

## Data protection notice for vendors/suppliers

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### **I. Introduction**

Monsanto International S.a.r.l, rue des Vignerons 1 A, Morges 1110, Switzerland ("Monsanto", "we", "our", or "us") want to facilitate our transactions with our suppliers and make collaboration with you easier.

In light, hereof, we are using SAP, ARIBA platform, RDC, Salesforce.com and other IT tools which processes certain of your personal information for procurement purposes, including the processing of purchase orders, performing mandatory due diligence, invoices and payments.

If you provide personal information of anyone other than yourself, you warrant that, prior to disclosing such personal information; you have obtained that person's consent for our processing of his/her personal information in accordance with this notice.

It is your free choice, whether or not you provide your personal data to Monsanto for the purposes below by continuing our vendor selection process. If you deny, this will be without any consequences for you; it will, however, limit our ability to facilitate our transactions with you where that information is required as such.

Your personal data will be stored and processed in accordance with the European General Data Protection Regulation ("GDPR") and the applicable local data protection legislation. In addition, our Privacy Policy applies, which can be obtained [here](#).

### **II. What personal data we collect and for what purpose**

Monsanto may collect, process and use the following categories of data:

- Identification and contact details such as: Name, full address, Phone, Fax, Mobile phone, Website, Email, IP address, cookies, Date of birth, gender, profession, sounds or images;
- Geo-location (longitude/latitude); and
- Tax code and bank details, credit and financial data including company ownership, directors, financial statements and;
- In the process of establishing our relationship with you, we have the legal obligation to perform assessments and comply with mandatory due diligence under global anti-corruption policies;
- To the extent permitted by law data relating to litigations submitted to courts and tribunals as well as to administrative judicial bodies, or publicly available information, we collect and use data relating to suspicions, prosecutions or convictions in matters of criminal offences, and administrative sanctions, as necessary for the purposes of managing our own litigations and assessing and managing risk with respect to Monsanto's regulatory compliance obligations involving money laundering, fraud, corruption, terrorism, organized crime, regulatory and suspicious activity reporting, embargos and other regulatory risks and associated obligations
- For further business reasons - Corporate audit, analysis and consolidated reporting, Supplier relationship management, accounts and records, procurement, to prepare for and carry out a merger, take-over, transfer of an undertaking, transfer of assets or any other type of corporate transaction, with regard to image and/or sound recording of Suppliers and Supplier Contact Persons, marketing/advertising and quality improvement purposes, dispute management, to deal with requests from public authorities or courts of law, to handle legal matters, training, advice and counselling purposes, compliance with the applicable laws, regulations and Monsanto policies and procedures; and/or
- Monsanto may contact you for the purpose of direct marketing (related to our contractual relationship) - which includes informing you of Monsanto products and services, special offers, invitations, newsletters by post, fax and by email, SMS, MMS and other electronic means.
- Sending you Surveys by post, fax, by email, SMS, MMS and other electronic means and analytics.

### **III. Duration of storage**

The information collected and processed for the above described purposes will be stored no longer than necessary for the indicated purpose in accordance with applicable data protection law. When Monsanto no longer needs to use your personal data, we will remove it from our systems and records and/or take steps to properly anonymize it so that you can no longer be identified from it (unless we need to keep your information to comply with legal or regulatory obligations to which Monsanto is subject). We may use your anonymized information for research and for other purposes, such as those described above. Personal data contained in contracts, communications, and business letters may be subject to statutory retention requirements, which may require a retention of up to 10 years. Any other personal data will in principle be deleted after the termination of the business relationship and in alignment with our Records Management Policy.

#### IV. Legal basis for processing

We must have a legal basis to process your personal information. In most cases the legal basis will be one of the following:

- (a) The processing is necessary for the performance of a contract to which you are a party or in order to take steps at the request of you prior to entering into a contract (Art. 6(1)(a) GDPR).
- (b) The processing is necessary for compliance with a legal obligation to which we are subject (Art. 6(1)(c) GDPR).
- (c) The processing is necessary for the purposes of the legitimate interests pursued by us or by a third party (e.g., other entities within the Monsanto Group), except where such interests are overridden by your interests or fundamental rights and freedoms which require protection of personal data (Art. 6(1)(c) GDPR). Such interests are to achieve the purposes as set out above in **Section II** and other business purposes, such as corporate audit, analysis and consolidated reporting, customer relationship management, accounts and records, procurement, to prepare for and carry out a merger, take-over, transfer of an undertaking, transfer of assets or any other type of corporate transaction. When we process personal information to meet our legitimate interests, we put in place robust safeguards to ensure that your privacy is protected and to ensure that our legitimate interests are not overridden by your interests or fundamental rights and freedoms. Additional information on this justification ground and the respective balancing of interest can be requested by contacting us using the details as set out in **Section VIII**.
- (d) You have given your consent to the processing of your personal data for one or more specific purposes (Art. 6(1)(a) GDPR, with respect to sensitive data Art. 9(2)(a) GDPR). If you have given your consent you have the right to withdraw your consent at any time by contacting us using the details as set out in **Section VIII**. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

#### V. Transfer to recipients

Within the Monsanto group: Our parent entity, Monsanto Company, in the USA and each of its affiliates and subsidiaries (each affiliate or subsidiary including us referred to as "Monsanto Affiliate" see [here](#)) may receive your personal data as necessary for the processing purposes set out above.

With certain third parties: Public authorities, suppliers, independent external advisors (such as auditors or legal advisors) and other third parties may also receive your personal data to comply with requests and legal demands.

With certain acquiring or acquired entities: If Monsanto is sold or transferred in whole or in part or if Monsanto is acquiring and integrating another entity into the Monsanto Group, your personal data will be transferred to the other entity prior to the transaction (e.g., during the diligence phase) or after the transaction, subject to any rights provided by applicable law, including jurisdictions where the other entity is located.

With data processors: Certain third party service providers such as IT support, logistics and marketing providers, whether affiliated or unaffiliated, will receive your personal data to process such data under appropriate instructions ("Processors") as necessary for the processing purposes, in particular to provide IT and other administrative support, comply with applicable laws, and other activities. The Processors will be subject to contractual obligations to implement appropriate technical and organizational security measures to safeguard the personal data, and to process the personal data only as instructed. Our third party service providers may act as independent data controllers, (as well as its appointed third party data processors) for achieving the purpose as described above. Your personal data may also be made available to third parties providing relevant services under contract to Monsanto, or the Monsanto Group for these purposes or where required by applicable laws, tax or other purposes. Personal data may also be disclosed as part of any future proposed business sale or joint venture arrangement or proposal.

You should expect that the recipients above which will receive or have access to your personal data, are located inside or outside the European Economic Area ("EEA").

- For recipients located outside of the EEA, some are certified under the EU-U.S. Privacy Shield and others are located in countries with adequacy decisions pursuant to Art. 45 GDPR. Those recipients are located in the USA (if certified under the EU-U.S. Privacy Shield) and adequacy countries of recipients [here](#)], and, in each case, the transfer is thereby recognized as providing an adequate level of data protection from a European data protection law perspective.
- Other recipients are located in countries which do not adduce an adequate level of protection from a European data protection law perspective (in particular, the USA (if not certified under the EU-U.S. Privacy Shield) link [here](#)). We will take all necessary measures to ensure that transfers out of the EEA are adequately protected as required by applicable data protection law.

With respect to transfers to countries not providing an adequate level of data protection, we will base the transfer on appropriate safeguards, such as binding corporate rules (Art. 46(2)(b), 47 GDPR), standard data protection clauses adopted by the European Commission or by a supervisory authority

(Art. 46(2)(c) or (d) GDPR), approved codes of conduct together with binding and enforceable commitments of the recipient (Art. 46(2)(e) GDPR), or approved certification mechanisms together with binding and enforceable commitments of the recipient (Art. 46(2)(f) GDPR). You can ask for a copy of such appropriate safeguards by contacting us as set out in **Section VIII** below.

## **VI. Automated decision-making**

We do not take automated decision, including profiling, referred to in Article 22(1) and (4) GDPR and, if we will do, we will provide you with at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

## **VII. Your rights**

**Right to withdraw your consent:** If you have declared your consent regarding certain types of processing activities, you can withdraw this consent at any time with future effect. Such a withdrawal will not affect the lawfulness of the processing prior to the consent withdrawal. You can withdraw your consent by contacting us using the details as set out in **Section VIII**.

**Additional data privacy rights:** Pursuant to applicable data protection law, you have the right to: (i) request access to your personal data; (ii) request rectification of your personal data; (iii) request erasure of your personal data; (iv) request restriction of processing of your personal data; (v) request data portability; and/or (vi) object to the processing of your personal data. Below please find further information on your rights to the extent that the GDPR applies. Please note that these rights might be limited under the applicable (local) data protection law.

- **Right to request access to your personal data:** As provided by applicable data protection law, you have the right to obtain from us confirmation as to whether or not personal data concerning you is processed, and, where that is the case, to request access to the personal data. The access information includes – inter alia – the purposes of the processing, the categories of personal data concerned, and the recipients or categories of recipients to whom the personal data have been or will be disclosed. However, this is not an absolute right and the interests of other individuals may restrict your right of access.

You also have the right to obtain a copy of the personal data undergoing processing free of charge. For further copies requested by you, we may charge a reasonable fee based on administrative costs.

- **Right to request rectification:** As provided by applicable data protection law, you have the right to obtain from us the rectification of inaccurate personal data concerning you. Depending on the purposes of the processing, you have the right to have incomplete personal data completed, including by means of providing a supplementary statement.
- **Right to request erasure (right to be forgotten):** As provided by applicable data protection law, you have the right to obtain from us the erasure of personal data concerning you and we may be obliged to erase such personal data.
- **Right to request restriction of processing:** As provided by applicable data protection law, you have the right to obtain from us and we may be obliged to restrict the processing of your personal data. In this case, the respective personal data will be marked and may only be processed by us for certain purposes.
- **Right to request data portability:** As provided by applicable data protection law, you have the right to receive the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format and you have the right to transmit those personal data to another entity without hindrance from us, where the processing is carried out by automated means and is based on consent pursuant to Art. 6(1)(a) GDPR or Art. 9(2)(a) GDPR or on a contract pursuant to Art. 6(1)(b) GDPR.
- **Right to object:** Under certain circumstances, you have the right to object, on grounds relating to your particular situation, at any time to the processing of your personal data by us which is based on Art. 6(1)(f) GDPR and we are required to no longer process your personal data. If you have a right to object and if you exercise this right, your personal data will no longer be processed for such purposes by us. You may exercise this right by contacting us using the details as set out in **Section VIII**.

To exercise your rights please contact us as stated in **Section VIII** below.

You also have the right to lodge a complaint with the competent data protection supervisory authority in the relevant Member State [here](#) (e.g., the place where you reside, work, or of an alleged infringement of the GDPR).

## **VIII. Contact details of Monsanto as well as of the Data Protection Officer**

Monsanto International S.a.r.l, rue des Vignerons 1 A, Morges 1110, Switzerland

[emea.datasubjectrights@monsanto.com](mailto:emea.datasubjectrights@monsanto.com) is the controller responsible for the personal information we collect and process.

Our EME Data Protection Officer can be contacted at: [dan.manolescu@monsanto.com](mailto:dan.manolescu@monsanto.com)

*One copy of this document is for your records.*