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## Otafuku GDPR Privacy Policy

Otafuku Sauce Co., Ltd. and [its group companies](#) (“**Otafuku Group Companies**”, “**we**”, or “**our**”) are committed to protecting personal data, in accordance with applicable data protection laws and regulations. This policy applies to you (a) if you interact with Otafuku Group Companies and you are based in the European Economic Area (“**EEA**”) or (b) if you interact with Otafuku Group Companies based in the EEA or (c) if GDPR otherwise applies.

This policy is intended to inform you, in accordance with Regulation (EU) No. 2016-679 of April 27, 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (hereinafter the “**GDPR**”), of our practices regarding the collection, use and sharing of information that you may provide to us.

This policy also describes your data protection rights, including the right to object to some of the processing which we carry out. More information about your rights, and how to exercise them, is set out in the [“Your Rights”](#) section.

### 1. What personal data do we collect?

We collect and process personal data about you when you interact with us and our websites, and when you receive communications from us or otherwise communicate with us, when your organization is our business partner and we deal with you in that capacity. This includes:

- **Identifiers and contact information:** name, gender, age, date of birth, phone numbers, e-mail address, postal or physical address;
- **Commercial and transaction information:** payment/billing information, order and billing history;
- **Professional or other demographic information:** company name, title, occupation, job function, entity categories, industry sector, and company information about the company where you work;
- **Allergy information:** details regarding any allergy information you provide to us with your consent;
- **Analytics or other electronic network activity:** information regarding your device (such as your IP address, device identifiers, networks, browser and operating system), how you use our websites, and browsing history, geolocation information;

- **Others:** other categories of personal data necessary for the purposes described in the [“Purpose of processing personal data and legal basis”](#) section (if required under applicable law, we will notify you of the categories of such personal data separately).

We will not obtain or use sensitive information that reveals your data concerning health, genetic data, data concerning sexual orientation, or the like, unless provided for in laws and ordinances or your consent to us doing so.

You may be required to provide us with certain data because the provision of personal data is required by law or contract, or is necessary to enter into a contract with us. In this case, if you do not provide your personal data, we may not be able to provide you with our service.

When we collect your data, we will inform you whether certain data is mandatory or optional, where appropriate.

## 2. Purpose of processing personal data and legal basis

We use your personal data for the purposes described below, based on the legal bases set out for each purpose.

Purpose for processing	Legal basis for processing
<ul style="list-style-type: none"> <li>• Fulfilling our contractual obligations in relation to transactions between you and us, including, without limitation, processing your orders and payments;</li> </ul>	<p>This processing, <a href="#">except for the processing of allergy information</a>, is necessary for us to perform the contract to which you are party.</p> <p><a href="#">For allergy information, processing is based on your explicit consent.</a></p>
<ul style="list-style-type: none"> <li>• Communicating with you about the products, services, campaigns and events offered by us, including responding to your enquiries and complaints and providing news and information which we think will be of interest to you</li> </ul>	<p>This processing is based on your consent when required by GDPR (<a href="#">for example, the processing of allergy information is based on your explicit consent.</a>).</p> <p>If this is not the case, then this processing will be based on the legitimate interest of us to inform you about its products and services.</p>

<ul style="list-style-type: none"> <li>• Permitting you to participate in surveys, campaigns, and customer prizes;</li> </ul>	<p>This processing is based on your consent.</p>
<ul style="list-style-type: none"> <li>• Monitoring and analyzing trends, usage and the status of activities in connection with our goods and services, with an aim to improve or develop our goods and services;</li> </ul>	<p>If such data is collected using cookies, then this processing of personal data is based on your consent. When this is not the case, this processing of personal data will be based on the legitimate interest of us to facilitate the use of services provided online and to improve the functioning of these services.</p>
<ul style="list-style-type: none"> <li>• Detecting, investigating and preventing fraudulent transactions and other illegal activities; and protecting our legitimate business interests and rights, and the safety and security of your, our customers and other affected parties;</li> </ul>	<p>This processing is necessary for us to comply with our legal obligations and can also be based on the legitimate interest of us to prevent fraud and ensure the compliance with our terms of use.</p>
<ul style="list-style-type: none"> <li>• Distributing targeting advertisement to you</li> </ul>	<p>This processing is based on your consent.</p>
<ul style="list-style-type: none"> <li>• Reporting internally within Otafuku Group Companies and conducting internal group company audits;</li> </ul>	<p>This processing is based on the legitimate interest of us to monitor its business activities.</p>
<ul style="list-style-type: none"> <li>• Responding to legitimate requests for disclosure of information made by law enforcement or governmental authorities or by court order;</li> </ul>	<p>This processing is necessary for us to comply with our legal obligations to the extent that it is required to respond to such requests. If this is not the case, this processing of personal data is based on the legitimate interest of us.</p>

<ul style="list-style-type: none"> <li>Responding to any request from the data subject;</li> </ul>	<p>This processing, <u>except for the processing of allergy information</u>, is based on the legitimate interest of us to answer to the data subjects' requests. <u>For allergy information, processing is based on your explicit consent.</u></p> <p>When data subjects exercise their rights under the GDPR, the processing of their data is necessary for us to comply with our legal obligations.</p>
<ul style="list-style-type: none"> <li>Carrying out any other purpose described to you at the time personal data was collected;</li> </ul>	<p>Legal basis described to you at the based at the time personal data was collected.</p> <p><u>For allergy information, processing is based on your explicit consent.</u></p>

### 3. How long do we retain your personal data?

If your personal data collected by us is no longer necessary, we will delete or anonymize the personal data. However, your data may be archived for longer periods for the purposes of investigating, recording and prosecuting criminal offences, with the sole aim of making your data available to the judicial authorities, where necessary. Your data is also archived for evidentiary purposes in accordance with the applicable legal provision. Archiving means that your data will no longer be available for consultation online, but will be extracted and stored on an autonomous and secure medium.

### 4. How do we collect personal data?

We obtain your personal data directly from you (including cases where personal data is automatically obtained). However, we may obtain your personal data indirectly from a third party in the following cases:

- When obtaining personal data from other companies among Otafuku Group Companies;
- When a customer or any other similar trading partner is an entity, and we obtain the personal data of the entity's officers and employees from the entity;
- When obtaining personal data from website traffic analysis service providers, such as Google LLC; and

- Any other cases where personal data is lawfully obtained from a third party (including public information).

We may collect personal data automatically, as well as obtain it through data inferences.

## **5. With whom do we share personal data?**

We may share personal data, as outlined in the [“What personal data do we collect?”](#) section, with third parties in the following cases:

- Sharing of personal data with Otafuku Group Companies to fulfill the purposes stated in the [“Purpose of processing personal data and legal basis”](#) section;
- Sharing of personal data with processors (meaning service providers that provide services necessary for the business activities of us including distributors of products and services, IT companies that support our website, online services and other business systems, payment services providers that process your payments for a service, advertising service providers, website traffic analysis service providers such as Google LLC, attorneys, accountants, financial advisors, and the like) to fulfill the purposes stated in the [“Purpose of processing personal data and legal basis”](#) section;
- Sharing of personal data associated with the corporate sale, merger, acquisition, or other transfer of all or part of our assets;
- Sharing of personal data that is required by laws or orders of governmental agencies and the like;
- Sharing of personal data with a third party that is (i) necessary for the protection of the life, body, or property of us, you, or a third party and (ii) permitted by applicable data protection regulations; and
- Sharing of personal data that is otherwise permitted under applicable data protection regulations.

## **6. Cross-border transfers**

Due to the global nature of our business, your personal data will be disclosed to Otafuku Group Companies outside of the EEA including, in particular, to Japan as a Japanese headquartered company. The European Commission have determined that Japan offers an adequate level of protection – you can find out more in the adequacy decision [here](#). We rely on these decisions for EEA-Japan transfers.

We also transfer your personal data to some third parties which host or access personal data outside of the EEA. Where these locations do not provide an adequate level of data protection, we ensure appropriate safeguards are in place to protect the transfer of your personal data to these countries. Some of these countries are subject to a European Commission adequacy decision. For other countries, we have put in place European Commission-approved standard contractual clauses within group companies or with the relevant third party to protect this personal data. We also rely on other permitted data

transfer mechanisms such as relying on the relevant third-party corporate rules (approved by EU data protection authorities and put in place to protect your personal data).

A copy of the relevant mechanism can be obtained for your review on request by using the contact details below.

## **7. Security measures**

We will take necessary and appropriate measures such as countermeasures against unauthorized access and computer viruses to prevent loss, destruction, falsification, leaking, and the like of personal data.

We will exercise necessary and appropriate supervision over our employees, contractors to protect personal data.

## **8. Cookies**

Cookies and other similar technologies are used on certain pages of our website and other third party websites. Cookies are a technology for communicating between the website's server and the browser. With cookies, your viewing history of a certain website such as the Group's website is recorded, which makes your use of the internet more beneficial. Cookies are widespread as a standard technology of the internet, and are used by many sites for the purpose of improving customer convenience, displaying advertising to customers and collecting statistics.

By changing the cookie settings, you can block cookies. However, by blocking cookies, you may become unable to use some of the services on the site. Furthermore, depending on your usage environment (such as browser settings and internet connection), it may not be possible to block cookies.

## **9. Your rights**

You have a number of legal rights in relation to the personal data that we hold about you. These rights include:

- the right to obtain information regarding the processing of your personal data and access to the personal data which we hold about you;
- the right to request that we rectify your personal data if it is inaccurate or incomplete;
- the right to request that we delete your personal data;
- the right to obtain the personal data you provide in a structured, machine-readable format;

- the right to object to the processing of your personal data in some circumstances (in particular, where we don't have to process the data to meet a contractual or other legal requirement);
- the right to object to us about our processing of your personal data;
- the right to withdraw your consent to our processing of your personal data. (This right only exists where we are relying on consent to process your personal data. Withdrawal of consent will not affect the lawfulness of processing based on consent before its withdrawal.)
- the right to lodge a complaint with your local data protection supervisory authority.

You can exercise your rights by contacting us at the contact details set out in the [“Contact us”](#) section. Also, please note that you may need to submit additional information to us to verify your identity before we process your request.

These rights may be limited, for example if fulfilling your request would reveal personal data about another person, or if you ask us to delete information which we are required by law or have compelling legitimate interests to keep.

In some cases, we are able to send you direct marketing without your consent, where we rely on our legitimate interests. You have an absolute right to opt-out of direct marketing, or profiling we carry out for direct marketing, at any time. You can do this by following the instructions in the communication where this is an electronic message, or by contacting us using the details set out below.

If you have unresolved concerns, you have the right to complain to a data protection authority in the country where you live, work, or where you believe a breach has occurred. If you are in the EEA, you can find contact details of your local competent data protection supervisory authority [here](#).

## **10. Contact us**

For questions and inquiries regarding this privacy policy, please contact us using the following contact details:

[kokusai@otafuku.co.jp](mailto:kokusai@otafuku.co.jp)

## **11. Policy Changes**

We may modify this policy from time to time and will post the updated policy with a “Last Updated” effective date for the revisions. We recommend that you review this policy periodically. We will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data.