

PRIVACY POLICY ON THE PROCESSING OF PERSONAL DATA - CONTACTS FORM

Irca S.p.A. provides below the information required by art. 13 of Regulation (EU) 2016/679, on the protection of natural persons with regard to the processing of personal data (hereinafter “**GDPR**”), about our processing of the personal data given to us when you complete the contacts form.

Please note that, pursuant to the GDPR, “*data subjects*” are the natural persons to whom the data relates.

1. Who is the “controller” of the processing of personal data (i.e., who decides the purposes and methods of processing)?

The controller of processing is Irca S.p.A., with registered office at Via degli Orsini 5, 21013 Gallarate (VA), VAT no. 09684290969, e-mail privacy@irca.eu (hereinafter “**Company**”).

2. Purposes, lawfulness of processing and data retention period

Why is your data processed?	Why is processing lawful?	How long do we keep your data?
The data provided when you complete the contacts form will be processed in order to respond, by e-mail, to your contact/information requests.	Processing is necessary to satisfy specific requests made by the data subject. Processing is therefore lawful as, pursuant to art. 6.1.b) GDPR, it is carried out in execution of a contract to which the data subject is party.	This data will be retained for the time needed to respond to each request for information, up to a maximum of 24 months.
General marketing purposes: send marketing e-mails, to persons explicitly requesting them, about new ice cream and chocolate products branded JoyGelato, IRCA and Dobra.	Consent given by the data subject pursuant to art. 6.1.a) GDPR.	Until consent is revoked, or the data subject objects by clicking on the <i>unsubscribe</i> link contained in each e-mail.
After the above periods, your data will be erased or anonymised, depending on the erasure and back-up procedures adopted.		

3. Nature of the data provided

Pursuant to art. 13, para. 2.e) GDPR, the provision of data marked with an asterisk is mandatory; accordingly, any refusal to provide that data will make it impossible to respond to your contact request.

4. Who receives your data?

Your personal data will be processed by employees and/or collaborators of the Company who have received adequate operating instructions and who have been expressly authorised to process it.

The data is also processed, on behalf of the Company, by third parties that provide services relevant to the purposes indicated in this privacy policy. Those parties, which are given adequate operating instructions, are designated as “processors” pursuant to art. 28 GDPR and may include the providers of mass mailing and website maintenance services, as well as the administrator of the management system used by the Company.

Additionally, your data may be communicated to independent controllers, such as supervisory and control authorities and, in general, any public or private parties with a legitimate right to request/receive it.

5. Transfer of data outside of the EU

The data may be transferred to countries outside of the European Union (EU) or the European Economic Area (EEA) that have not obtained an adequacy decision from the European Commission. In these cases, the transfer mechanisms envisaged in art. 46 GDPR (e.g., standard contractual clauses) will be used, giving consideration to any “supplementary measures” needed to guarantee a level of protection essentially equivalent to that required by EU law.

6. Rights of the data subject

Data subjects may exercise in relation to the Company the rights recognised in arts. 15-22 GDPR. More specifically:

- i) request access to their data and the information specified under art. 15 (purposes of processing, categories of personal data etc.);
- ii) request its erasure in the cases envisaged under art. 17, if the Company is no longer entitled to process it¹;
- iii) obtain the rectification of inaccurate data or the completion of incomplete data;

¹ The data subject is entitled to obtain the erasure of personal data concerning him or her, especially in the following cases:

- a) the personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
- b) the data subject withdraws the consent on which processing is based according to art. 6.1.a), or art. 9.2.a), and where there are no other legal grounds for the processing;
- c) the data subject objects to the processing pursuant to art. 21.1, and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to art. 21.2;
- d) the personal data has been unlawfully processed;
- e) the personal data has to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- f) the personal data has been collected in relation to the offer of information society services referred to in art. 8.1.

- iv) obtain the restriction of processing (*i.e.*, the temporary limitation of processing solely to storage), in the cases envisaged in art. 18 GDPR²;
- v) receive the data in a structured, commonly used and machine-readable format and, if technically feasible, have it transmitted to another controller without hindrance, where the processing is based on consent or a contract and is carried out by automated means;
- vi) revoke the consent given at any time and object to the receipt of marketing communications, even just by clicking on the *unsubscribe* link at the foot of each e-mail.

The above rights may be exercised by sending a written communication to the Company at the above address or by sending an e-mail to privacy@irca.eu.

Lastly, data subjects have the right to lodge a complaint with the Italian Data Protection Authority (*Garante*) or, in any case, the competent supervisory authority in the Member State of their habitual residence or place of work, or in the State in which the alleged infringement occurred.

² The right to obtain the restriction of processing applies when:

- a) the accuracy of the personal data is contested by the data subject, for the period needed by the controller to verify the accuracy of that data;
- b) the processing is unlawful and the data subject opposes erasure of the personal data and requests the restriction of its use instead;
- c) the controller no longer needs the personal data, but it is required by the data subject for the establishment, exercise or defence of legal claims;
- d) the data subject has objected to processing pursuant to art. 21.1 GDPR, pending verification of whether the legitimate grounds of the controller override those of the data subject.