

# DATA PROTECTION POLICY FOR WEBSITE - WWW.NIQUI.ES

## **Data Protection Policy of FRUTAS NIQUI MADRIMPORT, S.L.**

### **1. Who is the Data Controller of your data?**

The Data Controller of the data processing referring to the different processes regarding the management of users, clients and potential clients, collaborators and suppliers is **FRUTAS NIQUI MADRIMPORT, S.L.** with registered office in Mercamadrid, Parcela J-3 28053 Madrid (province of MADRID) and VAT Number B79650305 .

For the purposes of our Data Protection Policy, the contact telephone number is 915073300 and the contact email is administracion@niqui.es.

Likewise, we inform you that in the processing of data in terms of management of Users, Customers and Suppliers, there are no entities Co-responsible for the Treatment.

### **2. What kind of data do we have about you and how have we obtained them?**

The categories of personal data that FRUTAS NIQUI MADRIMPORT, S.L. deals with about its users includes:

- ✓ Identification personal data
- ✓ Postal or electronic email, telephone contact number
- ✓ Commercial information
- ✓ Economic and transaction data

In no case do we process specially protected data.

All the aforementioned data we have obtained or directly from you through the presentation of a commercial offer, contractual proposal, etc. or through your company to provide us with identification data and other information necessary to carry out the purpose of the contractual relationship between the parties. It will be an obligation of yours or your company to provide us with the updated data in case of modification.

Regarding data on job candidates, we have obtained your personal data by submitting a CV on your behalf or obtaining your application through the services of an employment portal. In the latter case, you have authorized said transfer of your personal data to our company when inserting your curricular data in the employment portal.

### **3. How long will we keep your data?**

The personal data related to individuals linked to potential customers, customers and suppliers that FRUTAS NIQUI MADRIMPORT, S.L. collects through the different contact and / or information collection forms will be kept as long as the deletion is not requested by the interested party. The personal data provided by our customers and suppliers will be kept while the commercial relationship between the parties is maintained, respecting in all cases the minimum legal terms of conservation according to the matter.

In any case, FRUTAS NIQUI MADRIMPORT, S.L. will keep your personal data for a period of time that is reasonably necessary, taking into account our needs to respond to issues that arise or solve problems, make improvements, activate new services and meet the requirements required by applicable law. This means that we can keep your personal data for a reasonable period of time even after you have stopped using our products or have stopped using this website. After this period, your personal data will be deleted from all systems of FRUTAS NIQUI MADRIMPORT, S.L..

#### 4. What is the legal basis for processing your data?

In FRUTAS NIQUI MADRIMPORT, S.L. we process the personal data provided by data subjects in order to manage different activities derived from specific procedures performed in sales, after sales service, supplier management, candidate management, quality of services, etc. In this way, we will use your data to carry out some of the following actions based on the respective legal basis:

<b>PURPOSE OF THE PROCESSING ACTIVITY</b>	<b>LEGAL BASIS</b>
<b>Management of the contracting of clients both as a natural and legal person.</b>	Execution (pre)contract
<b>Surveillance and control of access to the facilities for security reasons</b>	Accomplishment of the task in the public interest or in the exercise of official authority of the person concerned
<b>Exercise of the power of business control of the entity through the use of video surveillance circuit</b>	Legitimate interest of the person in charge
<b>Management of requests for information that arrive through web forms or social networks</b>	Consent of the affected party
<b>Fiscal, accounting and administrative management with professional collaborators, commission agents, etc.</b>	Execution (pre)contract
<b>Processes of search, evaluation and selection of candidates</b>	Consent of the affected party; Execution (pre)contract
<b>Management of advertising and marketing operations for customer loyalty</b>	Legitimate interest of the person in charge
<b>Accounting, tax, administrative and invoicing management of clients</b>	Consent of the affected party; Execution (pre)contract
<b>Customer service management</b>	Execution (pre)contract
<b>Management of the processing of requests for the exercise of rights in the field of data protection</b>	Regulatory obligation
<b>Fiscal, accounting and invoicing management with suppliers</b>	Execution (pre)contract
<b>Management of commercial credit liens</b>	Regulatory obligation

Regarding legal basis mentioned above, you are obliged to provide personal data, in the event that you do not provide your personal data, your contract can not be executed or comply with legal obligations or derived from official authority.

We will not create commercial profiles based on the information provided and consequently we will not make automated decisions about you based on a commercial profile.

#### 5. To which recipients will your data be communicated?

FRUTAS NIQUI MADRIMPORT, S.L. will never share your personal data with any third parties that intends to use them in their direct marketing actions, except in the case that you have expressly authorized us to do so.

We inform you that we can provide your personal data to Public Administration bodies and competent authorities in those cases that FRUTAS NIQUI MADRIMPORT, S.L. receives a legal requirement by said Authorities or in cases that acting in good faith, we consider that such action is reasonably necessary to comply with a court process; to answer any claim or legal claim; or to protect the rights of FRUTAS NIQUI MADRIMPORT, S.L. or its customers and the general public.

We inform you that your data or data of third parties communicated by you or your company will not be transferred or communicated to third parties except legal obligation, being the company the only responsible for its treatment and custody.

FRUTAS NIQUI MADRIMPORT, S.L. can provide your personal data to third parties (for example, Internet service providers that help us manage our website or carry out the contracted services, support companies and IT maintenance, logistics companies, agencies and tax and accounting advice, etc.). In any case, these third parties must maintain, at all times, the same levels of security as FRUTAS NIQUI MADRIMPORT, S.L. in relation to your personal data and, when necessary, are bound by legal commitments in order to keep your personal data private and secure, and in order to use only the information following specific instructions from FRUTAS NIQUI MADRIMPORT, S.L..

We inform you that FRUTAS NIQUI MADRIMPORT, S.L. may communicate your data, according to the purpose of the service provided, to the following recipients located outside the EU, having said data flow considered international data transfer in accordance with current regulations:

List of Recipients of International Transfers of regarding the management of Users, Clients and Suppliers NIQUI FRUITS MADRIMPORT, S.L.				
Recipient's name	Destination country	Purpose of DATA transfer	Enabling international transfer	Recipient's profile <sup>1</sup>
MAILCHIMP	USA	Sending mailing	Standard Contractual Clauses approved by the EU Commission	Data Processor

<sup>1</sup> **DATA Processor:** third party that provides services to our entity, DATA processing is done under our instructions and responsibility

**Sub Data Processor:** third party that provides us services indirectly by providing services to our DATA Processor. The Sub DATA Processor obeys the work instructions given by the main DATA Processor and consequently is under the control of our entity as DATA Controller.

**data Assignee:** third party that obtains the DATA based on a legal authorization, need to facilitate the provision of a service or the consent of the interested party. Once the DATA has been communicated, the transferee becomes the DATA Controller with respect to the assigned data.

## 6 . What are your rights as affected or interested person?

Anyone has the right to obtain confirmation on whether FRUTAS NIQUI MADRIMPORT, S.L. is processing personal data concerning him/her, or not.

In particular Data Subjects can request the right of access to their personal data, as well as receive them in a structured, commonly used and machine readable format (Right to data portability).

Likewise, Data Subjects may request the right to rectify inaccurate data or, if appropriate, request its deletion when, among other reasons, the data is no longer necessary for the purposes that were collected.

In addition, in certain circumstances, the data subjects may request the limitation of the processing of their data, or in certain circumstances and for reasons related to their particular situation, Data Subjects may exercise their right to object their personal data. FRUTAS NIQUI MADRIMPORT, S.L. will stop processing the data, except for compelling legitimate reasons, or the exercise or defense of possible claims or in those exceptions established in the applicable regulations.

Likewise, we inform you that you have the right to erasure the given consents at any time, without affecting the legality of the processing based on the prior consent to its withdrawal.

Likewise, the User is informed that at any time he / she can exercise the aforementioned rights by writing to us using the contact data that appear in Section 1, 'data Controller' of the present Personal Data Protection Policy FRUTAS NIQUI MADRIMPORT, S.L. attaching a copy of a personal identification document. Likewise, you can send us an email to the following address [administracion@niqui.es](mailto:administracion@niqui.es).

You will also have the right to bring and action before the Spanish Data Protection Agency, especially when you have not obtained satisfaction in the exercise of your rights.

**Agencia Española de Protección de Datos.**  
**C/ Jorge Juan, 6**  
**28001 – Madrid**  
**Telf. 901100099 / 912663517**

## **7. Protection of personal data in use of the web page's users.**

In accordance with the current Regulation (EU) 2016/679, FRUTAS NIQUI MADRIMPORT, S.L. informs that the personal data of the users of the website (such as the data you provide us with through the completed forms and the metadata associated with such forms: date, time of sending, sending IP, etc.) will be treated for the processing activity indicated in each form of data collection from our website on behalf of FRUTAS NIQUI MADRIMPORT, S.L.. Said processing of your data will be processed because of your consent. By clicking on the "SEND" button, the User consents to the processing of his/her personal data by FRUTAS NIQUI MADRIMPORT, S.L..

Also, we inform you that except legal obligation or express consent on your part FRUTAS NIQUI MADRIMPORT, S.L. will not communicate your data to third parties.

Likewise, the Data Subject is informed that at any time he or she may exercise the rights of access, rectification or erasure of data as well as having other rights recognized in this document and regulated in Regulation (EU) 2016/679, notifying them to FRUTAS NIQUI MADRIMPORT, S.L., (province of ), e-mail: .

Furthermore, in accordance with the provisions of Law 34/2002, of July 11, Services of the Information Society and Electronic Commerce, undertakes not to send advertising through email without having previously obtained the explicit consent of the recipient. The Data Subject may oppose the sending of advertising by checking the corresponding box.

## **8. Other information of interest about our privacy policy**

### **8.1 Security measures**

adopts the security levels required by the European and Spanish regulations in force in data protection taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing, as well as the risks of varying likelihood and severity for rights and freedoms of natural persons posed by the processing.

### **8.2 Data processing of minors**

Under the Regulation (EU) 2016/679 and the LOPDGDD 3/2018, minors over 14 years of age can give their consent to the contracting of services of the information society, such as registration in a forum, the completion of a contact form, etc. However, it will be the responsibility of to verify the accuracy of the indicated age by the minor.

For the processing of data minors below the age of 14, such processing shall be lawful only if and to the extent that consent is given or authorized by the holder of parental responsibilities over the child.

### **8.3 Modifications of our Data Protection and Privacy Policy**

Please, note that may update or change this Data Protection Policy for Clients, Suppliers and Users. Please check this section regularly to see what changes may have existed and how they may affect you.

### **8.4 Why is it necessary to accept this Data Protection and Privacy Policy?**

This section of the Data Protection Policy for Clients, Suppliers and Users of the website provides you in an easy accessible way all the necessary information so that you can know the type of personal data that maintain on Clients, Suppliers and Users, the purposes pursued, the rights that DATA protection regulations recognize you as a Data Subject and how to exercise those rights. Therefore, with the deliberate sending of your personal DATA through our means of contact and / or with the beginning of the commercial relationship with our company, we consider that you acknowledge and accept the processing of your personal data as described in this policy. This personal information will only be used for the purposes for which you have provided it or certain national or regional regulations enable us to do so.

In any case, we must warn you that a refusal on your part to provide certain requested information could hinder the development of the contractual relationship between the parties with possible serious consequences at the time of providing the various benefits contemplated in the commercial contract with the contracting party.

If you have any questions regarding this section of Personal Data Protection Policy for Clients, Suppliers and Users of please contact the company using the address provided in the first section 'Data Controller' and We will be happy to assist you and answer any additional questions you may want to.

#### **9. Applicable legislation**

These conditions shall be governed at all times by the provisions of Spanish and European legislation on the protection of personal data and privacy.