

Privacy policy information for the “Facebook fan page”

Version: 04/04/2022

In the following Privacy Policy, CLAAS KGaA mbH (“CLAAS”) provides information about the processing of your personal data on its Facebook fan page.

Facebook (Meta Platforms Ireland Ltd., 4 Grand Canal Square Grand Canal Harbour Dublin 2 Ireland) specifies which personal data it receives from you and how this data is processed in general terms:

- Data policy (<https://www.facebook.com/about/privacy/update>)
- Cookie policy (<https://www.facebook.com/policy/cookies/printable>)
- Terms of use (<https://www.facebook.com/legal/terms?ref=pf>)

We would like to point out that you use our Facebook fan page and its functions at your own risk. This also applies to the use of interactive functions (e.g. posting comments, sharing).

A. General data protection information

I. Name and contact details of the controller

The controller is:

*CLAAS KGaA mbH
Mühlenwinkel 1
33428 Harsewinkel
Germany
infoclaas@claas.com
 (“CLAAS”)*

II. Contact details of the Data Protection Officer

The Group Data Protection Officer can be contacted as follows:

*CLAAS KGaA mbH
Data Protection Officer
Mühlenwinkel 1
33428 Harsewinkel
Germany
datenschutz@claas.com*

III. Duration of storage

CLAAS stores your personal data for only as long as is necessary to achieve the purpose of their collection or processing. To the extent necessary, CLAAS stores your data for the duration of the business relationship. This encompasses in particular the establishment and performance of the contract.

In addition, CLAAS stores your personal data to the extent and for the duration necessary for compliance with contractual or legal obligations. For instance, we process your data for

compliance with commercial or tax law obligations concerning documentation and storage. The periods of retention or documentation stipulated in these regulations are six years under commercial law pursuant to Section 257 of the German Commercial Code (HGB) and up to ten years under tax law pursuant to Section 147 of the German Fiscal Code (AO), provided that it is no longer required for tax purposes (e.g. because a company audit is still in progress). The periods begin at the end of the calendar year in which the document was created.

When the data are no longer required for compliance with contractual or legal obligations, they are ordinarily erased, unless you have given CLAAS your consent to process your data and/or further processing is necessary based on CLAAS' legitimate interests, e.g. to win back customers or for defence against legal claims in legal disputes. When data are processed for defence against legal claims in legal disputes, the duration of storage also depends on the statutory limitation periods. According to Sections 195 et seq. of the German Civil Code (BGB), these can be up to 30 years, whereby the regular limitation period is 3 years, beginning at the end of the calendar year in which the claim arises. In this case, the processing is restricted, i.e. limited to the minimum which is necessary, and blocked for other purposes.

The above shall not apply if anything to the contrary is specified in the Particular data privacy information.

I. Categories of recipients

- 1. Carefully selected service providers.** Service providers we have commissioned and who support us in executing the business relationship will receive access to the data. These are companies in the categories of hosting providers, data management, software as a service, email services, IT services (e.g. maintenance and support, data migration), consulting, service providers within the context of first, second and third-level support, call centre services, customer management, lettershops, marketing, media technology, telecommunications, customer relationship and lead management, tracking service providers, web agencies, compliance, disposal services (e.g. document shredders), companies which carry out analyses for us, financial management service providers, shipping and logistics services, printing services, technology service providers (e.g. for hardware and accessories). Please refer to the respective Particular data privacy information for any further categories of service providers used.
- 2. Transfer to third parties.** Furthermore, we transfer your data to third parties if legal or contractual provisions permit this and/or you have given us your consent. Subject to this, the data may be transferred to the following categories of recipients: Public bodies and institutions (e.g. public prosecutor's office, police, tax authorities, data privacy supervisory authority) for the processing of official enquiries, insofar as this is in your interest or we are legally obliged to do so. The legal basis is Art. 6(1) 1 f or c GDPR.
- 3. Data transmission within the CLAAS Group.** We transfer your data to other companies within the CLAAS Group or grant them access to your data. Where we do so for administrative purposes, such transfer is based on our legitimate interest in internal administrative purposes and Group reporting. The legal basis is Art. 6(1) 1 f GDPR. Where it is necessary for the initiation of a contract upon your initiative or for the fulfilment of contractual obligations or the data are transferred with your consent, the legal basis is Art. 6(1) 1 b GDPR or Art. 6(1) 1 a GDPR. Where we

are entitled to transfer the data by law, the legal basis is Art. 6(1) 1 c GDPR. Please refer to the Particular data privacy information concerning any other transfer of data to third parties.

4. **Third parties with whom we have an ongoing business relationship.** Where the transfer of data is necessary for the implementation of steps prior to entering into a contract, for compliance with contractual obligations or takes place with your consent, the legal basis is Art. 6(1) 1 b GDPR or Art. 6(1) 1 a GDPR. Where we are obliged to transfer the data by law, the legal basis is Art. 6(1) 1 c GDPR.

II. Forwarding to third countries

CLAAS will transfer data to third countries (countries outside the EU or the European Economic Area – EEA) if, for example, this is

- necessary to fulfil a contract to which you are a party or in response to your enquiries
- necessary to safeguard our legitimate interests
- prescribed by law, or if you have given us your consent
- carried out during processing where service providers are involved

In cases where no resolution of the European Commission exists regarding a level of privacy that adequately meets European privacy requirements in the relevant country, we ensure via corresponding contracts that your rights and freedoms are properly protected. Such an agreement ensures that there is an adequate level of privacy on the part of the recipient of the data, and includes agreeing on standard contractual clauses of the European Union with the recipient. Otherwise, we can also transmit data on the basis of your express consent. **You can withdraw your consent at any time with future effect, see Section A.VII.** We can provide you with more detailed information free of charge upon request using the contact details above.

Kindly take note that the following risks exist insofar as we use your consent as the sole basis for processing of data by recipients that do not provide an adequate level of data privacy: There may not be sufficient rules for the adequate protection of your personal data; there is no supervisory authority for data privacy; the exercise of your data privacy rights may be difficult or disregarded; there are no controls over the processing and transfer of data to third parties.

Please refer to the Particular data privacy information for further information.

III. Obligation to provide personal data

Unless otherwise specified in the Particular data privacy information, you are under no legal or contractual obligation to provide your data.

IV. Rights of the data subject

In accordance with Art. 15 GDPR, you have the right to obtain **information** about your stored data. If incorrect personal data has been processed, you have the right to **rectification** in accordance with Art. 16 GDPR. If the legal requirements are met, you can demand **erasure** of your personal data or **restriction of their processing** and **object** to the processing of your data (Articles 17, 18 and 21 GDPR). According to Art. 20 GDPR, you can exercise your right to **data portability** with regard to the data which are processed by automated means based on your consent or on an agreement with you.

Information regarding your right to object according to Art. 21 GDPR

1. You have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you which is based on Art. 6(1) 1 f GDPR (data processing based on a balancing of interests). This also applies to profiling as defined in Art. 4(4) GDPR which is carried out on the basis of this provision.

If you object, CLAAS will no longer process your personal data unless CLAAS can prove compelling reasons for processing which are worthy of protection and which outweigh your interests, rights and freedoms, or unless the processing serves the establishment, exercise or defence of legal claims.

2. You have the right to object at any time to the processing of data concerning you for the purpose of direct marketing, including profiling, to the extent it relates to such direct marketing.

If you object to processing for direct marketing purposes, CLAAS will no longer process your personal data for these purposes.

You may object without adherence to any formal requirements by addressing your notification, if possible, to

datenschutz@claas.com

Right to withdraw your consent in accordance with Art. 7(3) GDPR

Where you consented to the processing of your personal data, you have the right to withdraw your consent at any time. The withdrawal of your consent will not affect the lawfulness of the processing carried out on the basis of your consent up to the point of withdrawal.

Withdrawal of consent does not require any specific form. You can contact datenschutz@claas.com. Should CLAAS provide additional options for withdrawing consent (e.g. unsubscribe link in every newsletter email), you will be advised of this in the Particular data privacy information.

You may enforce your right against CLAAS without complying with any specific form. To enforce your rights, you may contact datenschutz@claas.com. If we are unable to process your query, because we do not have any control over the data processing, we will forward your query to Facebook.

In "Facebook settings", you can see how to access or erase information recorded on Facebook.

If you believe that any processing of your data infringes data protection law, you have the **right to lodge a complaint** with a data protection supervisory authority of your choice. (Art. 77 GDPR).

You can of course also complain to CLAAS' Data Protection Officer at any time (datenschutz@claas.com).

If you exercise data subject rights under data protection law, we will process your data to fulfil our legal obligations in accordance with Art. 6(1) 1 c GDPR in conjunction with Art. 15–22, 12(3–6) GDPR and Art. 7(3) GDPR. This includes the processing of your data for the purpose of clearly identifying the data subject affected by the data processing and requesting additional information to confirm your identity. We pass on data relating to data subjects to the recipients of the data within the meaning of Art. 19 GDPR, insofar as this relates to requests for rectification of the data, erasure or restriction of processing (Art. 16, 17(1), 18 GDPR) and insofar as this is necessary to effectively enforce your rights (Art. 6(1) c and f GDPR) and to notify you as the data subject (Art. 12 GDPR). We do this based on our legal obligation according to Art. 12(6) GDPR.

B. Particular data privacy information

Facebook explains how it uses your personal data from your visit to our Facebook fan page for its own purposes, to what extent activities on our Facebook fan page may be attributed to individual users, how long Facebook saves this data and whether data from a visit to our Facebook fan page is passed on to third parties in its privacy policy (<https://www.facebook.com/about/privacy/update>) and its cookie policy (<https://www.facebook.com/policy/cookies/printable>). We are not aware of any further information. In the following, we provide you with an overview of the data processing operations which occur on our Facebook fan page, to the extent that this is possible based on the information provided to us by Facebook.

I. Provision of our Facebook fan page to the general public

When you visit our Facebook fan page, your browser will establish a connection to Facebook. When this occurs, Facebook collects information about the device (e.g. characteristics of the device, identifiers, cookies). Facebook will combine this information across multiple devices which you use. Facebook uses this information for the purposes of availability, to provide cross-device customisation and to improve Facebook's products. CLAAS does not have any control over how Facebook processes data via our Facebook fan page.

If you are registered with Facebook and are logged in when you visit our Facebook fan page, Facebook will automatically link the data collected via our profile with your user account. If you do not want this to happen, you must log out of your account before visiting our Facebook fan page.

If you wish to erase the cookies which are saved on your device after visiting our fan page while logged into Facebook, you should close your browser and open it again.

II. Interaction and communication between CLAAS and the users

Our Facebook fan page also has additional features which go beyond the merely informative. For example, you can follow our Facebook fan page and comment on or share posts or send us a private message.

Facebook records the content, communications and other information which you provide when you use the various features offered on our profile (e.g. sharing our content and commenting

on posts). Metadata is also recorded (e.g. the time when you commented on a piece of content). Information about how you use our Facebook fan page (e.g. the type of content which you view and use to interact with us as well as about the duration and the frequency of your activities) is also recorded. Facebook uses this information for the purposes of availability, to provide cross-device customisation and to improve Facebook's products. CLAAS does not have any control over how Facebook processes data via our Facebook fan page.

CLAAS processes your personal data to verify and enforce claims and to mount a defence against legal claims. The legal basis is Art. 6(1) 1 point f GDPR, based on our legitimate interest in enforcing our rights/claims or to mount a defence as part of a legal dispute.

When interactions and communications occur between CLAAS and the user, we may pass on your data to third parties (e.g. service providers in the categories compliance, telecommunications, providers of analytics tools, IT service providers, marketing agencies, service providers from the field of call centre services, customer management, lettershops, marketing). We ensure that our instructions are binding, that data security is complied with and that your data is handled confidentially by means of data processing agreements. Furthermore, we may use service providers if you submit a question or query to us, e.g. a request for a brochure.

1. Public interactions

CLAAS can see if a user follows our Facebook fan page, if you follow our fan page, if you "like" (or comment on) our posts, link our fan page to your profile, upload content to our fan page or rate our fan page. We can attribute these actions to individual users under your user account. The legal basis is Art. 6(1) 1 point f GDPR, based on our legitimate interest in interacting and otherwise communicating with you and in displaying interest-targeted advertising.

We reserve the right to check comments on our fan page to prevent inappropriate content being posted on our profile. Comments can be traced back to user accounts. This check can result in the relevant comment being hidden or removed. The legal bases are Art. 6(1) 1 c GDPR and Art. 6(1) 1 f GDPR.

2. Private communications

As a user, you can contact CLAAS via Facebook Messenger. We process your personal identification data (e.g. your first name and surname) and communications content data (e.g. any messages you have left) in order to manage your request, send you our response or to track a complaint.

This is based on our legitimate interest pursuant to Art. 6(1) f GDPR in the management of concerns that you address to us, in the settlement and tracking complaints and in communicating with customers and interested parties. You have the right to object to processing, cf. Part A. VI. Where processing is necessary to take steps prior to entering into a contract, the legal basis is Art. 6(1) 1 b GDPR.

We may also transfer your data to third parties, for example the CLAAS sales partner or to the CLAAS Group company responsible for or selected by you, insofar as doing so is necessary to track and fulfil your request.

III. Handling your request using lead ads (e.g. participation in competitions, registration for newsletters or events)

CLAAS processes the personal data which you have provided in forms as part of lead ads to respond to your request. If your request is aimed at the conclusion of a contract or is submitted in relation to our contractual obligations, Art. 6(1) 1 point b GDPR is the legal basis (e.g. conclusion of a contract to participate in a competition or event). If and to the extent that you have given your consent (Art. 6(1) 1 point a GDPR) to data processing, we process your data in the scope and for the purpose specified in the declaration of consent (e.g. registration for the newsletter). You may at any time withdraw your consent to data processing with future effect, see also Section A VI. If and to the extent that the data processing is necessary to protect our legitimate interests, data processing will be done based on Art. 6(1) 1.

You can find additional information in the privacy policy which we have made available in the lead ad form.

IV. Statistics and reports about the use of the Facebook fan page

CLAAS receives statistics data from Facebook about the users (e.g. age and gender) of our Facebook fan page and information about user behaviour (e.g. activities of the user on different pages, pages visited, page previews). This data cannot be attributed to individual persons. We can use this information to adapt our website to better meet the needs and interests of the users of our Facebook fan page. The legal basis for data processing is Art. 6(1) 1 f GDPR.

CLAAS and Facebook (Meta Platforms Ireland Ltd., 4 Grand Canal Square Grand Canal Harbour Dublin 2 Ireland) are joint controllers for data processing on the Facebook fan page pursuant to Art. 26 GDPR. You can find the contract on joint responsibility, "Page Insights Controller Addendum" at: https://www.facebook.com/legal/terms/page_controller_addendum

V. Display of interest-targeted advertising

At CLAAS's request, Facebook will display interest-targeted ads on Facebook. Users may be shown ads even if they do not follow CLAAS's Facebook fan page. CLAAS has no control over which users are shown the ads. CLAAS only defines certain criteria which relate to the target group (e.g. an interest in agriculture). CLAAS does not know which users will be shown the ads, unless the user reacts to an ad by commenting on it (see also Section B. II.). The legal basis is Art. 6(1) 1 f GDPR.