



Customer Service Activities

– Privacy Statement –

In the following, Bayer (Pty) Ltd, 27 Wrench Road, Isando, 1600, South Africa wishes to provide you with information on how we handle your personal data in the context of your customer service activities.

A. Purposes of processing your personal data and data categories

I. General inquiries to our customer / financial service

When you communicate with us via phone, email, fax or letter, we process your email address or phone number, the information you provide to us (e.g. your name and further contact information provided in your email footer, such as address or department information), the content of your message or any email-attachments as well as the meta data of the communication (e.g. time stamp, IP address, mail user agents, servers used in transit, phone number, phone extension, type of phone, etc.). In addition to this, we will classify the reason why you contacted us (e.g. request to place a new order, request on shipment status of an order, request for invoice copies, account statements, etc.). We use this personal data to be able to efficiently communicate with you.

The legal basis for processing your personal data for general inquiries (such as questions regarding your order or delivery times) is Section 13 of The Protection of Personal Information Act 4 of 2013 (“POPIA”) but may vary depending on the purpose you are contacting us.

II. Order Processing

If you place an order with our customer service via phone, email, fax or letter, we submit your personal data as order requester into our order management and Customer Relation Management (CRM) systems:

- **Process your order and deliver service to you:**
To be able to process any purchase order you make, which includes processing your payment, creating an invoice and organizing shipment to you, we may need to process the following personal data from you:
 - Contact information (e.g., your name, address, phone/fax/mobile-number, e-mail or other online contact information).
 - Banking information (e.g. credit card information, bank account information)

- **Purchase history and our CRM system:**
We maintain a CRM system where we store your contact information and your purchase history. We use this information to better understand your interests and inform you about our products and services that might interest you as well. Furthermore, this enables us to better provide you with support in case you might need it.



- **Credit check if you purchase on account:**

If you choose to pay on account, we perform a credit check to protect us against payment defaults. For more details, please refer to the table below.

III. Improving our services

To improve our services, we may use your email-address to ask for your feedback (e.g. regarding customer / financial service, on delivery time, quality of the delivery and accuracy of invoicing). You may at any time object to the use of your email-address for the purposes of collecting your feedback by sending an email to za_data_privacy@bayer.com

For quality purposes we might record your inquiry addressed to our customer service staff. However, this is subject to your explicit consent, according to Section 15 (2) of POPIA.

Overview: In the table below, we summarize our processing of your personal data, including the respective legal bases for data processing. We also explain our legitimate interests where appropriate.

Purpose	Legal basis	Explanation	Provision of personal data required	Consequences of failure to provide personal data
Process your purchase order and deliver service to you	Section 13 POPIA	Personal data necessary for the performance of a contract with you.	Yes	We are not able to process your purchase order
Purchase history and our CRM system	Section 15 (2) POPIA	Our legitimate interest is based on our need to be able to manage our customer relations and to secure a successful business.	No	We cannot send you customized information
Credit check if you purchase on account	Section 15 POPIA	Our legitimate interest is because we would like to protect ourselves against payment defaults.	No	You are not able to use the payment method payment on account, in which case you need to pay in advance
Collect your feedback to improve our services	Section 15 POPIA	We have a legitimate interest to ask our customers how our products and services were perceived	No	We are not able to collect your feedback to improve our services
Ensure quality of our services	Section 15 POPIA	Subject to your consent, we record your calls with our service center to ensure high quality of our services.	No	We cannot learn from the service operation to improve our services.



IV. Information on side effects and quality complaints

The customer / financial service is not intended for communications regarding side effects, lack of therapeutic effect, medication errors, grey market products/counterfeit medicine, incorrect or off-label use, quality complaints and/or other issues regarding the safety or quality of Bayer products. If you wish to report side effects or make a quality complaint, please contact your health care professional (e.g. physician or pharmacist), your local health authority, or use our <https://www.bayer.com/en/health/report-side-effect> for the report of undesirable side effects.

If you nevertheless report to us undesirable side effects or other issues regarding the safety or quality of Bayer products, we will be legally bound to deal with your communication and may have to contact you for clarification purposes. Subsequently, we may have to notify the competent health authorities of the issues reported by you. In this context, your information will be forwarded in pseudonymized form, i.e. no information by which you may be directly identified will be passed on. We may also have to forward these pseudonymized notifications to our group companies and cooperation partners, to the extent these are likewise obliged to notify their respectively competent health authorities.

B. Retention period for personal data

Your personal data in the context of customer service activities will be stored for as long as is necessary for achieving the purpose for which the information was collected or subsequently processed, unless-

- I. Retention of the record is required or authorized by law.
- II. The responsible party reasonably requires the record for lawful purposes related to its functions or activities.
- III. Retention of the record is required by a contract between the parties thereto, or
- IV. The data subject or a competent person where the data subject is a child has consented to the retention of the record.

Records of personal information may be retained for periods in excess of those contemplated above for historical, statistical or research purposes if the responsible party has established appropriate safeguards against the records being used for any other purposes. This period may need to be prolonged e.g., to fulfill legal archiving duties we have according to applicable tax laws. The general retention period for emails is four years.

C. Transfer of personal data

I. Commissioned Processing

In the context of customer service activities, we will to some extent use specialized service contractors who act as our data processors. Such service contractors are carefully selected and regularly monitored by us. They will only process personal data in accordance with our instructions and based on an appropriate data processing agreement.



To support the majority of our customer service activities, we have chosen Accenture Services GmbH, Campus Kronberg 1, 61476 Kronberg i. Taunus, Germany.

II. Third Parties

Furthermore, we may share personal data **with third parties** that process personal data as part of their business purposes that are part of the overall customer service activities, for example logistic service providers. An operator or anyone processing personal information on behalf of a responsible party or an operator (third party), must: - process such information only with the knowledge or authorization of the responsible party; and treat personal information which comes to their knowledge as confidential and must not disclose it, unless required by law or in the course of the proper performance of their duties.

III. Processing of data outside the European Economic Area

Your personal data may be transferred to a country for which the European Commission has not decided that it ensures an adequate level of data protection. In such cases, we apply appropriate safeguards to meet GDPR requirements for such transfers. These may include the standard data protection clauses as provided by the European Commission. You can obtain a copy of them by contacting our Data Privacy Officer using the contact details set out below.

D. Information regarding your rights

The following rights are in general available to you according to applicable data privacy laws:

- A data subject has the right to have his, her or its personal information processed in accordance with the conditions for the lawful processing of personal information as referred to in Chapter 3 of POPIA, including the right-
 - to be notified that-
 - Personal information about him, her or it is being collected as provided for in terms of section 18 of POPIA; or
 - His, her or its personal information has been accessed or acquired by an unauthorized person as provided for in terms of Section 22 of POPIA.
 - to establish whether a responsible party holds personal information of that data subject and to request access to his, her or its personal information as provided for in terms of section 23 of POPIA.
 - to request, where necessary, the correction, destruction, or deletion of his, her or its personal information as provided for in terms of section 24 of POPIA.
 - to object, on reasonable grounds relating to his, her or its particular situation to the processing of his, her or its personal information as provided for in terms of section 11(3)(a) of POPIA.
 - to object to the processing of his, her or its personal information.



- not to have his, her or its personal information processed for purposes of direct marketing by means of unsolicited electronic communications except as referred to in section 69(1) of POPIA.
- not to be subject, under certain circumstances, to a decision which is based solely on the basis of the automated processing of his, her or its personal information intended to provide a profile of such person as provided for in terms of section 71 of POPIA.
- to submit a complaint to the Regulator regarding the alleged interference with the protection of the personal information of any data subject or to submit a complaint to the Regulator in respect of a determination of an adjudicator as provided for in terms of section 74 of POPIA.
- to institute civil proceedings regarding the alleged interference with the protection of his, her or its personal information as provided for in section 99 of POPIA.

If you wish to exercise your rights, please address your request to the contact indicated below.

E. Contact

For any questions you may have with respect to data privacy, please write an e-mail to za_data_privacy@bayer.com or contact our company data protection officer at the following address:

Bayer (Pty) Ltd
27 Wrench Road
Isando, 1600
South Africa

F. Amendment of Privacy Statement

We may update our Privacy Statement from time to time. Updates of our Privacy Statement will be published on this Website. Any amendments become effective upon publication on our Website. We therefore recommend that you regularly visit the site to keep yourself informed on possible updates.

Last updated : **24.02.2023**