

# EU Privacy Statement



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This Statement applies to the processing of personal data in the EU by Fagron for the purposes described herein.



## Introduction

The purpose of this Privacy Statement is to provide transparency about Fagron's point of view regarding privacy and the processing of personal data. Our goal is to demonstrate that Fagron handles personal data with care and in accordance with the applicable legislation such as the General Data Protection Regulation (GDPR).

Fagron's global strategy is focused on optimizing and innovating customized pharmaceutical care in order to widen the therapeutic options of prescribers worldwide. As the leading global company in pharmaceutical compounding, we are supporting the unique selling point of customized medication and improving patients' quality of life.

In order to succeed we strongly believe in our mission to lead the future of compounding. "Customer is number 1" is an important Fagron value, which means that it is our top priority to act in the customers' interest. This value also applies when it concerns the processing of personal data. "Transparency" is one of the Fagron family rules which translates itself into this Privacy Statement, providing a clear and understandable explanation of the processing of personal data.

Fagron processes personal data of the following categories of persons, or data subjects:

- Customers;
- Suppliers;
- Patients;
- Website & webshop users;
- Website visitors;
- Visitors;
- Employees & applicants, which are out of scope in this Privacy Statement.

## Summary

Like any company in the digital era, Fagron processes personal data. Through our Privacy Statement we want to provide transparency into what kind of personal data we process and for which purpose.

As a global company we are committed to comply with privacy regulations that apply in every country where we operate. With the head office of Fagron being located in the EU, the most recent EU regulation serves as our framework. In accordance with the General Data Protection Regulation (GDPR), this Privacy Statement sets a standard for our group companies although outside the EU local privacy laws apply. We refer to our country websites for local privacy statements.

Fagron's activities as a company are primarily business-to-business. We serve different customer groups within the pharmaceutical industry, including prescribers, pharmacies, hospitals and clinics. The processing of personal data is therefore only to support our business processes and is not at the core of our activities.

Fagron processes personal data of the following categories of persons, or data subjects:

- Customers;
- Suppliers;
- Patients;
- Website & webshop users;
- Website visitors;
- Visitors;
- Employees & applicants, which are out of scope in this Privacy Statement.

Patients are a special category of data subjects for Fagron because of the high sensitivity of health information. We receive personal data of individual patients from our customers for the preparation of customized medication. In these cases, Fagron needs to identify the patient correctly to protect the patients' health. In our responsibility as compounding pharmacy, it needs to be clear that the medicine prepared is in line with the patients' needs and the prescription, taking specific medical conditions into account.

More details can be found in our Privacy Statement below. For any additional information and/or questions about this statement or the processing of personal data by Fagron, please contact the Privacy Office at [privacy@fagron.com](mailto:privacy@fagron.com).

## Processing activities

### 1. Customers

*What type of personal data do we process?*

Fagron serves different customer groups within the pharmaceutical industry, including prescribers, pharmacies, hospitals and clinics. We process certain kinds of personal data of the professionals representing our customers.

Fagron processes the following data types of customers:

- Name
- Contact information (e-mail address, telephone number)
- Job title

*What is the purpose of processing?*

Fagron processes personal data of customers for the following purposes:

- providing our customers with an adequate sales order processing system;
- providing our customers with the best possible service.

*What is the legal ground for processing?*

*Contract*

We need to process personal data in the performance of the sales contracts with our customers.

*Legal obligation*

We have a legal obligation to process certain kinds of personal data under the applicable pharmaceutical laws and regulations, such as the GxP-standards. In general, we have the obligation to know our customers and to keep track of who are receiving our products. These are low sensitive data types such as names, telephone numbers and email addresses that we store in our systems.

*Legitimate interest*

Fagron has a legitimate interest in processing the personal data of customers for direct marketing purposes. To determine whether a legitimate interest exists, we will always consider and balance any potential impact on the customer and the customers' rights by performing a Legitimate Interest Assessment (LIA). We will inform our customers about their rights and make sure that they can object to the processing in an easy accessible format.

*What is the retention period?*

Fagron retains the personal data in accordance with the applicable legal retention period or as long as necessary for the purpose of processing.

## 2. Suppliers

*What type of personal data do we process?*

Fagron processes the following data types of suppliers:

- Name
- Contact information (e-mail address, telephone number)
- Job title

*What is the purpose of processing?*

Fagron processes the personal data of suppliers for the following purposes:

- guarantee a correct handling of the ordering process;
- comply with contractual obligations.

*What is the legal ground for processing?*

*Contract*

Fagron needs to process the personal data in order to fulfil her contractual obligations towards her suppliers.

*Legal obligation*

We have a legal obligation to process certain kinds of personal data under the applicable pharmaceutical laws and regulations, such as the GxP-standards. In general, we have the obligation to use specific suppliers with appropriate qualifications. The data types such as names, telephone numbers and email addresses that we store in our systems are low sensitive.

*What is the retention period?*

Fagron retains the personal data in accordance with the applicable legal retention period or as long as necessary for the purpose of processing.

## 3. Patients

*What type of personal data do we process?*

Fagron provides compounding services to our customers in several countries. We maintain the highest level of quality in our state-of-the-art facilities, in accordance with the GxP- standards. For the preparation of customized

medication, we process personal data of individual patients.

Patients are a special category of data subjects for Fagron, because of the high sensitive health information that is being processed.

Fagron processes the following data types of patients:

- Name
- Address
- Date of birth
- Gender
- National Identification Number
- Health information

*What is the purpose of processing?*

In order to protect the patients' health, Fagron needs to identify the patient correctly in the order process. It needs to be clear that the medicine prepared is in line with the patients' needs and the prescription. This is crucial information, because we need to take specific medical conditions into account.

*What is the legal ground for processing?*

*Consent*

In some situations, it might be the case that Fagron will ask for the patients' written consent in order to process personal data for specific purposes.

*Legal obligation*

Fagron needs to comply with several legal obligations deriving from pharmaceutical laws and regulations, such as the GxP-standards. In order to meet these requirements, the processing of personal data is inevitable.

*Legitimate interest*

Fagron has a legitimate interest to process personal data of patients in case no other legal ground applies or if the legitimate interest is the most appropriate legal ground. In this case the protection of the patients' health is our legitimate interest. To determine whether a legitimate interest exists, we will always consider and balance any potential impact on the patient and the patients' rights by performing a Legitimate Interest Assessment (LIA).

*What is the retention period?*

Fagron retains the personal data in accordance with the applicable legal retention period or as long as necessary for the purpose of processing.

## 4. Website & webshop users

*What type of personal data do we process?*

Fagron processes the following data types of website users with an account:

- Name
- E-mail address
- Profession
- Newsletter preferences
- Online behavior within our website

*What is the purpose of processing?*

Fagron processes personal data of website users in order to maintain the user accounts and deliver the requested services, such as the webshop service. We may also contact these data subjects via surveys to ask their opinion about our services in order to provide them with the best online experience possible.

*What is the legal ground for processing?*

*Consent*

Fagron will ask written consent from the data subject where applicable, to process the personal data via the website.

*Legitimate Interest*

Fagron has a legitimate interest in processing the personal data for direct marketing purposes. To determine whether a legitimate interest exists, we will always balance our interest against the interest of the data subject to decide what the impact is of the processing by performing a Legitimate Interest Assessment (LIA). We will inform the data subjects about their rights and make sure that they can object to the processing in an easy accessible format.

*What is the retention period?*

Fagron retains the personal data in accordance with the applicable legal retention period or as long as necessary for the purpose of processing.

## 5. Website visitors

*What type of personal data do we process?*

Fagron processes the following data types of website visitors:

- Online behaviour within our website



*What is the purpose of processing?*

Fagron processes the online behaviour of website visitors for maintenance and improvement of the website.

*What is the legal ground for processing?*

*Legitimate Interest*

Fagron has a legitimate interest in processing the personal data for marketing and communication purposes. To determine whether a legitimate interest exists, we will always balance our interest against the interest of the data subject to decide what the impact is of the processing by performing a Legitimate Interest Assessment (LIA). We will inform the data subjects about their rights and make sure that they can object to the processing in an easy accessible format.

*What is the retention period?*

Fagron retains the personal data in accordance with the applicable legal retention period or as long as necessary for the purpose of processing.

## 6. Visitors

*What type of personal data do we process?*

Fagron processes the following data types of visitors to our facilities:

- Name
- Contact information
- Video image

*What is the purpose of processing?*

Fagron processes the personal data of visitors for the following purposes:

- ensuring security and safety within our compounding facilities;
- identification of individuals in case of misconduct.

*What is the legal ground for processing?*

*Legal obligation*

Fagron has a legal obligation to register visitors to our compounding facilities, according to the GxP-standards.

*Legitimate interest*

## Security precautions

Fagron has a legitimate interest in processing the personal data for security and safety purposes. To determine whether a legitimate interest exists, we will always balance our interest against the interest of the data subject to decide what the impact is of the processing by performing a Legitimate Interest Assessment (LIA).

*What is the retention period?*

Fagron retains the personal data in accordance with the applicable legal retention period or as long as necessary for the purpose of processing.

Fagron secures your personal data from unauthorized access, use or disclosure. Fagron secures the personal identifiable information you provide on computer servers in a controlled and secured environment. When personal data is transmitted to other websites, it is protected by Secure Socket Layer (SSL) security, which encrypts all sensitive information before sending unrecognizable.

Next to our standard processes and procedures, regular technical and functional checks and formal audits are being executed by independent parties to identify risks in a timely fashion with regards to our global IT and data landscape. As standard measure, all information, traffic and data are always encrypted.

## Data transfers

### 1. External data processors

Fagron uses external processors for a number of supporting activities. We only use processors that provide sufficient guarantees of appropriate technical and organizational measures for security. In case personal data is being processed by the external processor, there is always a processing agreement in place.

### 2. Internal & external recipients

Under certain circumstances Fagron discloses personal data to internal and external recipients. By internal recipients we mean our internal departments, where personal data is disclosed on a need-to-know basis only. Examples of our external recipients are public authorities on one hand to which we need to disclose personal data in accordance with legal obligations. On the other hand, we need to disclose personal data to other data controllers that we collaborate with, for example when placing an order at an external compounding facility. Other external recipients are our advisors, such as legal advisors, to which we for example disclose personal data in the defence of a legal claim.

### 3. Our role as data controller

When Fagron processes personal data in the performance of sales contracts with our customers, we do not process personal data on behalf of our customers. We process the personal data on behalf of ourselves in the capacity of data controller by determining the purposes and means of the processing ourselves. This means that we have our own responsibility to comply with the applicable privacy laws and regulations when processing personal data that we receive from our customers. Furthermore, the processing of personal data is not our core activity, but is only necessary to support our own business processes. Therefore, by GDPR definitions we are not an external data processor for our customers and consequently there is no need for a processing agreement between Fagron and her customers.

Customers may expect that Fagron processes any personal data with the highest level of caution and that we secure our systems with the appropriate measures to safeguard their privacy.

## Rights of data subjects

### 1. Right of access

Every data subject has the right of access to the personal data that Fagron is processing. Upon request we will provide you with a copy of information regarding your personal data that we are processing. We intend to comply with such a request within one month of receipt, but we may extend this period with two months in complex cases, in which case we will inform you about the reasons of delay. Fagron reserves its right to charge a reasonable fee in case of an excessive request.

## 2. Right to rectification

You may request that your personal data will be rectified in case the information is incorrect. Fagron intends to comply with the request within one month of receipt, but may extend this period once with two months in complex situations, in which case we will inform you about the reasons of delay. If applicable, we will inform the recipients of the personal data about any rectifications.

## 3. Right to erasure

You have the right to request Fagron to erase your personal data if one of the following circumstances is applicable:

- the purpose of processing no longer exists;
- you have withdrawn your consent;
- you object to the processing;
- the processing is unlawful;
- there is a legal obligation to delete your personal data;

Fagron retains the right to limit your right to erasure in the following cases:

- Fagron has a legal obligation to process your personal data;
- processing is necessary for the establishment, exercise or defense of legal claims;
- processing is necessary to ensure the high standards of our medicinal products;
- the request for erasure is manifestly unfounded or excessive.

In case Fagron has disclosed your personal data to external recipients or in an online environment we will inform each recipient about the erasure, unless this is impossible or causes disproportionate effort.

Fagron intends to comply with your request within one month after receipt. We may extend this period with two months in complex situations, in which case we will inform the data subject about the reasons of delay. In case we refuse

your request for erasure, we will timely inform you about the reasons for our decision and your rights in this matter.

#### 4. Right to restrict processing

You may request to restrict the processing of your personal data in the following circumstances:

- your personal data is not accurate;
- you have objected to the processing and Fagron is considering whether the legitimate interests of Fagron override yours;
- the processing is unlawful;
- Fagron no longer needs your personal data, but you need the data to establish, exercise or defend a legal claim.

Fagron shall timely inform you about the method which will be used to restrict the processing of your personal data.

Fagron may refuse your request in case it is manifestly unfounded or excessive. We intend to act upon your request within one month after receipt. We may extend this period with two months in complex situations and we will always inform you about the reasons of the delay or refusal and your rights in this matter.

#### 5. Right to data portability

In certain circumstances you have the right to data portability, which means that you have the right to obtain and reuse your personal data across different services. This also indicates that your personal data has to be provided to you in an easy accessible format, which makes it possible to move/copy/transfer personal data from one IT environment to another. This needs to take place in a safe and secure way.

The right to data portability only applies in the following circumstances:

- the personal data is provided to Fagron by an individual;
- the processing is based on the individuals' consent or for the performance of a contract;
- the processing is carried out by automatic means.

We intend to act upon your request within one month after receipt. We may extend this period with two months in complex situations and we will always inform you about the reasons of the delay and your rights in this matter.

## 6. Right to object

You may object to the processing of your personal data on grounds related to your particular situation and if one of the following circumstances applies:

- the processing is based on the legitimate interests of Fagron;
- Fagron processes your personal data for direct marketing purposes;

Fagron is not obliged to comply with the right to object, if the processing does not concern direct marketing and if:

- Fagron has a legitimate interest that overrides your interests;
- Fagron needs to process your personal data for the establishment, exercise or defense of a legal claim.

## Cookies

Fagron is committed to protecting your privacy and developing technology that gives you the most powerful and safe online experience. Fagron uses cookies to improve the usability of the website.

### *What are cookies?*

Cookies are small text files. When you visit the Fagron website these small text files are temporarily stored on your computer. Cookies are used to monitor the preferences of website visitors and improve their user experience. For example, cookies give insight in the webpages that are visited and how visitors move from one webpage to another. Cookies also measure how many people visit a webpage and how long they stay on that page. With this information Fagron optimizes the website.

### *Are cookies safe?*

Cookies are safe. They do not save any personal data or other sensitive information related to individuals. Moreover it is not possible to trace personal data via cookies or send spam or any other undesirable e-mails.

### *How to change my cookie settings?*

In your browser settings you can specify how websites should handle cookies on your computer. For example you can define your settings in the following way:

- ask for a notification if a website wants to place a cookie;
- refuse third-party cookies;
- delete cookies;

## Complaints

If you have a complaint about the use of your personal data by Fagron we ask you to submit your complaint to [privacy@fagron.com](mailto:privacy@fagron.com). In case you are not satisfied about the handling of your claim you can contact your local Data Protection Authority.

## Contact details

For any additional information and/or questions about this Privacy Statement or the processing of personal data by Fagron, please contact the Privacy Officer at the contact information below:

### Fagron Global Service Center

Fagron B.V.  
Attn. Privacy Office  
Lichtenauerlaan 182  
3062 ME Rotterdam  
Tel: 088-33 11 200  
E-mail: [privacy@fagron.com](mailto:privacy@fagron.com)



