



INFORMATION REGARDING THE PROCESSING OF PERSONAL DATA
made pursuant to Articles 13 and 14 of Regulation (EU) 2016/679, amended by Legislative Decree
101/2018, and pursuant to Article 13, paragraph 4 of Legislative Decree 24/2023
IN RELATION TO "WHISTLEBLOWING" REPORTS

Dear Interested Party,

with this information notice Industria Meridionale Conserve Alimentari (I.M.C.A.) S.p.A. explains how it processes the data collected and what are the rights granted to the interested party under the Regulation (EU) 2016/679, as amended by Legislative Decree 101/2018, in relation to "Whistleblowing" reports, pursuant to Legislative Decree March 10, 2023, no.24, implementing Directive (EU) 2019/1937 of the European Parliament and of the Council of October 23, 2019, on the protection of persons who report breaches of Union law and on provisions concerning the protection of persons who report breaches of national laws. (OJ No. 63, 15-3-2023).

1. Data controller

The data controller of personal data is Industria Meridionale Conserve Alimentari (I.M.C.A.) S.p.A., with headquarters in Via Prov. le San Marzano, 101 – 84016 Pagani (SA).

E-mail: info@imcaspa.it

2. Purpose of processing

The data you directly provide to report, in the interest of the Organization's integrity, alleged unlawful conduct of which you have become aware by reason of your employment, service or supply relationship with Industria Meridionale Conserve Alimentari (I.M.C.A.) S.p.A., will be processed by the Company itself to handle such situations. Personal data are therefore acquired insofar as they are contained in the report and/or in acts and documents attached to it, they refer to the reporting party and may also refer to persons indicated as possible perpetrators of the unlawful conduct, as well as to those in various capacities involved in the reported events. In particular, in order to carry out the necessary investigative activities aimed at verifying the merits of what has been reported, as well as, if necessary, to take appropriate corrective measures and take appropriate disciplinary and/or judicial action against those responsible for the illegal conduct.

3. Type of data processed

Receipt and handling of reports gives rise to processing of so-called "common" personal data (first name, last name, job role, etc.), as well as may give rise, depending on the content of the reports and the acts and documents attached to them, to processing of so-called "special" personal data (data relating to health conditions, sexual orientation or trade union membership, referred to in Art. 9 GDPR) and personal data relating to criminal convictions and offenses (referred to in Art. 10 GDPR).

4. Legal basis of processing

Taking into account the reference legislation and, in particular, Articles 12, 13 and 14 of Legislative Decree 24/2023, we specify that:

- the processing of "common" data is based on the legal obligation to which the Data Controller is subject (Art. 6(1)(c) of the GDPR);
- the processing of "special" data is based on the fulfillment of obligations and the exercise of specific rights of the Data Controller and the Data Subject in the field of labor law (Art. 9(2)(b) GDPR);
- the processing of data relating to criminal convictions and offenses, taking into account the provisions of Art. 10 GDPR, is based on the legal obligation to which the Data Controller is subject (Art. 6(1)(c), GDPR).

It should be noted that, due to the provisions of Art. 12 GDPR 24/2023, should the report lead to the establishment of disciplinary proceedings against the person responsible for the illegal conduct, the identity of the reporter will never be disclosed. Should the knowledge of the identity of the reporter be indispensable for



the defense of the accused, the reporter will be asked if he/she intends to give an appropriate, free consent for the purpose of the disclosure of his/her identity.

5 Subjects authorized to process data

For your protection, only the Reporting Management Team, within Industria Meridionale Conserve Alimentari (I.M.C.A.) S.p.A., is able to associate the reports with the identities of the whistleblowers. Should investigative needs require that other individuals within the Company should be made aware of the content of the report or of the documentation attached to it, the identity of the reporter will never be revealed, nor will elements that could, even indirectly, allow the identification of the same. Such persons, since they might still learn of other personal data, are in any case all formally authorized to process them and specially instructed and trained for this purpose, as well as required to maintain the secrecy of what they learn by reason of their duties, without prejudice to the reporting and whistleblowing obligations set forth in Article 331 of the Code of Criminal Procedure.

6. Data Controller

The Industria Meridionale Conserve Alimentari (I.M.C.A.) S.p.A., uses supplier, as a technology partner, which is entrusted with the management of the information system of the website, designated for this Data Processor pursuant to Article 28 of Regulation (EU) 2016/679.

7. Categories of recipients of personal data

Your personal data and those of the persons indicated as possibly responsible for the illegal conduct, as well as persons in various capacities involved in the reported events, will not be disseminated, however, if necessary, at their request, they may be transmitted to the Judicial Authority, the Court of Auditors and ANAC, National Anti-Corruption Authority. These subjects are, all, Autonomous Data Controllers.

The report and the identity of the reporter cannot be accessed either by means of documentary access or by means of generalized civic access.

In the context of criminal proceedings that may be instituted, the identity of the whistleblower will be covered by secrecy in the manner and within the limits provided for in Article 329 of the Code of Criminal Procedure. ; in the context of proceedings before the Court of Auditors, the identity of the reporter will in any case not be disclosed until the close of the preliminary investigation phase; in the context of disciplinary proceedings, the identity of the reporter will not be disclosed in all cases in which the dispute of the disciplinary charge is based on separate and additional investigations with respect to the report, even if consequent to the same, while it may be disclosed where three prerequisites concur together, namely:

- (a) that the charge is based, in whole or in part, on the report;
- (b) that knowledge of the identity of the reporter is indispensable for the defense of the accused;
- (c) the whistleblower has given appropriate consent to the disclosure of his or her identity.

8. Method of processing

Personal data will also be processed using automated tools for the time strictly necessary to achieve the purposes for which they were collected, through the dedicated page on the company website. The Industria Meridionale Conserve Alimentari (I.M.C.A.) S.p.A. implements appropriate measures to ensure that the data provided are processed appropriately and in accordance with the purposes for which they are managed; the Company. employs appropriate security measures (encryption of files), organizational, technical and physical, to protect the information from alteration, destruction, loss, theft or improper or illegitimate use, pursuant to art. 13, paragraph 6 of Legislative Decree 24/2023.



9. Data retention period

The Whistleblowing Manager carries out a preliminary investigation of the report. If, as a result of the activity carried out, he/she finds elements of manifest groundlessness, he/she orders the report to be filed. If, on the other hand, the RWB finds that there is a prima facie case for the report, it forwards the report, without the data of the whistleblower, to the internal or external bodies in charge, each according to its competence. Personal data are retained for a period of 5 years and, in any case, until the definition of the proceedings initiated by the offices or bodies receiving the report, pursuant to Article 14, paragraph 1 of Legislative Decree 24/2023.

10. Nature of data provision and consequences of failure to provide data

In order to classify the report as whistleblowing its identifying data (first name, last name) must be provided obligatorily. In the event that the whistleblower nevertheless wishes to proceed with anonymous reporting, the latter must obligatorily indicate, in the selection box labeled "The reported party is a", the item "remain anonymous"; such a report will be taken into consideration only where adequately substantiated, rendered with an abundance of details and thus capable of bringing out facts and situations by relating them to specific contexts.

Instead, it is left to each reporter to decide which additional personal data to give. The more details in the report, the greater will be the possibilities for Industria Meridionale Conserve Alimentari (I.M.C.A.) S.p.A. to intervene in the interest of the Organization's integrity.

11. Rights

You have the right, at any time, to obtain confirmation of the existence or non-existence of the data provided. You also have the right to request, in the forms provided for by law, the rectification of inaccurate personal data and the integration of incomplete data, and to exercise any other right under Articles 18 to 22 of the Regulations where applicable. Please note that reports, and attachments to the report, are excluded from the right of access and generalized civic access.

In the event that you have given consent to the disclosure of your identity in the context of disciplinary proceedings, you have the right to revoke that consent at any time, without, however, affecting the lawfulness of the processing, based on the consent, carried out prior to the revocation.

These rights may be exercised by a request addressed to:

- Industria Meridionale Conserve Alimentari (I.M.C.A.) S.p.A., Via Prov.le San Marzano, 101 - 84016 Pagani (SA)
- e-mail address: info@imcaspa.it

If you believe that the processing has been carried out in a manner that is not in compliance with the Regulations and Legislative Decree 196/2003, as amended by Legislative Decree 101/2018, you may appeal to the Guarantor for the Protection of Personal Data, pursuant to Article 77 of the same Regulations.

Further information regarding your rights on the protection of personal data can be found on the website of the Guarantor for the Protection of Personal Data at www.garanteprivacy.it.

Pagani (SA), 15/12/2023