

Personal data processing policy on the www.spheragroup.com website

Article 1. General information

In carrying out its activity, SPHERA FRANCHISE GROUP S.A., having its headquarters in Bucharest, 239 Calea Dorobantilor, 2nd floor, sector 1, registered with the Trade Registry Office of Bucharest Tribunal under no. J40/7126/2017, sole registration code RO37586457 (the “**Company**”), processes your personal data when you access the www.spheragroup.com (the “**Website**”).

The Company ensures permanent compliance with all principles and laws on the protection of personal data as regards the processing, collection, storage and transfer of personal data, as provided under the laws in force as well as Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data („**GDPR**”).

This policy establishes the key principles on data protection and the way in which the Company handles the personal data you are sending us when you access the Website. The Company will update this policy and will post the latest version of same on the website.

DEFINITIONS

The following definitions of the terms used herein were extracted from Article 4 GDPR:

Personal data: Means any information relating to an identified or identifiable natural person (‘**Data Subject**’) who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Processing: Means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

RPD: Means the data protection officer, in particular the officer in charge of data protection.

Article 2. Categories of personal data

We are aware of the importance of your personal data and undertake to protect the confidentiality and security thereof. This is why it is important to use this Policy to inform you about the processing of the personal data concerning yourself as user of our Website.

The categories of personal data processed by the Company varies depending on the interactions and relationships you register on the Website. Thus, your personal data may be provided by you, on various sections of the Website, especially in the following situations: when you subscribe to the Company newsletter, when you fill in the <http://spheragroup.com/#contact> Contact form on the website.

Article 2.1. Categories of data that may be processed:

- a) When you subscribe to the Company newsletter: surname, given name, e-mail address;
- b) When you fill in the contact form available on the Website: surname, given name, telephone number, e-mail address;

The data you are providing should be real, accurate and updated and you should have the right to provide such data. The data provided under items a) through b) above are provided by you, voluntarily, during your interaction with the Company, depending on the purpose you are stating. Therefore, you shall be liable for the data provided on this website, towards us as well as any third party which may incur damages as a result of the provision of said data.

This website may also collect information about your browsing history and interactions with various sections thereof. We will store or access information and cookie files on your device (computer, cell phone, tablet, etc.) only under the terms detailed in the relevant [Cookies](#) section. The categories of personal data that are processed are related to: time and date of accessing the website as well as the IP address of the device from which the website was accessed.

Article 2.2. The Company may process the data provided under Article 2.1 above for the following purposes:

- a) Marketing: sending newsletters to subscribers by such means of communications as e-mail, cell phone; these personal data are processed only based on your consent;
- b) To handle the requests, claims, suggestions: processing of the data provided while filling in the contact form; these personal data are processed only based on your consent and for the Company's lawful interest to solve the complaints, improve the services, handle the suggestions and the requests delivered to the Company;
- c) In the context of processing the Website visitors' data, to ensure a better operation of the Company website; the legal basis for taking over such data lies in the lawful interest of the Company to improve its services

Article 3. Basic principles on personal data processing

The processing and handling of your personal data rely on the following principles:

- ✓ It is open and transparent about what it does with the data and the reason why it uses them;
- ✓ It safeguards the data;
- ✓ It makes sure there are always legal grounds for data handling;
- ✓ It collects and uses the minimum required of data, in compliance with the minimization principle;
- ✓ It keeps the data updated, corrected and complete;
- ✓ It does not keep the data for longer than necessary, ensuring the implementation of a data retention period where no mandatory period is provided under the law;
- ✓ It observes the legal rights of data subjects with respect to their personal data;
- ✓ It does not transfer the data abroad until it takes the relevant data transfer measures and before it notifies the data subjects thereof.

Article 3.1. Fairness and transparency

Personal data are processed lawfully, fairly and in a transparent manner in relation to the data subject. This is the basic principle according to which we use the personal data only insofar as the individuals who entrusted them to the Company were informed previously about the way in which the data will be used. You may ask the Company at any time information regarding the following main issues:

- ✓ What type of data will be collected;

- ✓ For what purpose they will be used;
- ✓ With whom such data will be shared (where relevant);
- ✓ Whether or not such data will be transferred to other countries;
- ✓ How long will such data be kept;
- ✓ What are the rights of the natural persons regarding their personal data;
- ✓ Provide the contact channels by which the data subjects may exercise these rights.

The personal data will be processed only for the purpose indicated to the data subject. Any subsequent alterations of the purpose of processing will be notified to the data subject before their personal data are used.

Article 3.2. Lawfulness

The **Company** wishes to carry out all processing activities for a clear purpose that is in line with its activity while being both legal and appropriate as well as with a view to achieving the Company's lawful interests while performing its objects, as follows:

- ✓ subscription to the **Company** newsletter by which we will send new product or services launches, commercial press releases regarding the promotions and the campaigns carried out by the Company, by itself or in collaboration with one or more of its partners, useful information about the services provided, etc.;
- ✓ provide answers to the questions filled in the contact form;
- ✓ run tests on surfing the website and on the interactions of the users with the website.

Article 3.3. Consent of data subject

Obtaining the consent of the individual whose data we are to collect and process is another legal ground provided by the GDPR, and the Company will process the personal data based solely on your express and unequivocal consent, whenever the need for same arises.

Article 3.4. Data minimization

The personal data will be used only when it is absolutely necessary and relevant to a certain process or project task.

In case the use of the personal data cannot be avoided, the Company will only use the minimum required data for the achievement of that purpose.

Article 3.5. Data accuracy

The legislation on data protection requires that personal data are to be maintained accurate, complete and updated. The Company will ensure the collection, supplementation, update or erasure, where applicable, of the inaccurate or incomplete data.

Article 3.6. Data retention and storage period

We will retain your data for a period that will not exceed the period required for the fulfilment of the purposes for which these data are being processed, unless legal provisions require otherwise.

Thus:

- ✓ regarding the Company newsletter, we will retain your e-mail address in the newsletter data base insofar as your subscription is active; upon receiving your unsubscribe request, we will deactivate the newsletter service for your e-mail address; at that point, your e-mail address will be deleted from the newsletter subscriber data base;
- ✓ regarding the contact form, we will retain your personal data during the time frame required for answering your messages and requests and substantiating the correspondence exchanged with you, but no more than 1 year after receiving these data;
- ✓ regarding the running of tests on surfing the website and on the interactions of the users with the website, we will retain the data regarding your interactions for up to *3 years*.

The Company may erase your personal data when we determine they are no longer required for the purposes for which they have been collected.

We will not store information and will not access the information stored on your device (computer, cell phone, tablet, etc.) without your previous consent or when these operations are carried out for the sole purpose of delivering a communication via an electronic communications network or when they are strictly necessary for the provision of an IT service which you requested expressly (for instance, for the storage of information on the activities you carried out on the website so that you may easily use the website or your mobile phone application or your tablet at the subsequent accessing of the website).

To use the cookie files for which we require your prior consent, the website will ask for your consent in a banner posted on the website. This banner provides a link to this Personal Data Protection Policy and allows you to choose between accepting and rejecting the cookie files. If you gave your consent, but then reconsider your decision, you may use the settings of your internet surfing (browser) application to erase the information stored or to refuse the cookie files.

If you want to know what cookies are, please access the Confidentiality Policy on our website.

Article 3.7. Data security

The Company provides and implements the technical and organizational security measures required under the law and the industry standards to protect your personal data against accidental or illegal destruction, loss, alteration , disclosure or unauthorized access as well as any other form of illegal processing. We also take measures to make sure we are using your personal data just as described in this Policy and to comply with your choices regarding your personal data processing.

Article 3.8. Disclosure to third parties

Except for the situations detailed below, we shall make no unauthorized disclosures of any information about your data. Based on your express and unequivocal consent thus given and only within the limits of the laws in force or in order to perform a legal obligation and / or to protect a lawful interest, we may deliver your personal data to:

- ✓ Providers of services in the following industries: marketing, administrative and transaction processing services;
- ✓ Other providers of services, all having executed non-disclosure agreements;
- ✓ Organizations or companies which coordinate specific surveys and which agree to keep the information received in confidence;
- ✓ State, government agencies, if the law stipulates this;
- ✓ Other authorities and bodies, in order to fulfill our legislative duties and / or to protect our lawful interests;

- ✓ Other companies with which we may develop joint bidding programs for the products and services market;
- ✓ The Companies of the Sphera Francise Group S.A Group, namely the subsidiary companies: American Restaurant System SA, US Food Network SA, California Fresh Flavors SRL as well as the affiliated companies: Moulin D'or SRL, Cinnamon Bake & Roll SRL.

The transmission of your personal data to the aforementioned recipients will be based on a non-disclosure agreement providing for an appropriate level of security on their part and guaranteeing the personal data are being safely retained.

Article 4. Rights of the natural persons

According to the legal provisions in force, data subjects benefit from the following rights:

- ✓ The right to be notified about the way of, and the reason for, using the personal data;
- ✓ The right to request copies of the personal data held by an entity (including information contained in e-mails, instant messages, notes, etc.);
- ✓ The Right to request corrections to any inaccuracies in their personal data;
- ✓ The right to order erasure of personal data (including the final erasure from the systems of the Company and of any outsourcing service provider to which the Company has allowed access);
- ✓ The right to request the Company to end personal data processing;
- ✓ The right to object to the use of their personal data for direct marketing purposes;
- ✓ The right to have any personal data that were provided to the Company transferred to another party (such as another provider of banking services) “in a structured, commonly used, machine-readable format”; and
- ✓ The right to not be subject to an automated decision-making process (namely, to a general decision issued by a system without any human intervention), where the result has a legal effect or a substantially similar effect on the person in question;
- ✓ The right to withdraw their consent when such consent was given for the purpose of one processing only;
- ✓ The right to refer to the National Supervisory Authority For Personal Data Processing where it is considered necessary.

Where the Company receives a request you submitted while exercising any of the rights mentioned above, we will reply to it within 30 days, subject to a potential extension of this deadline, only after the data subject has been notified and provided there is a good reason for the failure to send a reply within the 30-day deadline.

Article 5. Data security breach

Where personal data are lost, are damaged, stolen, compromised or following a complaint about how the Company handled these data, the Company will report the breach to the National Supervisory Authority For Personal Data Processing within 72 hours after finding that breach and should notify immediately the persons of interests, where they are likely to be affected by that incident. Moreover, the Company will make reasonable efforts to cut off the damage due to a data security breach.

Article 6. Organization and responsibilities

The responsibility for ensuring the appropriate processing of personal data lies with any person who works for or collaborates with the Company in any way and has access to the personal data processed.

Article 6.1. Contact details of DPO

If you have a question about the exercise of any of your foregoing rights or any request to submit, you should contact the local DPO at the following e-mail address: protectiadatelor@spheragroup.com . You may also submit requests in writing, to the contact address of the Company, as detailed in the introduction of this Policy.