

# Data Usage & Privacy Policy

Welcome to Appel à Tous! We would like to inform you about the data we process from you when you use our services via our website or mobile applications.

## 1. Data controller and contact details of the data protection officer

The controller of the personal data for the operation of our websites and applications is Paradise Foods GmbH, Michaelkirchplatz 5a, 10179 Berlin. The data controller for the sale of our products and services in Martinique, France is Appel à Tous SAS, Port de Plaisance Boulevard Allegre, Bassin Tortue c/o Blue Working, Le Marin 97290, Martinique. You can reach us at [panpan@appelatous.fr](mailto:panpan@appelatous.fr).

## 2. Purposes and legal basis of data processing

All data we collect from you is collected for a specific purpose. Below you will find all the purposes and the categories of data we collect for each purpose.

### 2.1. Access data collected automatically

When you visit our website, we collect access data that your browser automatically transmits to us to enable you to browse the website. Access data includes, among other things, the IP address of the accessing device, the date and time of access, the address of the accessed website and the website from which the access is made, technical information about the browser and operating system used, and online identifiers (e.g., device IDs, session IDs).

In the case of purely informative use of the application, i.e. even before registration, we only collect the personal data necessary for the use of the application. This includes: device and card identifiers (DeviceID, IMEI, IMSI, MSISDN, MAC address, mobile device name), IP address, operating system, date and time.

The processing of this access data is based on our legitimate interests: to enable the visit of the website or application, to ensure the continuous functionality and security of our systems, as well as the general administrative maintenance of our website and applications.

### 2.2. Contacting us

You have the possibility to contact us through different channels. In this context, we process your personal data exclusively for the purpose of communicating with you. Either to execute or initiate a contract with you, or to be able to respond to your request on the basis of our legitimate interest.

### 2.3 Registration and login

You have the option of registering for our login area in order to be able to use all the features of our services. The data that you must provide as a minimum (first and last name, e-mail address, password) are marked as "mandatory fields". Registration is not possible without this data. We process this data in order to execute or initiate a contract with you and also on the basis of our legitimate interest in allowing you to create an account and to provide other related services, which are named in this data protection statement.

### 2.4. Orders & Payment

If you place an order, we collect the mandatory data necessary for the execution of the contract. This includes your first and last name, e-mail address, telephone number, password, information about your boat and your geographical location. We process this data in order to execute a contract with you

For payment processing, we use the service provider Stripe Payments Europe, Limited, The One Building, 1 Grand Canal Street Lower, Dublin 2, Co. Dublin, Ireland ("Stripe"), to whom we transmit the information you provide during the order process, as well as your order information (name, address, IBAN, BIC, invoice amount, currency and transaction number) in order to execute the contract. Your personal data will only be passed on to Stripe for the purpose of processing payments. You can find more about the privacy policy of Stripe here: <https://stripe.com/at/privacy?tid=311853917>

### **3. Use of Essential Cookies**

We use certain tools to enable the basic functions of our services ("necessary tools"). Without these tools, we could not provide our service. Therefore, necessary tools are used without prior consent on the basis of our legitimate interests to execute a contract or to carry out pre-contractual actions.

#### **3.1. Locally stored data**

We store the following information on the device, necessary to provide the basic functions of our services: authentication token, shopping cart information, selected/entered delivery address (bay) and date.

#### **3.2. Mailchimp**

We are using Mailchimp, a service provided by The Rocket Science Group, LLC 675 Ponce de Leon Ave NE, Suite 5000, Atlanta, GA 30308 USA, which is part of the Intuit Inc. group of companies ("Mailchimp"), as a email subscription service and tool for newsletter communication with our customers. For this purpose we store your e-mail address and share it with Mailchimp. For further information on the collection and use of data, please refer to the Mailchimp and Intuit privacy policy: <https://www.intuit.com/privacy/statement/>

#### **3.3. Google Firebase**

We are using Firebase, a service from Google LLC (formerly known as Google Inc.), Google Ireland Limited, Google Asia Pacific Pte. Ltd., or any other entity that directly or indirectly controls, is controlled by, or is under common control with Google LLC (as applicable, "Google") registered in 1600 Amphitheatre Pkwy, Mountain View, CA 94043, United States ("Firebase"), for sending necessary push notifications to the mobile phones of customers who made an order through our mobile application. Firebase will collect a customer's unique mobile device ID. For further information please refer to the Terms of Service of Firebase: <https://firebase.google.com/terms/>

#### **3.4. Mailgun**

We are using Mailgun, an email delivery service developed by Mailgun Technologies, Inc. with business address at 112 E Pecan St, #1135, San Antonio, TX, 78205, United States ("Mailgun"), for sending transactional and confirmation emails to customers who made an order through our mobile application. Mailgun will collect a customer's email address and order information such as shopping cart items and total order volume. For further information please refer to Mailgun's Privacy Policy: <https://www.mailgun.com/legal/privacy-policy/>

#### **3.5. Telegram**

We are using the Telegram Messenger, an end-to-end encrypted messaging service, developed by Telegram Messenger FZ LLC., having its global headquarters at Offices 2301 - 2303, Floor 23, Business Central Towers, Tower A Dubai, Dubai United Arab Emirates ("Telegram"), as a messaging platform for internal use only to handle and fulfil the delivery of customer orders. Therefore we share the following information with Telegram: customer information (name, phone number) and order information (order day and time, delivery

address / bay, GPS location data). For further information please refer to the Telegram Privacy Policy: <https://telegram.org/privacy>

### **3.6. Sentry**

We are using Sentry, an application monitoring and error tracking software, provided by Functional Software, Inc., registered at 45 Fremont Street, 8th Floor, San Francisco, CA 94105, USA ("Sentry"), and store the customer's IP address to log user requests in order to improve the technical functionality of our mobile application. For further information about the Privacy Policy of Sentry please refer to: <https://sentry.io/privacy/>

## **4. Disclosure of data**

The data we collect will only be disclosed if you have given your express consent, if disclosure is necessary to pursue, exercise or defend legal claims and there is no reason to assume that you have an inherent interest worthy of protection in the non-disclosure of your data, if we are legally obliged to disclose your data or if this is legally permitted and necessary for the fulfilment of the contractual relationship with you or for the execution of pre-contractual actions that take place at your request.

Some of the data processing may be carried out by our service providers. These may include data centres that store our website and databases, software providers, IT service providers that maintain our systems, agencies, market research companies, other Appel à Tous companies and consulting companies. If we pass on personal data to our service providers, they may only use it to perform their tasks.

In addition, disclosure may take place within the framework of official investigations, court decisions and legal proceedings if this is necessary for the prosecution or enforcement of the law.

## **5. Transfer of data to third countries**

In some cases, we use services whose providers are located in so-called third countries (outside the European Union or the European Economic Area) or process personal data there, i.e. countries whose level of data protection does not correspond to that of the European Union. Where this is the case and the European Commission has not issued an adequacy decision (Art. 45 GDPR) for these countries, we have taken appropriate precautions to ensure an adequate level of data protection for any data transfer.

Where this is not possible, we base the transfer of data on the exceptions of Article 49 of the GDPR, in particular on your express consent or on the necessity of the transfer for the performance of the contract or for the implementation of pre-contractual measures.

## **6. Storage period**

In principle, we only keep personal data for as long as is necessary to fulfill the purpose for which we collected the data. We then delete the data immediately, unless we still need the data until the expiry of the statutory limitation period for evidentiary purposes for civil law claims or due to the existence of legal retention obligations.

## **7. Your rights**

If the legal requirements are met, you have the right to request information about the personal data we process. You may also request rectification, erasure and/or restriction of the processing of your personal data and have the right to receive your personal data in a structured, commonly used and machine-readable format.

If we process your personal data on the basis of overriding legitimate interests, you have the right to object to the processing of your personal data on grounds relating to your particular situation. If it is a matter of objecting to the processing of data for direct marketing purposes, you have a general right to object, which we will also implement without giving reasons.

You have the right to withdraw your consent at any time. This means that we will no longer process data based on this consent in the future. The revocation of consent does not affect the lawfulness of the processing carried out on the basis of the consent until the revocation.

You have the opportunity to set specific instructions regarding the retention, deletion and disclosure of your personal data after your death with us.

If you believe that we are processing your data unlawfully, you have the right to file a complaint with a supervisory authority.

Inquiries regarding the exercise of data protection rights and our responses thereto are stored as evidence for a maximum period of three years and, in certain cases, for the enforcement, exercise or defense of legal claims, for an even longer period. The legal basis for this is our interest in defending ourselves against possible civil claims, avoiding fines and fulfilling our liability obligations.

## **8. Changes to the Privacy Policy**

We may update this privacy policy from time to time, for example, if we make changes to our website or if legal or regulatory requirements change.

*December 2022*