



Via Daniele Piccinini, 2 – 24122 Bergamo (BG)
Tel. 035.461634
Mail PEC : biogena@legalmail.it
Codice fiscale e P.IVA : 04630250167

CUSTOMER AND SUPPLIER PRIVACY NOTICE

Dear Customer/Supplier,

Under the terms of art. 13 Italian Legislative Decree No. 196/2003 (hereafter ‘Privacy Code’) and art. 13 EU Regulation No. 2016/679 (hereafter GDPR), **VALETUDO S.r.l.** (hereafter ‘Data Controller’), in person of its Legal Representative “pro-tempore” wishes to provide you with the following information:

Data Controller

The data controller is **BIOGENA S.r.l.**, a company incorporated under Italian laws with registered office in Bergamo (BG) – Italy, Via D. Piccinini n.2, *Italian Tax ID 04630250167*, which can be contacted for requests, enquiries or information, including exercising your rights as described below, at the following email address accounting@biogena-lab.com

Subject matter and scope of application

The data controller processes personal, identification and non-sensitive data (e.g. name, surname, tax No., VAT No., email address, telephone number, etc.) – hereafter ‘data’ – communicated by you during the pre-contractual negotiations as well as during the formation and execution of contractual relationships with you, in place and / or that may be established, concerning the purchase of goods, products and / or the provision of services (hereinafter “Contract” or “Purchase Order”).

Purpose of processing

Your data will be processed:

A. Without express consent (art. 24 a, b, c Privacy Code and art. 6 b and e GDPR) for the following purposes:

- a) to provide information requested;
- b) to fulfil pre-contractual, contractual, legal and fiscal obligations deriving from the business relationships entered into;
- c) to fulfil any economic, financial, legal, fiscal, insurance and commercial assignment related to the management of the contractual relationship and its costing assessment in compliance with accounting regulations and procedures
- e) to fulfil obligations required by laws, rules, EU regulations, and by Public Authorities requests (e.g. anti-money laundering rules);
- d) to exercise the data controller’s rights (e.g. the right to legal defence in the event of non-fulfilment of contractual obligations);

B. Only with declared consent (arts. 23 and 130 Privacy Code and art. 7 GDPR) for information and marketing purposes:

- to allow subscription to the data controller’s newsletter and any other services required;
- to email newsletters, sales information and/or advertising material about the data controller’s products or services and to survey the degree of satisfaction regarding quality of services;



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In any case, you may at any time revoke your consent to the processing described at B. above by simply sending an e-mail to the address given above.

Please be notified that if you are already one of our customers we may send commercial communications relating to the data controller's services and products similar to those you have already used, subject to your dissenting (art. 130, clause 4 Privacy Code).

If the data controller intends to process your data for purposes different from those described in this paragraph, you will be informed in advance.

Data Controller's legitimate interests

These comprise observance of the contractual obligations entered into by the parties. Under the terms of art. 6 GDPR processing is lawful when consented to by the party involved.

Data-processing procedures

Data-processing will be carried out with or without the help of electronic or automated means, and it will be managed by Persons in charge of the processing, as required by art. 29 of GDPR; data-processing will be handled in compliance with safety measures required by art. 32 GDPR and Attachment B of Privacy Code in order to guarantee safety and confidentiality of data treatment.

Access to data and their communication

Access may be granted for the purposes described in clause "Purpose of processing":

A. to the data controller's employees and associates in charge of and/or responsible for in-house data processing and/or system managers;

B. to third parties as banks, couriers, insurance and software companies, external professionals and consultants (e.g. tax consultants) who perform outsourced operations connected and/or related to the contractual relationships and agreements on behalf of the data controller as independent external operators or processors nominated by the data controller.

Without your express consent (art. 24 a), b), d), Privacy Code and art. 6 b) and c) GDPR) the data controller may communicate your data for the purposes described in clause "Purpose of processing" to watchdog bodies, judicial authorities and all other subjects which by law require such communication in order to achieve the purposes in question. Such subjects will hold data as independent data controllers.

Your data will not be disseminated.

Data will be managed and stored on servers (located within the European Union) used by the data controller and/or third parties duly appointed as data processors. If should become necessary to transfer data or storage servers to third countries outside the European Union the data controller will ensure that data transfer will be managed in compliance with applicable laws as art.44 of Privacy Code and art. 46 of GDPR.

Optional / compulsory data provision



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Providing data for the purposes described in clause “Purpose of processing – pt.A” is compulsory as far as it is required by legal and contractual obligations. Refusal to provide data or failure to authorise their processing will preclude the data controller from entering into contractual relationships (the subject involved will not receive a service, contractual non-fulfilment and due liability, non-fulfilment of legal obligations and due legal sanctions, etc.).

Providing data for the purposes described in clause “Purpose of processing – pt.B”. is optional and failure to provide them or to authorise their processing will preclude sending newsletters, commercial communications and/or advertising materials regarding the data controller’s products and services and surveying the degree of satisfaction regarding the quality of services.

Data storage times

Subject to ten year terms for storing documents containing data regarding civil, accounting and tax matters, as foreseen by current legislation, unless you withdraw your consent or require us to erase your data.

Data subject’s rights

Subject to cases involving legal obligations, public interest or public authorities, you have the right at any time to revoke your consent, without compromising the lawfulness of processing based on consent before its withdrawal. Art. 7 of the Privacy Code and art. 15 of the GDPR grant you specific rights, which include that of obtaining confirmation as to whether or not personal data concerning you exist, communication of such data in intelligible form; the right to be informed of the source of the data, the purposes and methods of processing, the logic applied to the processing, identification concerning data controllers and the subjects to which the data may be communicated; the right to obtain updating, rectification or integration of the data, their erasure, anonymisation or blocking of unlawfully processed data; the right to object on legitimate grounds to the processing of data concerning you.

The GDPR grants you the following rights: data erasure (art. 17), restriction of processing (art. 18), data portability (art. 20) and in the case of automated processes (profiling), processing by the data controller’s human intervention (art. 22).

These rights can be exercised in any way and without charge.

If you wish to have more information on the processing of your personal data and exercise the rights previously indicated, you can send a written request using the contacts provided in the "Data Controller" section of this statement.

If you request information about your data the data controller shall respond promptly – unless this proves impossible or involves a manifestly disproportionate effort compared with the right to be protected – and in any case no later than 30 days from the request. The data controller will justify any inability to meet the request, or delay in doing so.

Automated decision-making processes

The Data Controller does not process treatments consisting of automated decision-making processes on the data processed.