

Processing of Personal and other Data Rules by appellando

Introduction

This document outlines the procedures and guidelines for processing personal and other data within the appellando system. It is applicable to all actors and contract parties involved, ensuring compliance with relevant regulations and standards. The content includes detailed instructions on data handling, privacy measures, and responsibilities of each party to maintain data integrity and security.

Trade Secrets

„Trade secret“ in the sense of the „Directive (EU) 2016/943 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure“ means information which meets all of the following requirements:

- It is secret in the sense that it is not, as a body or in the precise configuration and assembly of its components, generally known among or readily accessible to persons within the circles that normally deal with the kind of information in question.
- It has commercial value because it is secret.
- It has been subject to reasonable steps under the circumstances, by the person lawfully in control of the information, to keep it secret.

The supplier is not obliged to disclose trade secrets in the Complaints Procedure. However, it should be borne in mind that information about deviations or legal infringements will generally not have any commercial value of its own and therefore does not constitute trade secrets.

The identity of direct and indirect business partners, or essential information needed to identify actual or potential adverse impacts, where necessary and duly justified for the company's compliance with due diligence obligations, are excepted from the protection of trade secrets in the context of the duties resulting from Directive (EU) 2024/1760 on corporate sustainability due diligence (CSDDD).

Processing of personal data

With regard to personal data Regulation (EU) 2016/679 (General Data Protection Regulation - GDPR) applies. The specific national regulations on data protection in the country in which the Complaints Procedure is carried out also apply.

The terminology of the GDPR applies.

„Personal data“ in the sense of Art. 4 (1) GDPR means any information relating to an identified or identifiable natural person. 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.

„Processing“ in the sense of Art. 4 (2) GDPR means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Processing of personal data of a complainant shall be lawful only if he or she has given consent to the processing of his or her personal data for the purpose of conducting the appellando Complaints Procedure in accordance with the Rules of Procedure.

The personal data of a complainant may not be disclosed by the OGM to any other body or person without the express consent of the complainant and is strictly confidential. The complainant's consent to disclosure must expressly refer to the specific form of disclosure and the specific addressee.

Personal data of other persons (for example of employees of the supplier) shall not be processed at all as long as the identity of a person is not essential for the processing of the complaints procedure. For the processing of personal data of potential offenders (for example an employee of a company) whose data has been provided by the complainant and where the processing of such data is necessary for the compliance with due diligence obligations, a legal basis for processing results from Art. 6 (1) c) and e) GDPR.

If the name of a company contains personal data of a living person, the company shall ensure that this personal data may be processed by the OGM Helpline Service for the

purpose of carrying out the Complaints Procedure within the framework of the Rules of Procedure.

Personal data shall be processed in accordance with the principles relating to processing of personal data following Art. 5 GDPR and in particular in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

OGM Helpline Services are responsible for the legally correct handling and processing of personal data.

Processing of company names and company IDs

Company names and IDs are neither personal data nor other data.

Company names and IDs shall be processed in accordance with the principles relating to processing of personal data following Art. 5 GDPR and in particular in a manner that ensures appropriate security of the data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

The OGM may only disclose company names and IDs in the course of processing a complaint in Remedy level 1-3 to those bodies or persons who are directly authorised by the OGM to process the complaint and who are obliged to ensure comprehensive confidentiality.

In the course of processing a complaint in Remedy level 4 the OGM is allowed to pass on the name and ID of a company against which accusations are made by the complainant to those customers in the supply chain that have notified OGM beforehand and can provide evidence on appellando's request, that the company belongs to their supply chain at least once within the previous twelve months. Passing on the name and ID of a supplier to final consumers or the public is not allowed.

In the course of processing a complaint in Remedy level 4 the OGM is allowed to pass on the name and ID of a company against which accusations are made also to certification standard owners and any other organizations that the company has authorised to receive this information.

In the course of processing complaints in Remedy level 5, company names and IDs shall not be shared with any party.

Processing of other data

„Other data“ means all information of which an OGM or the other bodies or persons involved by it become aware in connection with the processing of a complaint in accordance with the Rules of Procedure, e.g. facts about actions, circumstances or situations.

Other data shall be processed in accordance with the principles relating to processing of personal data following Art. 5 GDPR and in particular in a manner that ensures appropriate security of the data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Other data shall be passed on in a generalised and abstracted manner, so that the data passed on does not allow any conclusions to be drawn about the persons acting or involved, nor about the companies involved or affected.