

# SGS NORTH AMERICA INC. DATA PRIVACY AND CCPA NOTICE

SGS North America Inc. and each business line (collectively, "SGS," the "Company," "we," "us" and "our") are committed to having a strong program in place for protecting consumer data and complying with state and federal privacy laws that impose requirements on SGS to protect consumer data and grant rights to consumers with respect to their own data. There are three aspects to SGS's consumer data privacy program: (i) data management; (ii) data security and protection; and (iii) incorporation of consumer data privacy rights and protections. In addition to the Company's data privacy program, each business line may also have contractual obligations of data confidentiality and security with each of its clients.

To have an effective and comprehensive data protection and privacy policy, the Company must understand the consumer data that the Company collects, stores, uses or discloses. Each business line maintains an inventory that documents the data location (where the data is stored), data flow (how, when and with whom the Company receives or shares the data) and the method and manner under which data is transferred.

SGS implements and maintains reasonable administrative, technical and physical safeguards to protect the security, confidentiality and integrity of consumer data. The safeguards we employ are designed to protect against any reasonably foreseeable threats or hazards to the security or integrity of data, and protect against unauthorized access or use of that information that could result in substantial harm or inconvenience to our clients and consumers. The specific safeguards are designed to control the risks identified. The safeguards may include physical controls, policies and procedures, service provider and vendor agreements, restrictions to access, such as locks and/or passwords, training, monitoring and other reasonable safeguards. The Company conducts periodic risk assessments to evaluate the adequacy of its administrative, technical and physical safeguards.

The Company and/or its clients may be subject to state or federal laws which establish privacy and consumer data protection principals. The Company and each business line are mindful of whether consumers' have the right to know what data is collected and stored, how it is used and to whom it is disclosed and, potentially, the right to restrict those activities. If the business line performs services or activities involving protected health information for or on behalf of healthcare providers, the business line will be subject to and comply with the Health Information Portability and Accountability Act. If the business line receives non-public personal information from a client that is a financial institution, the business line will be subject to and comply with the Gramm-Leach-Bliley Act. If a business line collects personal information on California residents, the business line will be subject to and comply with the California Consumer Privacy Protection Act.

Finally, all Company employees, including managers, are required to comply with SGS's Data Protection and Privacy Policy, and receive periodic training regarding its requirements.

## 1. DATA CONTROLLER AND CONTACT DETAILS

The Company is responsible, as a controller, for collecting and processing the Data in the context of our business relationship and, in particular, in order to provide services as part of the execution of our contractual obligations with our Customer or to carry out pre-contractual steps as part of an offer for services or for entering into a contract with Customer.

If you have any questions or comments about this Notice, please contact us:

- by e-mail at [privacy.us@sgs.com](mailto:privacy.us@sgs.com);
- through the online privacy request form available at <https://www.sgs.com/en/online-privacy-statement/privacy-request-form>;
- by telephone at 866-747-7748 if you would like to unsubscribe from SGS email global marketing communications: visit <https://www.sgs.com/en/newsletters/update-subscription>

## 2. CATEGORIES AND TYPES OF DATA COLLECTED AND PROCESSED

The Data processed by the Company as a data controller may include:

For most of our services:

- contact information (name, home and/or business address, telephone, email addresses) (identifiers);
- financial details (tax identification and bank account details) ("personal information" defined in the California Customer Records law); and
- Any information that you voluntarily share with us such as feedback, opinions or information provided via any of our helplines.

For some of our services, we may also collect additionally:

- personal information (date of birth, nationality, pictures, electronic identification data such as cookies, IP addresses and passwords) (for further information please see the [Cookie Policy](#)) (collectively, internet and electronic network activity information);
- professional and employment information (education and training);
- any data gathered as part of a 3rd party conformity assessment/ audit;
- Device information such as IP address, referring website, SGS pages your device visited and the time that your device visited our website;
- Internet log information and details, collected through our third parties such as Google Analytics, that does not specifically identify you; and
- any other data which we process in the context of our business relationship as per the specific applicable contract terms or General Conditions.

## 3. PURPOSE AND LEGAL BASIS OF THE PROCESSING AND NATURE OF THE PROVISION OF DATA

Company will always process the Data for a specific purpose and will only process the Data which is relevant to achieve that purpose. In particular, Company will process personal data on the following legal basis and for the following purposes:

### a. For fulfillment of contractual obligations.

Data is processed to provide our services in the context of carrying out our contracts with our Customers and for managing our business relationship with them and ensure the proper execution of services, for instance by handling Customer service related queries and issuing invoices or making payments. The purposes of data processing are primarily in compliance with the specific service. You can find other details about the purposes of data processing in the relevant contract documents and terms and conditions.

### b. In the context of legitimate interests.

Where required and without unduly affecting Customers' privacy interests or fundamental rights and freedoms, Company process the Data beyond the actual fulfillment of the contract for the purposes of Company's legitimate interests pursued directly by the Company or by a third party. These legitimate interests may include:

- Performing our services;
- Contacting Customers for direct marketing purposes about services Company think will be of interest to Customers, including those offered by SGS Group affiliates;
- Helping Company to learn more about its Customers, the products and services they receive, and other products and services they may be interested in receiving by conducting opinion research;
- Assessing legal claims and defending in legal disputes;
- guaranteeing Company's IT security infrastructure and environment; and
- risk management and compliance.

### c. As a result of your consent.

As long as you have granted us consent to process the Data for certain purposes (e.g. marketing purposes), this processing is legal on the basis of your consent. Your consent is always optional and can be withdrawn at any time. This also applies to withdrawing declarations of consent that were given to Company before the GDPR came into force, i.e. before 25th May, 2018. For the avoidance of doubt, withdrawal of consent shall not affect the legality of data processed prior to such withdrawal.

The logo for SGS, consisting of the letters "SGS" in a bold, sans-serif font. A vertical orange line is positioned to the right of the letters, and a horizontal orange line is positioned below the letters, forming an L-shaped graphic element.

d. *Due to legal obligations or in the public interest.*

Furthermore, we are subject to various legal obligations, i.e. regulatory and statutory requirements. Purposes of processing include fulfilling control and reporting obligations under fiscal laws or, in certain cases, due to accreditation and/or certification mandatory requirements. Where the personal data we collect is needed to meet Company legal or regulatory obligations or enter into an agreement with you or is needed for legitimate purposes, if Company cannot collect this personal data Company will be unable to engage you as a customer or provide its services and fulfill its contractual obligations (in which case Company will inform you accordingly).

#### 4. WHO HAS ACCESS TO DATA AND TO WHOM IT IS SHARED

The Data may be disclosed:

- a. within the SGS Group to other SGS affiliates in order to provide services to Customers and ensure a consistent standard of service across our group. SGS Group Affiliates will act as data processors or as autonomous data controllers depending on the circumstances and purposes.
- b. to third parties who need to carry out specific activities in relation to the Data, according to the purposes of the processing, or to service providers who provide services to Company such as IT and hosting providers, marketing providers, debt collection providers, sub-contractors. When we do so we take steps to ensure they meet our data security standards, so that your personal data remains secure.
- c. to authorities, entities and/or subjects to whom they must be communicated according to legal or contractual mandatory provisions. These authorities, bodies and/or subjects will act as independent data controllers.
- d. in other circumstances such as acquisitions and sale to third party prospecting companies when we envisage selling or transferring part or all of our business providing that all contract measures are taken to ensure they meet our security standards so that your personal data remains secure.

#### 5. INTERNATIONAL TRANSFER OF DATA

When Data is transferred, we ensure that we have taken steps to protect the Data before transfer.

SGS transfers Data across national boundaries within the SGS Group or outside the SGS Group only when:

- a. this is justified for business purposes; and
- b. safeguards have been implemented to ensure that Data will continue to be protected at a minimum with the same level of protection required in the jurisdiction of origin. To ensure this level of protection for your personal information, SGS may use a data transfer agreement with the third-party recipient based on standard

contractual clauses approved by the European Commission or ensure that the transfer is to a jurisdiction that is the subject of an adequacy decision by the European Commission or to the US under the EU- US Privacy Shield framework.

Any transfer of the Data to international organizations and/or non-EEA countries will take place according to one of the methods permitted by current legislation.

#### 6. HOW DATA IS PROTECTED

The Company implements appropriate technical and organizational measures to protect personal data against unauthorized, accidental or unlawful destruction, loss, alteration, misuse, disclosure or access and against all other unlawful forms of processing.

These security measures have been implemented taking into account the state of the art of technology, their cost of implementation, the risks presented by the processing and the nature of the personal data, with particular care for sensitive data. In particular, adequate awareness, confidentiality undertakings and training are in place to ensure that Data is not shared or disclosed to unauthorized persons.

#### 7. HOW LONG DATA IS STORED

The Data will be stored on paper and/ or electronically for only the time necessary for the purposes for which it was collected, respecting the principles of limitation of conservation and minimization.

The Data will be kept to comply with regulatory obligations and to pursue the above-mentioned purposes, in compliance with the principles of necessity, minimization and adequacy.

The Company may retain Data after termination of the contractual relationship to fulfill regulatory and/or contractual and tax obligations or in case of legal claims. Subsequently, when the aforementioned reasons for the processing will cease, the Data will be anonymized, deleted or destroyed.

#### 8. DATA SUBJECTS RIGHTS

Each Data subject can exercise the following rights by sending a request in writing to the Company at the above- mentioned contact details, to the extent permitted by law in the country where the data subject resides or is a national citizen of, as the case may be:

- To access: you can obtain information relating to the processing of your Data and a copy of such Data.
- To erase: you can require the deletion of your Data, to the extent permitted by law.
- To object: you can object to the processing of your Data, on grounds relating to your particular situation. In cases of opposition to the processing of data, the Company reserves the right to assess the application, which will not be accepted if there are legitimate reasons to proceed with the processing that prevail over your freedoms, interests and rights.

- To rectify: where you consider that your Data is inaccurate or incomplete, you can require that such Data be modified accordingly.
- To restrict: you can request the restriction of the processing of your Data.
- To withdraw your consent: where you have given your consent for the processing of your Data, you have the right to withdraw your consent at any time.
- To data portability: you have the right to have the Data you have provided to us returned to you or, where technically feasible, transferred to a third party.

We strive to maintain good customer relations and deal with your issues to your satisfaction. If you are not satisfied with Company's answer or processing of your Personal Data, please contact us via the methods listed in section 1 above. Should you not be satisfied with us or you believe that the processing of your Data is contrary to the legislation in force, you have the right to lodge a complaint to a supervisory authority.

The Company is committed to keeping your personal data accurate and up to date. Therefore, if your personal data changes, please inform us of the change as soon as possible.

#### 9. ANTI-DISCRIMINATION

SGS will not discriminate against you for exercising any of your rights stated above. Specifically, unless permitted by law, SGS will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

#### PRIVACY NOTICE STATUS AND UPDATE

This Data Privacy Notice was updated in January 2020. Company reserves the right to amend it from time to time by publishing an updated version on <https://www.sgs.com/en/privacy-at-sgs>. The new modified or amended privacy statement will apply from that revision date. Therefore, we encourage you to review this privacy statement periodically to be informed about how we are protecting your personal data.

Please check the file name of the documents. The one with HR at the end stands for High Resolution while the other one colorful squares is PR or the Print-Ready file.

WHEN YOU NEED TO BE SURE