

**INFORMATION TO CUSTOMERS ON THE PROCESSING OF PERSONAL DATA**  
**pursuant to art. 13 of the EU Regulation 2016/679**

**Privacy Policy**

Surgital S.p.a. is committed to ensuring every day that your personal data is protected.

Our Privacy Policy is intended to give you a clear and transparent view of what information we collect when you browse the user area of our website and how we process your data as part of our relationship with website users, potential Customers or Clients (to whom we supply food products for sale) in compliance with the new General Data Protection Regulation 2016/679 (hereinafter GDPR or Regulation), which, from 25 May 2018 will be fully applicable throughout the European Union.

The objectives we have set ourselves, in particular, are to:

- ensure that website users, potential Customers and Clients understand what personal data we collect, for which purposes and for how long;
- explain clearly and transparently how we use the personal data that potential Customers and Clients provide to us and with whom we share it, in order to offer an ever more efficient service;
- to explain to potential Customers and Clients their rights (including new ones introduced by the GDPR) and their possible choices in the processing of personal data, thus guaranteeing their improved control on one hand and improved protection on the other by Surgital S.p.a.

**WHO is the DATA CONTROLLER of your data?**

Surgital S.p.a., with registered office in Via Bastia 16/1 - 48017 Lavezzola (RA), VAT No. 01066170398, in the person of its legal representative *pro tempore*, is the Data Controller for the processing of your personal data (hereinafter for short the "Controller" or "Surgital").

The website of the Controller is: [www.surgital.it](http://www.surgital.it)

You can contact the Controller at the following e-mail address: [privacy@surgital.it](mailto:privacy@surgital.it) or by sending a registered letter to the registered office.

**What do we mean by personal data and WHICH DATA do we process?**

"Personal Data" means any information which may identify, directly or indirectly, a natural person, in this case you, the user of the site, our potential Customer or our Client (the Data Subject), which uses the Services offered by Surgital.

In particular, we collect and process the following personal data necessary to respond to requests for contact and information sent through the website, as well as for the possible fulfilment of obligations arising from the supply services offered, including the contractual or prior contractual relationship established with the Client:

- identification data: name and surname of the company or the contact person of the premises;
- category of membership (wholesaler, importer, restaurant chain, industry, restaurant, bar, cafe);

- contact details: the address of residence, landline and mobile phone number, fax number and e-mail address;
- data relating to preferences in relation to the specific types of products offered;
- in general, any other data and information necessary for the entering into and performance of the contract (e.g. VAT number, bank account details, credit card details).

## **Cookies**

Cookies are small text files that are sent from the website visited on the User's device (usually to the browser), where they are stored in order to recognise this device upon a subsequent visit. In fact, upon each subsequent visit, cookies are sent to the website by the user's device.

Each cookie generally contains: the name of the server from which the cookie was sent, the expiry date and a value, usually a unique number randomly generated by the computer. The server of the website that transfers the cookie uses this number to recognise the user when they returns to visit a website or browse from one page to another.

Cookies can be installed not only by the same operator of the website visited by the user (first-party cookies) but also by a different website that installs cookies through the first website (third-party cookies) and is able to recognise them. This happens because on the website visited there may be elements (images, maps, sounds, links to web pages of other domains, etc.) that reside on servers other than that of the website visited.

In general, cookies are classified into different types based on:

### A. Duration:

- session cookies (temporary) automatically deleted when the browser is closed.
- persistent cookies active until its expiry date or its cancellation by the user.

### B. Origin:

- first-party cookies sent to the browser directly from the website being visited.
- third-party cookies sent to the browser from other websites and not from the website being visited.

### C. Purpose

- technical cookies
- navigation/indispensable/performance/process/security cookies contribute to operation of the website, for example offering the possibility to browse through the pages or to access protected areas. If it is blocked, the website cannot function properly.
- functionality/preferences/localisation/session status cookies allow the storing of information that changes the behaviour or appearance of the website (preferred language, size of texts and characters, geographical area of reference). If it is blocked, the experience is less functional but not compromised.
- statistical/analytic cookies, a) first-party or b) third-party with IP masking, without data crossing (similar to technical cookies in terms of purposes), are used to collect information and to generate statistics of use of the website to understand how visitors interact.
- non-technical cookies- third-party statistical/analytic cookies without IP masking, with data crossing, are used to collect information and to generate usage statistics, with possible identification and tracking of the

website user, in order to understand how visitors interact.

– profiling/marketing/advertising/tracking/conversion cookies for the selection of advertising based on what is relevant for a user (personalised ads). Profiling cookies are designed to create user profiles and are used in order to send advertising messages in line with the preferences shown by the same while surfing the Internet.

**SURGITAL SPA with sole shareholder**, has implemented the obligations established by the Regulations of the Authority for the Protection of Personal Data [Identification of the simplified procedures for the information and the acquisition of consent for the use of cookies - 8 May 2014](#) (*Published in the Official Journal no. 126 of 3 June 2014*), as well as subsequent interventions by this Authority regarding "cookies".

Below we report all the information on cookies installed through this website and the necessary instructions on how to manage the preferences of users regarding them.

**SURGITAL SPA with sole shareholder** wishes to inform Users that its website [www.surgital.it](http://www.surgital.it) may use the following types of cookies:

- First-Party Technical Cookies, which do not require the User's consent;
- Third-Party Analytical Cookies, similar to technical cookies as tools have been adopted that reduce the identifying power of cookies (by masking significant portions of the IP address) and, the third party does not cross the information collected with other already in its possession.
- Profiling cookies.

Specifically, in addition to what was previously indicated, we report that the website [www.surgital.it](http://www.surgital.it) uses:

• **First-party technical cookies**

These cookies are necessary for the correct functioning of our website: these are cookies that are used to browse or to provide a service requested by the User; they are not used for other purposes and are installed directly by the data controller. Without the use of these cookies, certain operations could not be performed or would be more complex and/or less secure. Below is a brief description of the cookies of this type used by our website:

**Name Function Duration**

.surgital Cookie tecnico Indeterminata

\_RequestVerificationToken

Cookie tecnico Indeterminata

• **Third-party analytical cookies, similar to technical cookies**

Our website uses third-party cookies for the management of statistics. In particular, our website uses Google Analytics: it is a web analytics service provided by Google Inc. ("Google") that uses cookies that are stored on the User's computer to allow statistical analysis in aggregate form in order to use the website being visited. It should be noted that tools have been adopted that reduce the identifying power of cookies (by masking significant portions of the IP address) and the third party does not cross information collected with other already available. For these cookies we provide the name of the third parties that manage them and the link to the page where the user can receive information on the processing and express their consent. Below is a brief description of the cookies of this type, used by our website:

## **Name Function Duration Third Party Link to the Third Party Privacy Policy Opt Out**

- **\_ga** Cookie tecnico **Scadenza sessione** GOOGLE INC. (Google Analytics) • <http://www.google.com/intl/en/analytics/privacyoverview.html>
- <https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage> <https://tools.google.com/dlpage/gaoptout?hl=it>

## **\_gat** Cookie tecnico **Scadenza sessione**

- **Profiling cookies**

Finally, we inform Users that the website uses so-called "Profiling" cookies exclusively of third parties.

Profiling cookies are designed to create profiles related to the user and are used in order to send advertising messages in line with the preferences expressed by the same in the context of surfing the Internet.

- **Social network buttons**

The Social Buttons are the buttons on the website that depict the icons of social networks (e.g. Facebook, Twitter, etc.) and allow users who are browsing to interact with one click directly with social platforms. The Social Buttons used by the website (www.surgital.it) are links that refer to the accounts of the data controller on the social networks depicted. They are accessed through the use of these buttons. Third-party cookies are therefore not installed through our website. However, the references to the Social Network Buttons used by the website (www.surgital.it) are reported together with the links where the user can view the privacy policy regarding the management of data by the social networks to which the buttons refer.

### **Facebook button** (Facebook Inc.)

The button is an interaction service with the social network Facebook, provided by Facebook, Inc.

Place of processing: USA

Privacy Policy: <https://www.facebook.com/privacy/explanation>

## **What are the PURPOSES of processing?**

The Data Controller collects and processes personal data (hereinafter also "**data**") provided by users both upon their filling in the relevant forms on the site and any data disclosed subsequently:

- A. to respond to contact **requests and information** about Surgital products;
- B. for purposes necessary both for **pre-contractual activities** and for **the management and performance** of the contract established with you (administration and account activities, Client assistance, claims management, credit recovery), and the provision of closely connected and ancillary services; such data, in fact, are strictly necessary to follow up the Services of providing the food for sale requested by you;
- C. to comply with the **legal obligations** (administrative, accounting, tax) and requests by the Authorities to which the Data Controller is subject;
- D. to **exercise the rights of the Data Controller**, such as the right of defense in court.

The provision of your personal data for purposes A, B, C is essential for the management and performance of the contract and is therefore obligatory and does not require your prior consent. Any refusal to provide the above data, even if legitimate, would compromise the possibility for Surgital to provide the services to supply the products requested by you.

- E. For **commercial promotion and marketing purposes**. In particular, with a view to continuous improvement of the Customer Experience and in order to offer services “designed for you”, we will process your data to:
- send you via e-mail, mail and/or SMS and/or telephone contacts, newsletters, commercial communications and/or advertising material regarding the products and/or services offered by the Data Controller, or events and fairs which Surgital will attend.

The provision of your personal data for purpose E is optional and therefore we need your prior and specific express consent in writing. Failure to consent to the processing of your personal data for the purposes referred to in point E will not compromise or restrict in any way the processing for the purposes referred to in points A, B, C, D and F.

- F. For the **proper functioning of the site** (in reference to cookies).

### **What are the PURPOSES of processing?**

Surgital collects your personal data directly from you either when you contact us at our toll free number, or through the use of social channels such as “Instagram”, “Facebook”, as well as from other third parties from whom the Data Controller has purchased databases after having ensured that the data has been acquired legitimately.

In case of navigation on the site: Surgital collects your personal data through your registration by clicking on the following links on the website [www.surgital.it](http://www.surgital.it): “contacts”, “login - account creation”, “Surgital chat”, “Newsletter service subscription”, or through the use of social channels such as “Instagram”, “Facebook”, as well as with you, when you contact us on our toll-free number.

For events and fairs: Surgital collects your personal data directly from you when you participate in trade fairs and events when filling out the contact form available at the Company's stands.

In all circumstances, regardless of the above-mentioned methods of collection, we process your personal data in compliance with the principles of lawfulness and fairness and we will always operate in such a way as to ensure that the information remains completely confidential and secure.

The processing of your personal data is carried out, both by paper and electronic media, by means of the following activities: collection, recording, organization, structuring, storage, consultation, adaptation or alteration, communication, extraction, comparison, interconnection, restriction, erasure or destruction of data.

We also undertake to ensure that the information and data collected and used is adequate, relevant and limited only to what is necessary for the purposes set out above, and that your personal data are processed in such a way as to guarantee the safety of the same, including through the use of appropriate and effective technical and organizational measures put in place by the Data Controller, in compliance with the principle of Accountability required by the new EU Regulation, which will prevent the risk of loss, unauthorized access, unlawful use and dissemination.

These measures will guarantee in all circumstances that access to your personal data is only permitted to persons authorized by the Data Controller and to third-party persons appointed as Data Processors.

### **HOW long and WHERE do we store your personal data?**

We retain your data only for the time necessary to perform the processing for the purposes mentioned above. In particular, with regard to the purposes referred to in point A., we will process your data no later than 24 months after the last access.

For the purposes referred to in points B., C. and D., we will process your data for the duration of the contract and for as long as there are obligations or obligations related to the performance of the same up to 10 years after the termination of the contractual relationship in order to comply with legal obligations or for the protection of our rights.

However, if the Data Controller has documented need to keep the data for a period longer than 10 years, for the exercise of the right of defense, your data may be stored until the end final judgment. In this last case, access to your personal data will be limited to the person responsible for the legal function of Surgital.

For the **purposes of commercial promotion and marketing**, as referred to in point E., exercised with your explicit written consent, we will retain your data for a maximum period of 7 years after collection (subject to the principle of relevance, not collecting more data than necessary and storage restriction), at the end of which the data must be erased or made anonymized permanently and irreversibly, but without prejudice to the exercise by you of the right to object to processing for marketing purposes or the withdrawal of your previously notified consent.

Your personal data will in all circumstances only be stored on adequately secured servers located within the European Union, or in paper storage in suitable and fire-proof cabinets which can be locked by key and access to which is reserved only to persons approved by the Data Controller.

### **WHOM do we disclose your personal data to?**

We will disclose your data exclusively to those persons (those authorized to process the data, appointed external Controllers or recipients by legal obligation) whom we use to carry out activities necessary for the fulfilment of the above-mentioned purposes, for the performance of the services requested by you, i.e. for purposes strictly related and essential to the management of the pre-contractual relations, to the performance of the contract, and the administration and accounting following the completion of the report, and in particular:

- companies or other third parties (credit institutions, professional firms, consultants, audit firms, communication agencies, etc.) that perform outsourcing activities on behalf of the Data Controller
- to wholesalers and distributors who are our Clients;
- public authorities, supervisory bodies or judicial authorities for the fulfilment of legal obligations.

### WHERE do we transfer your data?

As a rule, we do not transfer your data outside the European Union. The Data Controller, however, reserves the right, if necessary, to transfer your data outside the EU but, in this case, points out that it will ensure that this will be done in accordance with the provisions of applicable law, including through the application of standard terms and conditions as provided for by the European Commission. In particular, the transfer to states outside the European Union may take place where it is necessary for the entering into or performance of a contract entered into between the Data Controller and another person or legal entity for the benefit of the Data Subject pursuant to Article 49 (1) (e) of the Regulation.

### What are your RIGHTS as a Data Subject?

You may exercise the following rights against the Data Controller in accordance with articles 15, 16, 17, 18, 19, 20, 21 and 22 of EU Regulation 2016/679:

- Right of **access**: the right to obtain confirmation as to whether or not there is a processing concerning your data and the right to receive any information relating to this processing;
- Right to **rectification**: the right to have your data rectified if it is incomplete or inaccurate;
- Right to **erasure** (so-called “right to be forgotten”): in certain circumstances provided for in the Regulation, you have the right to obtain the erasure of your data in our archives if not relevant for the continuation of the contractual relationship or required by law;
- Right to **restriction of processing**: subject to certain conditions, you have the right to obtain the restriction of processing, if it is not relevant for the continuation of the contractual relationship or required by law;
- Right to data **portability**: the right to obtain the transfer of your data to a different Data Controller;
- Right of **withdrawal of consent**: the right to withdraw consent to the processing of your data for commercial and/or advertising purposes, at any time, without prejudice to the lawfulness of the processing based on consent prior to the withdrawal;
- Right to **lodge a complaint with the Supervisory Authority**: at any time, you have the right to put forward a request to exercise your rights. If you wish to lodge a complaint about the manner in which your data are processed, or about the handling of a complaint you have submitted, you have in all circumstances the right to submit a request directly to the Supervisory Authority.

The above rights may be exercised against Surgital S.p.a., as Data Controller, by writing to the e-mail address: [privacy@surgital.it](mailto:privacy@surgital.it), or by sending a registered letter to the registered office.

**The exercise of your rights as Data Subject is free of charge pursuant to article 12 of EU Regulation 2016/679.**

The list of external Data Processors processing your personal data, as well as all employees authorized to process the data is available at the Data Controller, contactable at following e-mail: [privacy@surgital.it](mailto:privacy@surgital.it).

### **Changes to our Privacy Policy**

The Data Controller has the right to modify and/or implement this *Privacy Policy* including where these result from amendments to the law subsequent to the pre-contractual or contractual relationship established with you i.e. advice, general authorizations, guidelines, further safeguarding measures imposed by the Italian or European Supervisory Authority, provided these are in order to provide greater protection for the handling of your personal data. These changes will only take place after informing you through a communication on our website, or, if this is not technically possible, by sending a written notification to one of the contact details held by Surgital S.p.a.

If the changes affect processing whose legal basis is consent, the Data Controller will obtain your consent again, if necessary.

The Data Controller  
Surgital S.p.A.