

INFORMATION TO BE PROVIDED TO THE DATA SUBJECT
DATA COLLECTED FROM THE DATA SUBJECT
(pursuant to Article 13 GDPR 2016/679)

Dear Data Subject,

Below we provide you with some information that must be brought to your attention, not only to comply with legal obligations, but also because transparency and fairness towards data subjects are a fundamental part of our activity.

DATA CONTROLLER

The Data Controller of your personal data is **Fresh Ways s.r.l.**, represented by its legal representative pro tempore, who is responsible for the lawful and correct use of your personal data and may be contacted for any information or request at the following contact details:

Data Controller:

Fresh Ways s.r.l., represented by its legal representative pro tempore

Registered office:

Via Enrico Fermi, 14 - 20875 Burago di Molgora (MB), Italy

Contacts:

Website: <https://www.freshways.it>

Telephone: +39 039635891

E-mail: gdpr@freshways.it

PURPOSES OF THE PROCESSING, LEGAL BASIS AND TYPES OF DATA PROCESSED

The provision of data by the Supplier, or data acquired during the performance of the contractual relationship, is necessary for the conclusion and execution of the contract. Any refusal to provide such data will make it impossible to conclude the contract.

Personal data are collected and processed for the purposes listed below, together with the relevant legal basis:

a) Management of the contractual relationship (Art. 6, para. 1, letter b GDPR)-

- Management and execution of the transport contract (bookings, loading orders, deliveries, collections, returns, non-conformities, complaints).
- Management of contractual communications (PEC, e-mail, registered letters, emergencies).

b) Administrative, accounting and tax management (Art. 6, para. 1, letter c GDPR)

- Management of administrative, tax and accounting relations (issue and registration of invoices, credit notes, payments and reimbursements);
- Management of cash on delivery collections on behalf of the Controller, as contractually agreed.

c) Compliance with legal obligations (Art. 6, para. 1, letter c GDPR)

- Fulfilment of legal, tax, civil, transport, food safety and ATP/HACCP regulatory obligations;
- Verification of compliance with safety regulations (Legislative Decree 81/2008), Highway Code and sector-specific regulations;
- Retention of documentation as required by law;
- Response to requests from competent authorities.

d) Protection of the Controller's rights in judicial or extrajudicial proceedings (Art. 6, para. 1, letter f GDPR)

- Management of any disputes, defence of the Controller's rights in judicial or extrajudicial contexts.

TYPES OF DATA PROCESSED

Processing concerns personal data such as:

Identification and contact data of the Supplier and its representatives:

- Name, surname, company name;
- Tax code, VAT number;
- Address (registered/operational office);
- Telephone number, e-mail address;
- Contact person details.

Registration and authorisation data:

- Registration in the hauliers' register;
- HACCP manual;
- Other certifications and authorisations.

Administrative and accounting data:

- Bank details;
- IBAN;
- Billing data;
- Data relating to payments, cash on delivery and reimbursements.

Service execution data:

- Transport documents;
- Loading orders;
- Delivery/collection data;
- Anomalies and non-conformities;
- Temperature records;
- Vehicle maintenance certificates.

Contractual and emergency communication data:

- Emergency contact persons;
- Telephone numbers;
- Dedicated e-mail addresses.

SPECIAL CATEGORIES OF PERSONAL DATA

No special categories of data are processed (Art. 9 GDPR).

RECIPIENTS

Your data may be disclosed to the recipients or categories of recipients listed below:

Categories of recipients

Employees and collaborators of the Controller, duly authorised;
Partners and subcarriers authorised by the Supplier and communicated to Fresh Ways,
within the limits of contractual activities;
Tax, accounting and legal consultants;
Credit institutions for payment management;
Competent authorities, where required by law or regulations.

TRANSFERS TO THIRD COUNTRIES

No dissemination of personal data or transfer outside the EU is envisaged, except for specific international transport needs. In such cases, transfers will take place in compliance with Articles 44 et seq. GDPR, through:

- Adequacy decisions by the European Commission;
- Standard contractual clauses approved by the Commission;
- Approved certifications.

DATA RETENTION PERIOD

Personal data will be retained according to the following criteria:

During the contractual relationship

For the entire duration of the contract.

After termination of the relationship

a) Accounting and tax documentation:

- 10 years after termination of the relationship pursuant to Art. 2220 of the Italian Civil Code;
- In accordance with applicable tax provisions.

b) Contractual documentation:

- 10 years after termination for possible contractual disputes (Art. 2946 of the Italian Civil Code).

c) Transport documentation:

- According to sector-specific regulations.

d) Dispute management:

- For the time necessary to manage and resolve any disputes, but in any case not beyond the applicable limitation periods.

Data will be deleted at the end of the periods indicated, unless further retention is required by law.

RIGHTS OF THE DATA SUBJECT

The data subject may exercise the following rights at any time:

Right of access (Art. 15 GDPR):

- Obtain confirmation of whether processing exists;
- Access personal data and information about processing.

Right to rectification (Art. 16 GDPR):

- Correct inaccurate data;
- Complete incomplete data.

Right to erasure (Art. 17 GDPR):

- Obtain deletion of data in the cases provided by law;
- Limitations: this right does not apply when processing is necessary for legal obligations or for the establishment, exercise or defence of legal claims.

Right to restriction (Art. 18 GDPR):

- Obtain restriction of processing in the cases provided.

Right to data portability (Art. 20 GDPR):

- Receive data in a structured, machine-readable format;
- Transfer data to another controller (only for processing based on consent or contract).

Right to object (Art. 21 GDPR):

- Object to processing based on legitimate interest;
- Always object to processing for direct marketing.

Right to withdraw consent:

- Withdraw consent given (without affecting the lawfulness of processing prior to withdrawal).

It is also always possible to lodge a complaint with the Italian Data Protection Authority (www.garanteprivacy.it).

Please note that:

You have a contractual obligation to provide your data; failure to do so constitutes a breach of the relevant clauses. Knowledge of your personal data is a necessary requirement for the conclusion of the contract, and it will not be possible to proceed with its execution in their absence.

HOW TO EXERCISE YOUR RIGHTS

How to exercise your rights:

- Send a written request to: gdpr@freshways.it
- Clearly specify the subject of the request;
- Attach a copy of your identity document.

Response times:

- Within 30 days of receiving the request;
- Possible extension of 60 days in complex cases (with justified notification).

Free of charge:

- Exercising rights is free of charge;
- Additional costs may apply only in the case of manifestly unfounded or excessive requests.

Right to lodge a complaint:

You may lodge a complaint with the Italian Data Protection Authority:

Website: www.garanteprivacy.it

E-mail: protocollo@gpdp.it

PEC: protocollo@pec.gpdp.it

Telephone: +39 06.696771

AUTOMATED DECISION-MAKING AND PROFILING

The company does not use automated decision-making processes or profiling activities that produce legal effects or significantly affect the data subject.

SECURITY MEASURES

Fresh Ways s.r.l. adopts appropriate technical and organisational measures to ensure a level of security appropriate to the risk, including:

- Encryption of sensitive data;
- Access and authentication controls;
- Regular backups and disaster recovery procedures;

- Staff training on data protection;
- Procedures for managing potential data breaches.

Burago di Molgora, _____

Digitally signed by the Data Controller
pursuant to Legislative Decree 82/2005 and related regulations
Fresh Ways s.r.l., represented by its legal representative *pro tempore*