

### Principles of data processing

Within the scope of our business relationship, the controller will process and retain your personal data for the period necessary to fulfil the specified purposes and any applicable legal obligations. We will provide you information below about what data is involved, how it is processed and what rights you have in this respect, in particular as provided in the General Data Protection Regulation (GDPR).

### Who is responsible for data processing?

Depending on the contractual partner, the respective controller for purposes of data protection law is:

**Bergader Privatkäserei GmbH**, Weixlerstraße 16, D-83329 Waging am See  
**Wendelstein Käsewerk GmbH**, Maxlrainerstraße 18, D-83043 Bad Aibling  
**Bergader Käsehandelsgesellschaft GmbH**, Maxlrainerstraße 18, D-83035 Bad Aibling

You may find additional information on our company, details about authorised representatives and other contact information on the Imprint pages of our websites:

<https://www.bergader.de> and <https://www.bergader.com>

### What data of yours do we process? And for what purposes?

We only process personal data that is required to fulfil the specified purposes and comply with legal obligations. This may include the following categories:

- Contact information such as salutation, first name, surname, address, e-mail address, telephone numbers
- Other information such as access data, IP address or payment data

If we have received data from you, we will only process it for the purposes for which we have received or collected it, for example

- For the performance of a contract and for the contract settlement
- For corresponding with you
- To comply with legal and statutory obligations
- In the pursuit of our legitimate interests
- To process any potential mutual transactions

Data processing for other purposes can only be considered if the necessary legal requirements pursuant to Art. 6(4) DSGVO have been met. Of course, in that case, we will comply with any information obligations according to Art. 13(3) GDPR and Art. 14(4) GDPR.

### What are the applicable legal bases?

In general, the legal basis for processing personal data is Art. 6 GDPR unless more specific rules apply. Without limitation, the following legal bases may be applicable:

- Consent (Art. 6(1)(a) GDPR)
- Data processing for the performance of a contract (Art. 6(1)(b) GDPR)
- Data processing is necessary in particular to guarantee the completeness and accuracy of data as well as its digitisation and to be able to perform a contract.
- Data processing based on a balancing of interests (Art. 6(1)(f) GDPR)
- In particular, data processing is necessary in order to guarantee and optimise informed decisions in your interest by the parties concerned, as well as to ensure consistently high quality and uniformity of customer service by the controller.
- Data processing for compliance with a legal obligation (Article 6(1)(c) GDPR)
- Data processing is required in particular to guarantee the completeness and accuracy of tax data in accordance with the German Fiscal Code (Abgabenordnung), the German Trade Regulation Code (Gewerbeordnung) and the German Commercial Code (Handelsgesetzbuch).

If personal data is processed on the basis of your consent, you have the right to withdraw your consent at any time with future effect. If we process data based on a balancing of interests, you as the data subject have the right to object to the processing of personal data, taking into account the provisions of Art. 21 GDPR.

### How long will the data be retained?

We process data as long as necessary for the respective purpose. In cases where legal retention obligations apply, e.g. for commercial law or tax law purposes, the relevant personal data will be stored for the duration of the retention obligation (10 years). After expiry of the retention obligation, an assessment takes place to determine whether there is a further need for processing. If processing is no longer required, the data will be deleted. The general retention period of personal data can be up to 30 years in exceptional cases if this is necessary for the establishment, exercise or defence of legal claims.

Of course, you may at any time (see below) request information about the personal data stored by us and, if this data is no longer required, request that the data will be erased or that processing will be restricted.

**With whom will data be shared?**

Your personal data will only be shared with third parties if necessary, for performing a contract with you, if disclosure is based on a weighing interests according to Art. 6(1)(f) GDPR, if we are legally bound to do so or you have given your consent in this respect.

**Transfers of personal data to a third country**

We do not intend to transfer your personal data to a third country or an international organisation unless this is necessary for the performance of the contract with you. You will be informed separately about any relevant details if required by law.

**Where is your data processed?**

Your personal data will be processed by us exclusively at computer centres within the Federal Republic of Germany.

**Microsoft 365**

As a collaboration tool, we use Microsoft Teams from the Microsoft 365 suite from Microsoft Ireland Operations, Ltd., One Microsoft Place, South County Business Park, Leopardstown, Dublin 18, D18 P521, Ireland.

We use tools from the package to work with you and exchange information / data. The processing is based on a contractual or pre-contractual measure according to Article 6 (1) lit. b. The data storage takes place in accordance with the statutory retention requirements.

In the case of surveys or other forms of data exchange, the legal basis is based on your consent Art. 6 (1) lit. a. You can revoke this consent at any time. The legality of the data processing operations that have already taken place remains unaffected by the revocation.

The data will not be passed on unless this is required by the contractual relationship or has been agreed with you.

**Audio and video conferencing**

Data processing

For communication with our business partners and interested parties, we use, among other things, online conference tools. The individual tools we use are listed below. If you communicate with us via video or audio conference via the Internet, your personal data will be recorded and processed by us and the provider of the respective conference tool.

The conference tools collect all data that you provide / use to use the tools (email address and / or your telephone number). The conference tools also process the duration of the conference, start and end (time) of participation in the conference, number of participants and other "context information" in connection with the communication process (metadata).

Furthermore, the provider of the tool processes all technical data that are required to process online communication. This includes in particular IP addresses, MAC addresses, device IDs, device type, operating system type and version, client version, camera type, microphone or loudspeaker as well as the type of connection.

If content is exchanged, uploaded or made available in any other way within the tool, it is also stored on the server of the tool provider. Such content includes in particular cloud recordings, chat / instant messages, voicemails, uploaded photos and videos, files, whiteboards and other information that is shared while using the service.

Please note that we do not have full influence on the data processing operations of the tools used. Our options are largely based on the company policy of the respective provider. Further information on data processing by the conference tools can be found in the data protection declarations of the tools used, which we have listed under this text.

Purpose and legal basis

The conference tools are used to communicate with prospective or existing contractual / business partners as well as with interested parties (Art. 6 Paragraph 1 Clause 1 lit. b GDPR). Furthermore, the use of the tools serves to generally simplify and accelerate communication with us or our company (legitimate interest within the meaning of Art. 6 Clause 1 lit. f GDPR). If consent has been requested, the relevant tools are used on the basis of this consent; the consent can be revoked at any time with effect for the future.

If you do not want to or cannot use the apps of the conference tool providers (e.g. Microsoft Teams app), you can also use them via your browser by starting the tools directly from the provider website. The service is then provided directly via the provider's website, the "person responsible" in these cases is the provider of the conference tools.

#### Storage period

The data collected directly by us via the video and conference tools will be deleted from our systems as soon as you ask us to delete them, revoke your consent to storage or the purpose for data storage no longer applies. Saved cookies remain on your device until you delete them. Mandatory statutory retention periods remain unaffected. We have no influence on the storage period of your data, which is stored by the operators of the conference tools for their own purposes. For details, please contact the operators of the conference tools directly.

#### **Conference tools used**

We use the following conference tools:

##### Microsoft Teams

We use Microsoft Teams. The provider is Microsoft Ireland Operations Ltd., One Microsoft Place, South County Business Park, Leopardstown, Dublin 18, D18 P521, Ireland. Details on data processing can be found in Microsoft's privacy policy: <https://privacy.microsoft.com/de-de/privacystatement/>

##### Conclusion of a Data Processing Addendum

We have concluded a Data Processing Addendum with the provider of Microsoft Teams and fully implement the requirements of the German data protection authorities when using Microsoft Teams.

##### StarLeaf

We use StarLeaf. The provider is StarLeaf GmbH, Neuer Wall 59, 20354 Hamburg, Germany. Details on data processing can be found in StarLeaf's privacy policy:

<https://support.starleaf.com/legal-information/starleaf-privacy-notice/>

##### Conclusion of a Data Processing Addendum

We have concluded a Data Processing Addendum with the provider of StarLeaf and fully implement the requirements of the German data protection authorities when using StarLeaf.

#### **Your rights as a "data subject" - You have the right:**

- Pursuant to Art. 15 GDPR, right to obtain confirmation as to whether or not we process personal data concerning you. In particular, you can 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 envisaged storage period, the existence of the right to rectification, erasure, restriction of processing or objection, the existence of a right to lodge a complaint, the source of your data, if not collected from you, as well as the existence of automated decision-making including profiling and, if applicable, meaningful information about the logic involved;
- Pursuant to Art. 16 GDPR, to request the rectification of incorrect or incomplete personal data stored by the controller that concerns you without undue delay;
- Pursuant to Art. 17 GDPR, to request the erasure of your personal data stored by the controller, unless processing is necessary to exercise the right to freedom of expression and information, to fulfil a legal obligation, for reasons of public interest or to establish, exercise or defend legal claims;
- Pursuant to Art. 18 GDPR, to demand the restriction of processing of your personal data, as far as the accuracy of the data is disputed by you, the processing is unlawful, but you reject its erasure and the controller no longer needs the data, but you need this to establish exercise or for the defence of legal claims or you have objected to processing in accordance with Art. 21 GDPR;
- Pursuant to Art. 20 GDPR, to receive your personal data that you have provided the controller in a structured, commonly-used and machine-readable format or to request its transfer to another controller;
- Pursuant to Art. 7(3) GDPR, to withdraw your consent provided to the controller any time. As a result, the controller may not continue to data processing that was based exclusively on your consent with effect for the future; and
- To lodge a complaint with a supervisory authority in accordance with Art. 77 GDPR. As a rule, you can contact the supervisory authority at your usual place of residence or workplace or our headquarters.

In the case of a request for information that is not made in writing, we ask for your understanding that we may then require proof from you that you are the person you claim to be.

Right to object: In particular, pursuant to Art. 21(1), (2) GDPR, you have the right to object to the processing of your data in connection with direct marketing if this is done on the basis of a balancing of interests.

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**Our Data Protection Officer**

We have appointed a data protection officer at our company. You can reach him via the following contact options:

**Bergader Privatkäserei GmbH** – Data Protection Officer, Weixlerstraße 16, 83329 Waging am See  
Mr. Johann Gründl, E-Mail: [datenschutz@bergader.de](mailto:datenschutz@bergader.de)

**Right to lodge a complaint**

You have the right to lodge a complaint with a data protection supervisory authority concerning our processing of your personal data:

Bayerisches Landesamt für Datenschutzaufsicht, Promenade 27, 91522 Ansbach  
Telefon 0981 / 531300, Telefax 0981 / 53981300, E-Mail: [poststelle@lda.bayern.de](mailto:poststelle@lda.bayern.de), Internet: [www.lda.bayern.de](http://www.lda.bayern.de)