



## **Duty to provide information in accordance with Art. 13 and 14 GDPR on the processing of customer and prospective customer data**

### **Data processor**

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Name and contact details of the data controller:

**eco Kunststoff GmbH & Co. KG**

Goldschmidtstraße 8  
D-92318 Neumarkt i. d. Opf.

Managing directors:  
Gabriele Wutz, Mathias Holzammer

Email: [kontakt@eco-kunststoff.com](mailto:kontakt@eco-kunststoff.com)

Court of registration: Nuremberg local court  
Reg. No.: HRA 12203

VAT ID number in accordance with §27 a VAT Act  
DE211626691

Name and contact data of the data protection officer:

Ms Gisela Pöllinger  
**Datenschutz Pöllinger GmbH**  
Dresdner Str. 38  
92318 Neumarkt  
Tel.: 09181/2705770  
Email: [datenschutz@datenschutz-poellinger.de](mailto:datenschutz@datenschutz-poellinger.de)

### **Processing framework**

#### **Purpose and legal basis of the processing**

#### **Art. 6, Par. 1, lit. a) b) f) GDPR**

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**Customer / prospective-customer data:** the collection, processing or use of personal data is carried out to fulfil business purposes such as pre-contractual measures (e.g. to prepare offers, process enquiries) to fulfil contractual obligations (order, contract, payment processing, invoicing), to supply goods and services (Art. 6 Par. lit. 1 b GDPR), as well as to maintain the business contact and to inform the customer / prospective customer about new products and services (Par. 1 lit. f GDPR). Furthermore, there is a legal obligation to process data (e.g. due to tax law requirements) (Art. 6 Par. 1 lit. c GDPR).

Categories of personal data processed

**The main data categories are:**

- name
- address

- contact data of contact persons in the company (first name, surname)
- communication data (telephone number, mobile number, email address, fax number)
- customer number as well as order and delivery data for the purpose of initiating contracts
- order and contract data
- invoicing and payment data (bank details)

## Origin (source) of the data

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The stored data is collected within the scope of our contractual relationship, as well as for initiating contracts and individual orders, or created within the scope of business relations and business initiation. The data is stored for the fulfilment and processing of orders placed with us as well as to comply with commercial and tax documentation and archiving obligations. The data is collected from input in the ERP system, signatures from emails and documents. In this respect, your data will be processed on the basis of Article 6 Par. 1 lit. b, c, f GDPR.

## Recipients (categories) of personal data

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**Public bodies** that receive data on the basis of statutory regulations:  
financial authorities

**Internal departments** that are involved in the execution of the relevant business processes:  
management, office administration, accounting, project management, production, documentation, sales, distribution, shipping (logistics), purchasing, engineering and IT.

**External bodies** (contractual partners) if they are necessary for the fulfilment of the contract. External contractors (service providers) in accordance with Art. 28 GDPR for the processing of data on our behalf:  
IT service providers, software providers, website providers

**Other external bodies:** companies within the group or other external bodies for the fulfilment of the above-mentioned purposes, provided that the data subject has given his/her written consent, that this is necessary for the fulfilment of the contract or that transmission is permissible for an overriding legitimate interest:  
banks, tax consultants, lawyers, customs

## Transfer to third countries

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**Personal data will not be transferred outside the European Union.**

## Duration of storage / deletion

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### After the statutory retention period:

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|-----------|--|
| 10 years: | annual financial statements, opening balance sheets, commercial and accounting books, records, work instructions, organisational documents, invoices and accounting records (HGB, AO, EStG, KStG, GewStG, UStG, AktG, GmbHG, GenG) |
| 6 years:  | commercial and business letters and for other documents (HGB, BGB)   |
| 30 years: | enforceable instruments  |

### The following data will be deleted in accordance with Art. 17 GDPR if:

- data storage is no longer necessary
- the data subject has revoked consent to data processing
- the data has been processed unlawfully
- there is a legal obligation to delete under EU or national law.

### Restriction of processing in accordance with Article 18

If, in the case of non-automated data processing, deletion is not possible or only possible with disproportionate effort because of the special type of storage and if the interest of the data subject in the deletion is to be regarded as low, the data subject will have no right and the responsible party no obligation to delete personal data in accordance with Article 17 Par. 1 of Directive (EU) 2016/679, supplementary to the exceptions referred to in Article 17 Par. 3 of Directive (EU) 2016/679. In this case the restriction on processing in accordance with Article 18 of Directive (EU) 2016/679 will replace deletion. Sentences 1 and 2 will not apply if the personal data has been processed unlawfully.

## Rights of the data subject

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- Information about your personal data stored (Art. 15 GDPR). In particular, you may request information about the purposes of processing, the category of personal data, the categories of recipients to whom your data has been or will be disclosed, the planned storage period, the existence of a right to rectification, deletion, restriction of processing or objection, the existence of a right of appeal, the origin of your data, if it has not been collected by us, and the existence of automated decision-making including profiling and, if applicable, meaningful information on their details.
- Right to correction - if incorrect personal data is processed (Art. 16 GDPR).
- Right to deletion and restriction as well as objection to the processing (Art. 17, 18 and 21 GDPR).
- Under the right of transfer (Art. 20 GDPR) you have the right to receive the personal data you have provided to us in a structured, common and machine-readable format or to request its transfer to another data controller.
- Revocation of consent (Art. 7 Par. 3 GDPR). As a result, we will no longer be allowed to continue processing data based on this consent in the future.
- Right of appeal to the competent supervisory authority (Art. 77 GDPR).

## Right of objection

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If your personal data is processed on the basis of legitimate interests pursuant to Art. 6 Par. 1 sentence 1 lit. f GDPR, you have the right to object to the processing of your personal data pursuant to Art. 21 GDPR, provided that there are reasons for this which arise from your particular situation or the objection to direct advertising. In the latter case, you have a general right of objection, which we will implement without the specification of a particular situation.

## Right to revoke consent

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Within the meaning of Art. 6 Par. 1 lit. a or Art. 9 Par. 2 lit. a, each data subject has the right to revoke consent provided for the fulfilment of a contract at any time and without any disadvantage to him/ her or prejudice to the legality of the processing carried out on the basis of the consent until revocation.

**Please address any revocation of consents and objections in writing to:**

**eco Kunststoff GmbH & Co. KG**  
Goldschmidtstraße 8  
D-92318 Neumarkt i. d. Opf.  
**datenschutz@eco-kunststoff.com**

## Automated decision-making and profiling

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**No** automated procedures for decisions in accordance with Art. 22 GDPR or other profiling measures according to Art. 4 No. 4 GDPR are used.

Up-to-date status and amendment of this duty to inform according to Art. 13 and Art. 14 GDPR.

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This duty to provide information on data protection is currently valid and has the status as of August 2020. Among other things, it may be necessary to change this information due to changes in legal or official requirements. In each case the current duty to provide information on data protection can be viewed and printed out at any time on the website: [www.eco-kunststoff.com/de/datenschutzerklärung.html](http://www.eco-kunststoff.com/de/datenschutzerklärung.html)

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