

Data protection declaration

As at March 2021

1. Who is the person responsible for data processing (the “data controller”), and who can you contact?

The data controller is BayWa AG, Arabellastr. 4, 81925 München, email: info1@baywa.de, phone: 089/9222-0. The Data Protection Officer of BayWa AG can be contacted at the address provided or by sending an email to datenschutzbeauftragter@baywa.de. BayWa AG has established a Service Centre for queries of data subjects which can be submitted via email to kontaktformular@baywa.de, by mail to BayWa CS GmbH, CSC Passau, BayWa-Str. 6, 94034 Passau, Germany, or using the Internet form at www.baywa.de.

2. Which kinds of data are processed and what are the sources of this data?

We process the data received from you at the beginning and during the course of our business relationship. We also process data we have lawfully received from credit agencies, creditor protection associations, publicly accessible sources (i.e. commercial register, register of incorporated associations, land register, media), as well as data from other companies we are in a long-term business relationship.

Personal data includes the following data:

Your master and contact data, such as:

- as a private customer: first and last name, address, contact data (email address, telephone number, fax number), date of birth, data from the identification document presented to us (copy of ID) and bank account details
- as a corporate customer or supplier: names of your legal representatives, company name, commercial register number, VAT-ID number, employer identification number, address, contact details (email address, telephone number, fax number) and bank account details.

We also process the following other personal data:

- Information on the type and substance of our business relationship including, inter alia, contract data, order data, sales and invoicing data, customer and supplier history, consultancy-related documents, vehicle data,
- Information about your financial position (e.g. credit scoring data),
- Advertising-related and sales-related data,
- Documentation-related data (e.g. minutes of consultations), image data,
- Data from your electronic interactions with BayWa (e.g. IP address, log-in data),
- Other data we may from time to time obtain during the course of our business relationship (e.g. in customer meetings),
- Data generated by us from master data / contact data records, or other data such as data obtained via analyses of customer requirements and customer potentials,
- The documentation of your declaration of consent to receiving information such as newsletters.
- Image data from video surveillance systems,
- Photos shot during public events.

3. For what purposes and on what legal basis are my personal data processed?

We process your data in compliance with the General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG) of 2018 in their applicable versions:

For the purpose of performing our (pre-) contractual obligations (Article 6 para. 1 lit. b GDPR):

We process your data for purposes related to the sales and marketing of our goods and services, for purposes related to procurement and logistics, as well as for purposes related to the management and analysis of suppliers and customers. In particular, the data are processed during the stages of initiating a business transaction and the performance of contracts with you, for example in the following cases:

- Creation and administration of a customer account or a supplier account
- Delivery of orders
- Administration of customer cards, e.g. the BayWa fuel card
- Participation in prize draws
- Sending of information, such as requested catalogues

Execution of the application process (in combination with Article 26 of the German data protection law)

For the purpose of performing statutory obligations (Article 6 para. 1 lit. c GDPR):

We are required to process your data for the purpose of performing certain statutory obligations stemming from the Commercial Code, the Tax Code, money laundering regulation or product-specific regulations, such as the Hazardous Substances Ordinance.

For protecting a legitimate interest (Article 6 para. 1 lit. f GDPR):

The data processing may exceed the scope required for the performance of the contract with you if it is conducted for the purpose of safeguarding a legitimate interest and we have balanced the respective parties' interests. Data processing for the purpose of safeguarding legitimate interests may, for example, occur in the following cases:

- Consultation of and exchange of data with credit agencies and creditor protection associations for the purpose of determining creditworthiness data, as well as the operation of a group-wide creditworthiness database for the purpose of identifying default risks that concern mutual customers,
- Advertising or marketing,
- Business management measures, as well as measures related to the development of products and services,
- Operation of a group-wide customer data base for the purpose of improving our customer service,
- Measures to protect BayWa's business locations against illegal actions or conduct in breach of contract, e.g. access controls, video surveillance,
- For purposes related to law enforcement.

On the basis of your declaration of consent (Article 6 para. 1 lit. a GDPR):

If you have granted your declaration of consent to the processing of your data, we will only process the data in accordance with the purposes and scope stipulated in your declaration of consent. You may revoke your declaration of consent at any time with effect on the future, i.e. if you no longer wish to receive our newsletter. For this, please contact the BayWa Service Centre mentioned under item 1.

4. Processing of personal data for advertising purposes

We also use your data to communicate with you about your orders, certain products or marketing promotions, and to recommend products or services to you that may be of interest for you.

You can object against the use of your personal data for advertising purposes categorically or for individual activities at any time without incurring any additional costs or higher prices. For this, please contact the BayWa Service Centre mentioned under item 1.

Product recommendations by email

Under article 7 para. 3 of the German Unfair Competition Act, BayWa is permitted to use the email address provided by you when ordering a product or service to deliver direct advertising for similar goods or services to you. You will receive these product recommendations irrespective of whether you have subscribed to a newsletter or not.

If you prefer not to receive any more product recommendations from us via email, you can choose to revoke your consent to use your email address for this purpose at any time without incurring additional costs or higher prices. For this, please contact the BayWa Service Centre mentioned under item 1. Of course, every email from us always contains an unsubscribe link.

Newsletter

To send the newsletter we use the so-called double opt-in process, i.e. we will only send a newsletter via email if you have explicitly confirmed that you want us to activate the newsletter service. We will then send a notification email and ask you to confirm that you wish to receive our newsletter by clicking on a link contained in this email.

If, at a later point in time, you do no longer wish to receive the newsletter, you can revoke your consent at any time without incurring additional costs or higher prices. For this, simply send a written notice to the BayWa Service Centre mentioned under item 1. Of course, you will also find an unsubscribe link in each newsletter.

5. Processing of credit rating information

Transmission of data to credit agencies

BayWa AG transmits personal data collected during the course of our contractual relationship concerning contractual negotiations, the initiation, performance and termination of our business relationship, as well as data concerning non-conforming or fraudulent conduct to the following credit agencies: SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden, Germany; Bisnode Deutschland GmbH, Robert-Bosch-Strasse 11, 64293 Darmstadt, Germany; Coface Central Europe Holding AG, Stubenring 24, AT-1010 Vienna, Austria; CRIF Bürgel GmbH, Radtkoferstrasse 244, 80807 Munich, Germany; CRIF GmbH, Diefenbachgasse 35, AT-1150 Vienna, Austria; Creditreform, Machtlfinger Strasse 13, 81302 Munich, Germany; EOS Deutschland GmbH, Gottlieb-Daimler-Ring 7-9, 74906 Bad Rappenau, Germany. The legal bases for these data transmissions is Article 6 para. 1 lit. b and Article 6 para. 1 lit. f GDPR. Data may only be transmitted on the basis of Article 6 para. 1 lit. f GDPR to the extent the transmission is necessary to protect the legitimate interests of BayWa AG or a third-party which prevail over the data subject's interests, fundamental rights and fundamental freedoms that require the protection of personal data. The exchange of data with these credit agencies also serves the purpose of preventing fraud and verifying the identity. BayWa AG can use the match rating provided by the credit agency and, where applicable, references to an identity-card-based legitimation check carried out with the credit agency or another business partner to find out whether a certain person's information are recorded in the credit agency's data set for the address indicated by the customer.

The credit agency processes the data received and also uses it for the purpose of generating profiles (scoring) for providing its contracting partners within the EEC and Switzerland, as well as additional third-party countries (provided there is an adequacy decision by the European Commission for such country) with information that can, inter alia, be used to assess the creditworthiness of a natural individual. For further information on SCHUFA's activities, please refer to the website: [schufa.de/datenschutz](https://www.schufa.de/datenschutz). The data protection information of the other credit agencies mentioned-above can be reviewed on their respective websites, as well.

If, as a commercial customer or private retail customer, you submit an account application for supplies and services, we will create a customer account for you and grant you a credit limit – matching your creditworthiness – which allows you to purchase on account. Such customer account is a continuous contractual obligation which allows us to establish a continuous account at the credit agency to keep us informed about any changes in your credit rating.

Keeping a group-wide credit rating database

Provided that we have lawfully obtained your credit rating data from a credit agency, we will store such data in a system that is accessible to the affiliated companies that participate in the BayWa credit management system. This serves the purpose of facilitating transaction processing for mutual customers and to detect financial default risks. The creditworthiness database is only accessed if the respective affiliated company has a legitimate interest.

6. Who is my data disclosed to?

We are responsible for the protection of your data, including in situations where we use a contract data processor for processing your data. All contract data processors are contractually bound to treat your data confidential and to only process such data in relation to their contractual performances. The contract data processors will receive your data to the extent they require the data for rendering their respective contractual performances. These contract data processors include, inter alia, IT service providers we require for the operation and security of our IT systems (e.g. use of a technical platform provided by Voycer AG for administering our Community), as well as advertising and list brokers for our own advertising activities.

Your data will be processed in the BayWa customer database. The BayWa customer database helps us improving the quality of the existing customer data (purging duplicates, flagging moved away/deceased records, correction of addresses) and allows for the data to be enriched with data from public sources. This data is made available to the subsidiaries of BayWa which participate in the BayWa customer database (participating subsidiaries) and can be used for personalised direct marketing activities (e.g. newsletter) and for adapting the user interface of our online shop to individual preferences.

The purpose of the BayWa customer database is to enable the customer service teams of participating subsidiaries responsible for the same customer to share the customer's information available across the entire organisation. This approach aims at providing our customers with the most up to date and relevant information available. This processing of customer interests qualifies as profiling in the meaning of Article 4 GDPR; no automated individual decisions are made. Customer data is stored in company-specific and separate databases, with BayWa AG providing services to the individual participating subsidiaries.

Where manufacturer portals are used to submit offers or close sales, the data disclosed by you will be processed directly within the manufacturer portal.

Your data may be disclosed to authorities, courts and external auditors if we are required to disclose them on the basis of a statutory obligation or for law enforcement purposes.

Your data may also be disclosed to insurances, banks, credit agencies and service providers for the purpose of negotiating and performing a contract.

7. For how long will my data be stored?

We process your data until our business relationship with you ends, or until the expiry of the applicable warranty, guarantee, limitation or statutory retention periods (such as those prescribed in the German Commercial Code or the German Tax Code); your data may be stored for a longer period in the case of pending legal disputes requiring the data for evidentiary purposes.

The video surveillance system generally stores image data for 7 days after which they are deleted. In filling stations with operating personnel, the data are deleted after 3 days, for unmanned filling stations this data is deleted after 40 days.

Within the Community, we only store your personal data as long as necessary to achieve the purposes mentioned here or as required according to the various statutory storage periods determined by the competent legal authorities. Once the respective purpose ceases to exist or the storage periods have elapsed, access to the corresponding data will be blocked automatically or they will be automatically deleted in accordance with the statutory requirements.

8. Processing of applicant data

You can apply directly to jobs posted on our e-recruiting system by entering your data in an application profile created individually for the posted position. We will keep you informed about the processing status of your application, usually by email. Once the application procedure has been concluded by a rejection on our part, we will store your application documents for a period of six months in order to be able to answer questions in connection with your application and its rejection. Your application documents will then be completely deleted; no separate notification will be made. For detailed information on the processing of data in the course of the application process, please refer to [this link](#).

9. Communication via email

Please note that sending unencrypted email is considered unsafe since unauthorized persons may read and/or copy the contents of the email and could potentially manipulate the contents. This is the reason we advise you not to send any sensitive data via email when communicating with us. As a job applicant, please use our application portal since this tool transfers your application data using a secured path. If, in exceptional cases, you need to send sensitive information via email, please use a tool to encrypt the contents of the message. You will find instructions how to do this here.

10. Using the BayWa Community

We store, process and use the collected personal data, registration data as well as posts and content to ensure the most comprehensive and smooth operation of our Community including maintaining your membership.

For creating a Community User Account, the information that we process in the Voycer Community System in addition to the registration data for the BayWa portal is the so-called user name which we require to create a Community Account and data entered by the user which we only store to be able to display the content of the website. These include all posts made by users, an image for the avatar or header, as well as address and other information which the user enters on their own account. These data are only processed for fulfilling our contractual obligations and providing the agreed contractual services.

If users wish to post comments or other contributions, this is only possible with an account. All the data are linked to the user profile and publicly displayed on the website allowing every user of the website to read them. Posts can be deleted at any time upon simple request by the user to: team@community.baywa-landwirtschaft.de. We will ensure to delete the post as quickly as possible, unless we are prevented from deleting the post for legal reasons.

After termination of your membership, your user name and, as far as technically possible, any data allowing to identify you as a person will be removed from the post unless further processing is required to comply with legal obligations, for reasons of public interest or for asserting, exercising or defending legal claims.

To delete their own account, the user can click the Delete Account button in their profile. The user will then receive an email with a confirmation link (or code). After confirming deletion by clicking the link (or

entering the code), the account is marked as deleted, the avatar and the header image are removed and any personal data will be pseudonymised or deleted if technically feasible. The user name and the email address will be pseudonymised. The pseudonymisation of the user name and the email is done using the hash technique. Furthermore, any content stored as a draft will be deleted.

The deletion of the account and/or its pseudonymisation apply to all services provided by us in association with the operation of the platform.

11. Applying for a BayWa fuel card

When you apply for a BayWa fuel card, we will create a BayWa account with an 8-digit customer number by default. This allows you to purchase products and services from all product ranges of the BayWa AG product offering. For a fee, it is possible to allocate one or more fuel cards to your customer account. Each fuel card has its own 10-digit number and can only be used for purchasing fuel at our BayWa filling stations as well as filling stations of our cooperation partners AVIA and Star.

If, at any point in time, you no longer wish to use your fuel card(s), you have the option to cancel the contract by the end of each month. For doing so, call our toll-free telephone number 0800 50 54 500 or write an email to tankstellen@baywa.de and state the respective card number(s). Please note that unsubscribing to your fuel card does not automatically lead to the deletion of your customer account. When deleting your customer account any previously existing fuel cards will be blocked.

By order of the competent authorities, we will be permitted in an individual case to provide information on this data if this is necessary to carry out prosecution proceedings, to enable the police forces to prevent crimes, to help the authorities to fulfil their statutory tasks or to enforce intellectual property rights.

12. Which data are collected when visiting this website?

General information on cookies

We use cookies and similar (tracking) technologies, such as web beacons on our websites. Cookies are small text files which are generated when viewing a website, stored in the memory of your device (computer/tablet/smartphone) and allow recognising you or your device. We use the cookies required for technical reasons to enable the operation of our website and to allow us to provide you with the content of the website. One of the technically required cookies is the so-called "consent cookie" which stores your consent – provided you have given us such consent in our cookie banner. The consent cookie stores your consent on your device for a period of 12 months, unless you revoke it earlier than this.

Using cookies also serves to improve the overall user experience. For example, we use so-called session cookies in order to recognise that you have already visited individual pages of our website or that you are already logged in to your customer account. A session ends 30 minutes after leaving the website. Furthermore, we also use certain temporary cookies for optimising the user experience which are stored on your device for a predefined period. Once you return to our website to use our services, we will recognise automatically that you have already visited our website, what data you have entered and which settings you have made to avoid that you have to re-enter such data and repeat such configuration.

We also use cookies for anonymous statistical analysis or to display personalized content and/or personalised advertising. You will find more information about the purposes of these optional tracking and analysis cookies in the section "Information on optional cookies" below.

Legal bases, possibilities to opt out and revoking your consent

For technically required cookies and cookies for optimising the user experience your data is processed on the basis of our legitimate interests according to article 6 para. 1 lit f GDPR. Our legitimate interest is to offer a website for general information and communication purposes, for advertising purposes and for the online sales of goods. You can opt out of using these cookies at any time by changing the corresponding settings in your browser which will prevent our website from generating cookies. Please note that our website may not be displayed correctly after opting out.

For all optional tracking cookies, processing of your data is based on your consent in accordance with article 6 para. 1 lit a of the GDPR which you have the right to revoke at any time. For this purpose, we

have set up a cookie manager which allows you to manage your cookie preferences. To open the cookie manager, please click [here](#).

Information on optional cookies

Cookies which are technically not required are such cookies with which we capture your preferences and which we use for marketing or statistical purposes. The legal basis for processing these optional cookies is your consent in accordance with article 6 para. 1 lit a of the GDPR which you can revoke at any time in our cookie manager.

We use the following marketing and statistical tools based on your consent provided you have given us your consent in our cookie banner:

Use of Google Analytics

This website also uses Google Analytics, an internet analysis service provided by Google. Google Analytics uses so-called cookies (small text files) which are stored on your computer to enable an analysis of the use of the website by you.

The information about your use of this homepage generated by the cookies (including your IP address) is transmitted to and saved on a Google server in the USA. Google uses this information to analyse your use of the website, to compile reports about the website activities for the homepage operators, and to provide additional services related to the website use and internet use. Google might also transfer this information to third parties where mandated by law or where third parties process this data on behalf of Google. Google will never link your IP address to other data belonging to Google. You can prevent the installation of the cookies via appropriate settings in your browser software; however, we must point out that in this case you might not be able to make full use of all functions of this website.

We would like to point out that this website uses Google Analytics exclusively by utilising a deactivation add-on "_anonymizeIp()". Your IP address will not be saved in full. The identification of the website visitor is not possible.

We also use the technical extension "Google Signals" which allows cross device tracking. This allows associating one individual website visitor with several different devices and to trace interaction data accordingly. This, however, will only happen if the visitor of the website has logged on to a Google service and has enabled the option "personalized advertising" in their Google account settings. But even then, we will not have access to any personal data or user profiles; you will remain anonymous to us. The Analytics feature UserID allows us to track interaction data in an anonymous form such as logging in and using our portals with different devices. The UserID is not associated to any other data.

If you do not wish to use Google Signals and UserID you can disable the option "personalized advertising" in your Google account settings.

Use of Google's Remarketing and Adwords features

We use Google's Remarketing and Adwords function on this website. This technology enables users who have visited our website before to be addressed again by targeted advertising on the pages of the Google Partner Network. For this purpose, Google stores small text files (cookies) on your computer, which it uses to analyse your visit to the website and then for targeted product recommendations and interest-based advertising.

Use of Hotjar

This website uses functions of the web service Hotjar which is operated by Hotjar Ltd., a European company based in Malta. Hotjar uses cookies. These are small text files which are stored on your computer to enable an analysis of the use of the website by you. Analysis is always anonymous. It is not possible to associate the analysed data with your person. Hotjar transfers the information generated by the cookie when you use this website to a server located inside the European Union and stores the information there.

Use of Microsoft Tracking

Our website also uses conversion tracking from Microsoft (Microsoft Corporation, One Microsoft Way, Redmond, WA 98052-6399, USA). For this, Microsoft Bing Ads will place a cookie on your computer if you have accessed our website via a Microsoft Bing advertisement. This allows Microsoft Bing and us to recognise that someone has clicked on an advertisement, was transferred to our website and has reached a previously defined target page (conversion page). This service only allows us to track the total number of users who clicked the Bing advertisement before being passed on to the conversion page. No personal information on the identity of the user will be disclosed. For further information on data protection and the cookies used for Microsoft Bing, please refer to the Microsoft website: <https://privacy.microsoft.com/de-de/privacystatement>.

Use of CRITEO

Our website uses a technology provided by Criteo GmbH to collect and store anonymised data on the browsing behaviour of the visitors of the website for marketing purposes. Such data is stored in cookies on the visitor's computer. Criteo GmbH uses an algorithm to analyse the anonymised recorded browsing behaviour and can then display targeted product recommendations as personalised advertising banners on other websites (so-called publishers). Under no circumstances, such data can be used to personally identify you as the visitor of our websites. The collected data are only used to improve the quality of our offering. This information will not be used for any other purpose and will not be disclosed to any third party. For further information on the technology used by Criteo, please refer to Criteo GmbH's privacy policy.

Use of the LinkedIn Insight Tag

Our website uses the conversion tool "LinkedIn Insight Tag" provided by LinkedIn Ireland Unlimited Company. This tool generates a cookie in your browser which enables capturing data including, among others, the following data: IP address, device and browser properties and webpage events (such as web page views). This data is encrypted, anonymised within seven days and this anonymised data will be deleted within 90 days. LinkedIn does not share any personal information with us but provides anonymous reports on the website audience and the performance of advertising on this site. In addition to that, the Insight Tag offered by LinkedIn allows retargeting visitors. Using this data allows us to display targeted advertisements beyond our own website without disclosing your identity when you visit such other websites. For further information on LinkedIn's data protection, please refer the privacy policy on the LinkedIn website.

LinkedIn members have the option to control the use of their personal information for advertising purposes in their account settings. You can disable the Insight Tag on our website by changing the settings in the cookie manager.

Facebook Pixel

Within our online offer, so-called "Facebook pixels" of the social network Facebook, which is operated by Facebook Inc., 1 Hacker Way, Menlo Park, CA 94025, USA, or if you are a resident of the EU, Facebook Ireland Ltd, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland ("Facebook"), are used.

With the help of the Facebook pixel, it is possible for Facebook to determine the visitors to our offer as a target group for the display of advertisements, so-called "Facebook Ads". Accordingly, we use the Facebook pixel to display the Facebook ads placed by us only to those Facebook users who have also shown an interest in our Internet offer. This means that with the help of the Facebook pixel, we want to ensure that our Facebook ads correspond to the potential interest of the users and do not have a harassing effect. With the help of the Facebook pixel, we can also track the effectiveness of the Facebook ads for statistical and market research purposes by seeing whether users were redirected to our website after clicking on a Facebook ad. The Facebook pixel is integrated when you access our websites after you have given your consent (opt-in) to the use of cookies and can save a so-called cookie, i.e. a small file, on your device. If you subsequently log in to Facebook or visit Facebook while logged in, the visit to our offer will be noted in your profile. The data collected about you is anonymous for us, so it does not offer us any conclusions about the identity of the user. Though the data is stored and processed by Facebook, so that a connection to the respective user profile is possible. The processing of the data by Facebook takes place within the framework of Facebook's data usage policy. Accordingly, you can find more information on how the remarketing pixel works and generally on the display of Facebook ads in Facebook's data usage policy: <https://www.facebook.com/policy.php>.

You can generally object to the collection by the Facebook pixel and use of your data for the display of Facebook ads. To do so, you can visit the page set up by Facebook and follow the instructions there regarding the settings for usage-based advertising: <https://www.facebook.com/settings?tab=ads> of declare the objection via the US page <http://www.aboutads.info/choices/> or the EU page <http://www.youronlinechoices.com/>. The settings are platform-independent, i.e. they are taken over for all devices, such as desktop computers or mobile devices.

Use of social plug-ins within the Community

On our website www.community.baywa-landwirtschaft.de you have the option to use so-called "social media buttons". In order to protect your data, we are using the "Shariff" solution for implementing these buttons. With this solution, the buttons will only be shown as graphic icons on our website which are linked to the respective website of the provider behind the button. Clicking on the icon will take you to the services offered by the respective provider. Only then your data will be sent to the respective provider. If you do not click on the icon, there will be no exchange of data between you and the provider of the social media button. You can find more information on the collection and use of your data in social media networks in the terms and conditions of the respective provider. For further information on the Shariff solution, please refer to: <http://www.heise.de/ct/artikel/Shariff-Social-Media-Buttons-mit-Datenschutz-2467514.html>

Our website includes the social media buttons of the following companies:

Facebook Inc. (1601 S. California Ave – Palo Alto – CA 94304 – USA)

Twitter Inc. (795 Folsom St. – Suite 600 – San Francisco – CA 94107 – USA)

Google Plus/Google Inc. (1600 Amphitheatre Parkway – Mountain View – CA 94043 – USA)

WhatsApp Ireland Limited (4 Grand Canal Square – Grand Canal Harbour – Dublin 2 – Ireland)

Pinterest Europe Ltd. (Palmerston House – 2nd Floor – Fenian Street – Dublin 2 – Ireland)

XING AG (Gänsemarkt 43 – 20354 Hamburg – Germany)

LinkedIn Corporation (2029 Stierlin Court – Mountain View – CA 94043 – USA)

Tumblr Inc. (770 Broadway – New York – NY 10003 – USA)

Reddit (520 - 3rd Street – San Francisco – CA 94107 – USA)

StumbleUpon, Inc. (660 4th Street – #558 – San Francisco – CA 94107 – USA)

Analysis of reach within the Community using Matomo

We use Matomo, an open-source software, for the statistical analysis of user access. The IP address of the users is truncated before it is stored. Matomo uses cookies which are stored on the users' computers and which allow the software to analyse the usage of this online offering by the user. For this process, the software may create pseudonymous user profiles from the processed data.

The information generated by the cookie regarding your usage of this online offering are stored on our server and will not be disclosed to any third party.

Analysis of reach within the Community using New Relic

The web analysis service provider New Relic Inc. collects and stores data on the website community.baywa-landwirtschaft.de which are used to generate pseudonymised user profiles. These profiles are used for verifying the compliance with the technical service level agreement between the operator of the platform and the technical service provider, in particular for the required application monitoring and alerting. Furthermore, these profiles are used to analyse the behaviour of the platform's visitors and for improving and adapting our offering to individual needs. This may include the use of cookies. The pseudonymous user profiles will not be associated to any personal data regarding the person behind the pseudonym without obtaining the individual express consent of that data subject. You can opt out of any future collection and storage of your data for web analysis purposes at any time by disabling cookies in your browser settings.

For further information on the options for opting out, please refer to:

<https://newrelic.com/privacy>

13. Embedding of third-party services and content on our websites

In order to make our offering more attractive, we may, in accordance with our terms of use decide to embed or allow users to embed third-party content (such as videos) to posts on our website. Such content may be embedded using so-called plug-ins, iFrames or similar technical means. When executing such content, data such as your IP address may be transferred to the respective operator of the service. For data protection reasons, however, your data will only be transferred after you have consciously clicked on the respective service to use it. The legal basis for this is our legitimate interest according to article 6 para. 1 lit f GDPR to be able to provide an attractive online offering to our users.

The following services are embedded on our websites:

To protect against misuse: Use of Google reCAPTCHA

On our website, we also use the reCAPTCHA feature provided by Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA ("Google"). This function is mainly used to determine whether an entry is made by a natural person or, for improper purposes, by a machine or an automated process. We use this service based on our legitimate interests according to article 6 para. 1 lit f GDPR to keep our offering safe and to prevent misuse. The service includes sending the IP address and any other data Google may need for the reCAPTCHA service and is conducted pursuant to article 6 para. 1 lit f GDPR on the basis of our legitimate interest to determine whether acts in the internet are carried out in accordance with the will of the individual and to avoid misuse and the propagation of spam.

For further information on Google's reCAPTCHA and to read Google's privacy policy, please refer here:

<https://www.google.com/intl/de/policies/privacy/>

Google Maps

When using Google Maps, Google also collects, processes and uses data about the visitor's usage of the different functions of map service. For further information on the processing of data by Google, please refer to Google's data privacy policy (<https://policies.google.com/privacy?hl=en>). There, you can also change your individual privacy settings.

Embedding of YouTube videos

The operator of the plug-ins for embedded YouTube videos is YouTube, LLC, 901 Cherry Ave., San Bruno, CA 94066, USA. As you visit a website with a YouTube plug-in, your browser will establish a connection to YouTube's servers. During this process, YouTube receives information on which webpages you are visiting. If you are logged in to your YouTube account, YouTube can associate your browsing history to you as a person. You can prevent this by logging out of your YouTube account beforehand.

If you have disabled the storage of cookies for the Google Ad program, you will not have to deal with such cookies when watching YouTube videos. However, YouTube also stores usage information which cannot be attributed to one particular person in other cookies. If you want to prevent this, you will have to configure your browser to block cookies.

For further information on data protection at "YouTube" please refer to the provider's privacy policy at:

<https://www.google.de/intl/de/policies/privacy/>

Embedding of the video portal Vimeo

Our website includes plug-ins of the video portal Vimeo provided by Vimeo, LLC, 555 West 18th Street, New York, New York 10011, USA. Each time you visit a page which offers one or several Vimeo video clips your browser will establish a direct connection to a Vimeo server in the USA. During that process, information about your visit and your IP address will be stored there. By interacting with the Vimeo plug-ins (e.g. when clicking the start button) this information will also be transmitted to Vimeo and stored on their servers.

If you have a Vimeo account and do not want Vimeo to collect information on you via this website to link them to your membership data stored at Vimeo, you have to log out from Vimeo before visiting this website.

You can find Vimeo's privacy policy with further information on the collection and use of your data by Vimeo on the company's website at: <https://vimeo.com/privacy>.

Furthermore, Vimeo uses the iFrame in which the video is opened to run the Google Analytics tracker. This is Vimeo's own tracking activity to which we do not have any access. You can prevent Google Analytics from tracking by using the disabling tools provided by Google for their own internet browser. Furthermore, users can prevent Google from collecting the data related to their use of the website (including their IP address) which is generated by Google Analytics and the processing of such data by Google by downloading and installing the browser plug-in available under the following link: <https://tools.google.com/dlpage/gaoptout>

14. Is my personal data transmitted to a third country?

We will generally not transmit your data to a third country. A transmission in exceptional cases will only take place on the basis of an adequacy decision by the European Commission, standard contract clauses, adequate guarantees or your express declaration of consent.

15. What are my rights under data protection law?

You have the right to information, correction, deletion or restriction of your data stored by us, as well as the right to object against the processing of your data, the right to data portability and the right to lodge a complaint in accordance with the requirements under data protection law.

Right to information about your data:

You have the right to information about whether and in what scope your data is processed by us.

Right to the correction of your data:

If your data processed by us is incorrect or incomplete, you may at any time request us to correct and/or complete your data.

Right to the deletion of your data:

You have the right to the deletion of your data if our data processing is unlawful or disproportionately interferes with your legitimate interests. Please be advised that there are certain reasons that oppose the immediate deletion of your data, i.e. in cases where statutory retention period apply.

Irrespective of whether you exercise your right to the deletion of your data, we will promptly delete all of your data as soon as an applicable contractual or statutory retention period has elapsed.

Right to restrict the processing of your data:

You have the right to impose a restriction on the processing of your data if

- you contest the accuracy of the data and allow us adequate time to verify the accuracy of the data,
- the processing of the data is unlawful, but you decline their deletion and rather request a restriction to be imposed on the processing of your data,

- we no longer require the data for the purpose it was collected, but you require the data for the purpose of asserting or defending legal interests, or
- you have objected against the processing of your data.

Right to data portability:

You have the right to request us to provide you with the data disclosed by you in a structured, popular and machine-readable format. You further have the right to transfer such data to another data controller without any interference from our part, provided

- we process such data on the basis of a revocable declaration of consent granted by you, or for the purpose of performing a contract between you and us, and
- such processing is conducted with the help of automated processes.

Within the bounds of technical feasibility, you have the right to request us to transfer your data directly to another data controller.

Right to object:

You have the right to object against us processing your data on the basis of a legal interest at any time for reasons resulting from your personal circumstances; this also applies to profiling based on the same provisions. We will then cease the processing of your data, unless we can demonstrate compelling legitimate reasons for the data processing that prevail over your interests, right and freedoms, or if the data processing serves the purpose of asserting, exercising or defending legal interests. You may object against the processing of your data for direct advertising purposes at any time without stating reasons.

Right to lodge a complaint:

If you have reason to believe that we are processing your data in violation of the German or European data protection regulations, please contact us so we can discuss your concerns.

You also have the right to file a complaint with a data protection authority at any time. To do this, you can either contact the data protection authority which is responsible for your place of residence or your province or to the competent data protection authority responsible for our company. The data protection authority in charge for BayWa AG is the Bavarian state office for data protection inspectorate (Bayerisches Landesamt für Datenschutzaufsicht).

If you would like to exercise any of your rights set out in this data protection statements, please contact the Service Centre specified under item 1. We may in certain cases request additional information to establish your identity.

16. I am required to disclose any data?

The processing of your data is necessary to enter into or perform the contract between you and BayWa. If you withhold the required data from us, we will in most cases be compelled to decline entering into a contract with you or executing an order placed by you. In certain cases, we will be compelled to rescind and/or terminate an existing contract. You are however under no obligation to grant your consent to the processing of data that is not required under a law or that is irrelevant for the purpose of performing a contract.