

PRIVACY STATEMENT

General

Phos4nova BV (hereinafter: Phos4nova) is a private limited liability company located at Drienerlolaan 5, 7522NB Enschede.

We understand that as a Buyer of the Phos4nova Website, you value that we handle personal data with care and see this as an important task. With this privacy statement, we want to make clear which personal data are processed, on the basis of which legal bases personal data are processed and what rights the data subjects have under the General Data Protection Regulation (GDPR).

In general, Phos4nova will only use personal data:

- only for the purposes for which the personal data was collected;
- only process if there is a legal basis for doing so;
- not share it with others, unless otherwise indicated in this privacy statement;
- secure it by means of appropriate measures.

Role of Phos4nova

Phos4nova is the controller as meant in the GDPR for the processing of the personal data in relation to the use of the Website as described in this privacy policy.

Definitions

The following definitions are used in this privacy statement in addition to the legal definitions.

- a) *Buyer*: the natural or legal person who accesses and uses the Website;
- b) *Visitor*: the natural or legal person who approaches the Website without being a Buyer.
- c) *Supplier*: Phos4nova, the legal person that offers the products through the Website;
- d) *Respondent*: the natural or legal person who participates in an online survey conducted by Phos4nova concerning the use and needs of the products offered by Phos4nova;
- e) *Website*: the Website of Phos4nova on which natural or legal persons may order the products offered by Phos4nova;
- f) *Account*: the Buyer's account by Phos4nova with which a purchase Agreement can be concluded.

Applicability

This privacy policy applies to the personal data that Phos4nova processes of Visitors and Buyers, and of Respondents of the online survey conducted by Phos4nova.

Processing

Visitor:

Types of personal data: With regard to any personal data of visitors to our Website that is collected and processed, we refer to the cookie statement (https://phos4nova.eu/?page_id=1013).

Purpose of the processing: To provide access to the Website and the registration form for an Account.

Lawful basis for processing: Legitimate interest.

Who we share your data with: If we are obliged or necessary to do so in order to comply with our (legal) obligations, we share personal data with processors, auditors, regulators and/or authorities.

Retention period: No longer than necessary with a maximum of six months, unless stated differently in more specific cases in this privacy statement or cookie policy.

Buyer:

Account Details

Types of personal data: The name of the company, representative employees, products purchased, search queries, delivery address, invoices, telephone number, email address, customer number, payment details and a VAT identification number.

Purpose of the processing: To provide access to the Website, and to make information available to the Buyer, for example information on products, product updates, recommendations for product use and different application possibilities.

Lawful basis for processing: Performance of agreement.

With whom we share your data: If obliged or necessary to do so in order to comply with our (legal) obligations or for the performance of the agreement, we share personal data with Suppliers, processors and (if applicable) regulators and/or authorities.

Retention period: For a period of seven years in connection with national tax obligations.

Personal offers and advertisements data

Types of personal data: The name of the company, email address, order history, the number of orders and the product categories in which the Buyer may be interested.

Purpose of processing: Phos4nova analyses the previous purchases, which categories of products, how often and for what number of purchases are made that are linked to a purchase Account, for the purpose of determining which offers are relevant and to be able to display relevant advertisements.

Lawful basis for processing: Phos4nova's legitimate interest in showing personalised advertisements.

Who we share your data with: If required or necessary to do so in order to comply with our (legal) obligations, we share personal data with processors (and if applicable: regulators and/or authorities).

Retention period: For a period of up to six months if no Account is approved, and for up to one year subsequent to the ending of an approved Account.

Order details

Types of personal data: The name of the company, the representative person, delivery address, invoices, telephone number, email address, customer number, payment details and a VAT identification number.

Purpose of the processing: The data is necessary for the Supplier to be able to execute the purchase contract concluded between the Buyer and the Buyer.

Lawful basis for processing: Performance of agreement.

Who we share your information with: We share this information with Vendors, and if Phos4nova is required to do so or necessary to comply with our (legal) obligations, we share personal data with processors, auditors, accountants (and if applicable: regulators and/or authorities).

Retention period: For a period of seven years in connection with national tax obligations.

Respondent:

Types of personal data: The name of the company, representative employees, general usage of similar products, search queries, telephone number, email address, information on research field and other answered questions.

Purpose of processing: To collect information on products use and needs to improve and develop the offered products on the Website.

Lawful basis for processing: Legitimate interest.

Who we share your data with: *pseudonymised data that excludes the names of company, names of representative employees and contact data may be shared with our consultants who support the data analysis process. These consultants are obliged to keep these data confidential by the consulting agreements.*

Retention period: Up to one year.

Processors

Where this privacy statement refers to processing by us, this may also mean processing by processors or other recipients engaged by us. The recipients in question are: Google for Business.

Personal data is primarily stored within the European Economic Area (“EEA”). However, certain data may be transferred to, or stored in, countries outside the EEA, for example where our external service providers are located. One of our external providers is Google, which is located in the United States. Google states that it adequately protects personal data by complying with the EU-U.S. Data Privacy Framework (DPF) and the Standard Contractual Clauses (SCCs) as set out in Implementing Decision (EU) 2021/914. See more about Google’s main [Privacy Policy](#), and more specifically the [Data transfer frameworks](#).

Data security

We are committed to protecting your personal data and employing a combination of technical and organizational security measures to safeguard it. Our protocols include data encryption and continuous malware scanning provided by our secure platform, alongside mandatory security log in measures for all employees and strict administrative access controls to prevent unauthorized access.

Rights of data subjects

A data subject has a number of rights under the GDPR.

Right of access, correction and deletion of data

A data subject has the right to know whether we process personal data about him/her and to access this personal data and certain information about the processing thereof, insofar as this does not infringe the rights (such as privacy rights) and freedoms of others.

In addition, a data subject has the right to have personal data that is incorrect or incomplete, but is processed by us, corrected.

The data subject also has the right to have his/her personal data deleted in the event that:

1. The processing of personal data is no longer necessary in relation to the purpose for which they are processed;
2. When the personal data are processed on the basis of consent and the data subject withdraws that consent and no other processing basis applies;
3. Where the data subject objects to the processing of his/her personal data and there are no overriding legitimate grounds for the processing;
4. Where the personal data has been unlawfully processed;
5. When the personal data must be deleted due to a legal obligation of the respective controller.

Right to restriction of processing

The data subject has the right to restrict the processing of personal data in the event that:

1. The person concerned has disputed the accuracy of the data. The restriction then applies for a period that allows us to verify the accuracy of the personal data;
2. The processing of personal data is not lawful and the data subject has objected to the erasure of the personal data. Instead, the data subject has requested that the use of your personal data be restricted;
3. The personal data is no longer necessary for the purposes of the processing, but we need this personal data ourselves for the establishment, exercise or substantiation of a legal claim;
4. The data subject has objected to the processing of his/her personal data and is awaiting the answer to the question whether our legitimate grounds for processing outweigh those of the data subject.

Right to data portability

The personal data provided to us by the data subject will be made available to the data subject in a copy in a commonly used electronic format at the first request of the data subject.

Right to object

The data subject may object to the processing. We will then cease the processing, unless there are compelling grounds to continue the processing.

Right to withdraw consent

Consent given to us by a data subject can be withdrawn by the data subject at any time.

Processing in anonymized form

We may choose to anonymize data that needs to be deleted and process it in anonymized form for analysis, research and statistical purposes.

Statement change

Phos4nova reserves the right to amend this privacy statement, in which case the amended privacy statement will apply from the moment of publication on the Phos4nova Website.

Exercise of rights

Requests, questions and communications can be sent in writing to our privacy officer at contact@phos4nova.eu.

Complaints to the Dutch Data Protection Authority

A data subject has the right to submit a complaint to the Dutch Data Protection Authority, PO Box 93374, 2509 AJ The Hague.