the processing of personal data is art. 6, para. 1, sentences 1 b) and f) GDPR.

The personal data collected in this manner is stored until the expiry of the statutory retention period for traders (six or ten years following the end of the calendar year in which the contractual relationship was terminated) and then deleted. Exceptionally, this is not applicable if we are obliged to store data for longer periods (as set out in the German Commercial Code (HGB), German Criminal Code (StGB) or the German Fiscal Code (AO) or if you have provided your consent for the storage of your data for a longer period.

#### 4 Disclosure of data to third parties

Generally speaking, your personal data is not disclosed to third parties. The only exceptions to this rule concern instances in which this takes place in order to handle contractual relationships with you. In particular, this refers to the disclosure of data to service providers engaged by us (referred to as “processors”) or to other third parties, whose involvement is necessary to enable the contract to be performed (e.g. drink wholesalers, logistics companies, mail-order firms, banks, debt collection companies or lawyers). Before concluding a contract we carry out a partial creditworthiness check. In relation hereto, we pass on personal data in order to obtain a creditworthiness rating from

a credit agency. The data disclosed in this manner may only be used by the third parties involved for the purposes stated.

When processing an order or contract, information is only passed on within the Kulmbacher Brauerei AG company group if required for a specific purpose. The legal basis for such transfers of data concerns instances where the processing is required in order to take the necessary steps before entering into a contract or for the performance thereof as set out in art. 6 1b GDPR and where the processing is necessary for the purpose of centralising certain processes within the company group as set out in art. 6 1f GDPR. The members of the company group, inter alia, are Bad Brambacher Mineralquellen GmbH & Co. Betriebs KG, Getränke Logistik SQ GmbH, Getränke Service Würzburger Hofbräu GmbH, Markgrafen Getränkevertrieb GmbH, Markgrafen Heimdienst GmbH, Scherdel Bier GmbH & Co. KG, Sternquell Brauerei GmbH, Würzburger Hofbräu GmbH, Erfrischungs-Getränke Union Kulmbacher Gruppe GmbH.

No transfer of personal data outside the European Union takes place.

## 5 Your rights as data subject

In your capacity as data subject you have various rights:

- **Right to withdraw consent:** You have the right to withdraw the consent given to us at any time. Data processing based on consent that has been withdrawn may no longer take place in the future.
- **Right to information:** You may request information on the personal data processed by us. In particular, this refers to the purposes for which the data is processed, the categories of personal data, if applicable the categories of recipients, the envisaged period during which the data will be stored, if applicable the origin of your data and if applicable the existence of automated decision-making including profiling and meaningful information about the logic involved.
- **Right to rectification:** You have the right to request the rectification of inaccurate personal data stored with us or the completion of incomplete data.
- **Right to erasure:** You have the right to request the erasure of any personal data stored with us if the processing of such data is not required in order to exercise the right of freedom of expression and to information, in order to comply with a legal obligation, for reasons of public interest or for the establishment, exercise or defence of legal claims.

- **Right to restriction of processing:** You have the right to request the restriction of the processing of your personal data if you contest the accuracy of the data, its processing is unlawful but you oppose its erasure. You may also exercise this right if we no longer require the data but the data is required by you for the establishment, exercise or defence of legal claims. In addition, you may exercise this right if you have objected to the processing of your personal data;
- **Right to data portability:** You have the right to receive the personal data you have given us in a structured, commonly used and machine-readable format. Alternatively, you may request the direct transmission of the personal data you have given us to another controller, provided this is feasible;
- **Right to lodge a complaint (complaints body):** You have the right to lodge a complaint with a data protection supervisory authority, e.g. if you consider that we have processed your personal data in an unlawful manner. You have the right to lodge a complaint regarding the processing of personal data by us with a supervisory authority for data protection.

The data protection supervisory authority to which we are accountable is:

**The Bavarian Data Protection Authority  
(BayLDA)**  
**Promenade 27, 91522 Ansbach**  
**Tel.: +49 (0) 981 53 1300**  
**Email: [poststelle@lda.bayern.de](mailto:poststelle@lda.bayern.de)**

## 6 Your right to object

If we process your personal data based on a legitimate interest you have the right to object to such processing. If you wish to avail yourself of your right to object you can simply do this by submitting a written communication. In other words, you are welcome to write to us or send us a fax or an email. You can find our contact details in point 1 of this data protection notice.

## 7 Data processing online

The processing of certain personal data also takes place on our webpage at [www.kulmbacher-brauerei-ag.de](http://www.kulmbacher-brauerei-ag.de), including the IP address of visitors to the website. You can find further data protection information online at [www.kulmbacher-brauerei-ag.de/datenschutz](http://www.kulmbacher-brauerei-ag.de/datenschutz).