

PRIVACY POLICY

INFORMATION NOTE ON THE PROCESSING OF PERSONAL DATA PURSUANT TO EU REGULATION 2016/679 AND AS AMENDED BY LEGISLATIVE DECREE No. 101/2018

As required by European Union Regulation 679/2016 (hereinafter named “**GDPR**”) and in particular to its Article 13, shown below we provide information required by law regarding personal data processing.

Intentionally, we do not process personal data of minors under the age of 16. Should we observe personal data belonging to minors under the age of 16 we will immediately delete them without any prior communication.

The website www.imcaspa.it (hereinafter named “**IMCA**”) is owned by INDUSTRIA MERIDIONALE CONSERVE ALIMENTARI (I.M.C.A.) S.p.A., with Registered Office in Pagani (SA) – 84016 Italy, Via Prov.le San Marzano, sn, VAT number 00183180652, email: info@imcaspa.it (hereinafter named “**I.M.C.A.**”).

This note is provided to users who interact with the Website services (hereinafter named “**Subjects concerned**”) not only to comply with legal obligations, but also in the spirit of transparency and fairness of our business towards subjects concerned.

The Website browsing is free and no registration is needed.

1. Data Controller

Data Controller, pursuant to Article 4 Paragraph 7 of GDPR is INDUSTRIA MERIDIONALE CONSERVE ALIMENTARI (I.M.C.A.) S.p.A., with Registered Office in Pagani (SA) – 84016 Italy, Via Prov.le San Marzano, sn, VAT number 00183180652, email: info@imcaspa.it (hereinafter named “**Data Controller**”)

2. What is Personal Data?

In accordance with Article 4 of GDPR, personal data are defined as each of the information concerning directly or indirectly, identified or identifiable natural person (Subjects concerned), in particular through an identifier such as a name, an identification number, location data, an online identification or to one or more characteristic aspects of its physical, psychological, genetic, psychic, economic, cultural or social identity.

3. Personal Data Provision

Personal data will be directly acquired from the Subjects concerned through several ways:

3.1) Direct data provision

(Section 4.2 “Users voluntarily data provision”)

3.2) Automatic data provision

(Section 4.2 and 4.3 “Browsing data” and “Cookie” or similar technologies)

4. Personal data types

The following personal data categories shall be processed (collectively named “**Data**”)

4.1) Browsing data

During their habitual operations, IT systems and software procedures aimed to the Website functioning acquire some personal data (such as IP address or domain name of users’ computers, visited pages and the visiting time/date) the transmission of which is implied into the usage of internet communication protocols. It relates to information that are not collected to be linked to identified interested parties, but that, according to their

own nature, could allow to identify users through processing and association with personal data held by third parties.

These data, anonymously registered, are used for the unique purpose of obtaining statistical information about the Website usage and to check its correct functioning.

Personal Data could be used to verify responsibility in case of hypothetical computer crimes to the detriment of the Website.

4.2) Cookies

To make the navigation on this Website more efficient and smart, the cookies are used during the Log in. Cookies are narrow banners of short texts that allow maintaining the connection to the Website.

Please refer to Cookie Policy of I.M.C.A. Website.

4.3) Voluntarily data provision

It concerns voluntarily data provision to freely access to chosen services offered. The lacking provision of these data may forbid the chance to detain the service required.

5. Personal Data processing purposes

Personal data are used for the following purposes:

- To prevent fraud or abuses to the detriment of our Website enabling third parties to carry on technical, logistics and any other kind of activity on our behalf
- To send administrative information from the Company itself;
- To manage your contact request through the dedicated “Contact form” (name and email);
- To manage your registration to our newsletter, dedicated to send you our promotions (via email).

6. Personal Data communication and disclosure

Data collected within the context of the service provision may be disclosed to:

- Companies that perform purposes strictly connected and functional to I.M.C.A. services and functionality – also technical – such as suppliers that provide funded services for announcements review and verification, suppliers of direct marketing and Customer care service, companies that provide technical components for some service features provision.

We do not disclose (for selling or other purposes) under any circumstances your personal data to third parties.

Should Data Controller should entrust the processing operation to third parties, the latter will be necessarily nominated Data Processors in accordance with Article 28 of GDPR, prior verification of the compliance of their activity with the provisions on personal data protection.

Data Controller will resort only to Data Processors who show sufficient guarantees to implement adequate technical and organizational measures, so that the treatment meets GDPR requirements and assures the rights protection of the Subject concerned.

7. Mandatory or optional nature of Data provision

Personal data provision is mandatory uniquely for those processes necessary to services offered by I.M.C.A. (any refusal for the purpose of service provision makes it impossible to use the service itself); instead, it is optional for promotional purposes and any refusal to give consent has no negative consequences on the provision of services offered within the scope of the Website.

8. Data processing methods and duration

Personal data will be processed by authorized people who act under the authority of Data Controller, provided by Data Controller self, in compliance with the provision of Article 29 of GDPR through automated tools for the time necessary to achieve the purposed of personal data collection, as well as for the additional period probably necessary to fulfill particular legal obligations.

Except for cases of responsibility, verification of hypothetical computer crimes in the detriment of the Website, the browsing data on the Website itself will not be stored for more than 30 (thirty) days.

Personal data may be processed both in telematics and on paper.

For analysis purposes aimed at the development and improvement of the service, the user's personal data will be kept for 36 (thirty-six) months.

Data relating to electronic traffic, excluding the contents of communication, will be kept for a period not exceeding 6 (six) years from the communication date of personal data, pursuant to Article 24 of Law 167/2017, which relates to EU Directive 2017/541 on anti-terrorism.

For direct marketing purposes we keep your personal data for 24 (twenty-four) months.

I.M.C.A. guarantees the lawful and correct treatment of personal data provided through the Website, in absolute compliance with the current Legislation, as well as the maximum confidentiality of the personal data provided at the Log in.

All Data are collected according to the Legislation, in particular, reference is made to security measures provided by Article 32 of GDPR for the IT using treatment both manual and automated and with Logics strictly related to the purposes specified at the Article 4 and in any case in order to guarantee personal data security and confidentiality.

9. Personal Data Transfer

This Website may share some of personal data collected with specific services outside the European Union. In particular through Facebook and Instagram, and social network plugin. Transfer is authorized according to specific decision of the European Union and Personal Data Protection Authority – in particular what concerns the Privacy Shield 1250/2016, for which no further consent is required. The above mentioned Companies guarantee their adhesion to Privacy Shield.

10. Rights of the Personal Data Subjects Concerned

Anytime, by sending a letter to the address Via Prov.le San Marzano, sn – Pagani (SA) 84016 or an email to info@imcaspa.it, in compliance with Article 7 of Legislative Decree 196/2003 and GDPR Articles 15-22, you shall exercise you right to:

- Verify and check the existence of your personal data;
- Obtain directions about processing purposes, personal data categories, recipients or recipients categories to whom personal data have been or will be transmitted and, where possible, the retention period;

- Obtain the rectification and the erasure (“Right to be forgotten”) of personal data;
- Obtain the processing restriction;
- Obtain person data portability, i.e. receiving them from a Data Controller and transmit them to another Data Controller without hindrance;
- Object anytime to personal data processing;
- Object automated individual decision-making process, including profiling;
- Ask to Data Controller the free access to your personal data and their rectification or erasure, or the processing restriction that concern your personal data or to object their processing, or however personal data portability;
- Withdraw your consent – whenever asked – without prejudice to the processing lawfulness, based on the consent expressed before the withdrawal.

Any request will be processed within 1 (one) month from the receipt, except for the possibility of extending this period for further 2 (two) months, if needed, considering the complexity and the number of requests Data Controller is managing.

Furthermore, you shall send a complaint to a Supervisory Authority (in accordance with Article 80 of GDPR and Article 13 of Legislative Decree 101/2018), or submit it to the Personal Data Protection Authority, through:

- Registered Letter addressed to “Garante per la Protezione dei Dati Personali, Piazza di Monte Citorio, 121, 00186 Roma”
- Email at: garante@gdpr.it or protocollo@pec.gdpr.it
- Fax at 06696773785

We hereby clarify that you shall not send a complaint to the Personal Data Protection Authority for the same object, in particular between the same parties, if it has already been sent to the Supervisory Authority.

Any request relating to data processed by Data Controller may be sent by email to the following email address: info@imcaspa.it

11. Review Clause

This Informative Note may be modified. Should substantial changes occur from the Data Controller to users personal data, the former will notify the user publishing the data changes with the utmost evidence on their pages or through alternative similar means.

Pagani, 4 May 2020

