

Privacy policy

We are very pleased about your interest in our company. Data protection is of particularly high importance to the management of BIOCHAR GmbH & Co. KG. In principle, the use of the BIOCHAR GmbH & Co. KG website is possible without providing any personal data. However, if a data subject wishes to use special services of our company via our website, the processing of personal data may become necessary. If the processing of personal data is required and there is no legal basis for such processing, we generally obtain the consent of the data subject.

The processing of personal data, such as the name, address, email address, or telephone number of a data subject, is always carried out in accordance with the General Data Protection Regulation and in compliance with the country-specific data protection regulations applicable to BIOCHAR GmbH & Co. KG. Through this privacy policy, our company aims to inform the public about the nature, scope, and purpose of the personal data we collect, use, and process. Furthermore, this privacy policy serves to inform data subjects about their rights.

BIOCHAR GmbH & Co. KG, as the controller responsible for processing, has implemented numerous technical and organizational measures to ensure the most comprehensive protection possible for personal data processed via this website. Nevertheless, internet-based data transmissions may inherently have security vulnerabilities, meaning absolute protection cannot be guaranteed. For this reason, every data subject is free to transmit personal data to us through alternative means, such as by telephone.

1. Definition

The privacy policy of BIOCHAR GmbH & Co. KG is based on the terminology used by the European legislator for directives and regulations when enacting the General Data Protection Regulation (GDPR). Our privacy policy is intended to be easily readable and understandable for the public as well as for our customers and business partners. To ensure this, we would like to explain the terminology used in advance.

In this privacy policy, we use, among others, the following terms:

Personal Data

Personal data means any information relating to an identified or identifiable natural person (hereinafter “data subject”). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

Data Subject

A data subject is any identified or identifiable natural person whose personal data is processed by the controller responsible for the processing.

Processing

Processing means any operation or set of operations performed on personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction.

Restriction of Processing

Restriction of processing is the marking of stored personal data with the aim of limiting its processing in the future.

Profiling

Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person’s performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location, or movements.

Pseudonymization

Pseudonymization is the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data is not attributed to an identified or identifiable natural person.

Controller or Data Controller

The controller or data controller is the natural or legal person, public authority, agency, or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data. Where the purposes and means of

such processing are determined by Union law or Member State law, the controller or the specific criteria for its nomination may be provided for by Union law or Member State law.

Processor

A processor is a natural or legal person, public authority, agency, or other body that processes personal data on behalf of the controller.

Recipient

A recipient is a natural or legal person, public authority, agency, or another body to which personal data is disclosed, whether a third party or not. However, public authorities that may receive personal data in the framework of a particular inquiry in accordance with Union law or Member State law shall not be regarded as recipients.

Third Party

A third party is a natural or legal person, public authority, agency, or body other than the data subject, controller, processor, and persons who, under the direct authority of the controller or processor, are authorized to process personal data.

Consent

Consent is any freely given, specific, informed, and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

2. Name and Address of the Controller Responsible for Processing

The controller within the meaning of the General Data Protection Regulation, other data protection laws applicable in the Member States of the European Union, and other provisions of a data protection nature is:

BIOCHAR GmbH & Co. KG
Sudetenstraße 8
36129 Gersfeld
Germany

Phone: +49 (0) 6654 37 29 80

Fax: +49 (0) 6654 37 29 899

E-Mail: info@biochar.de

Website: <https://www.biochar.de/>

3. Cookies

The websites of BIOCHAR GmbH & Co. KG use cookies. Cookies are text files that are stored on a computer system via an internet browser.

Numerous websites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a string of characters through which websites and servers can be associated with the specific internet browser in which the cookie was stored. This enables visited websites and servers to distinguish the individual browser of the data subject from other internet browsers that contain different cookies. A specific internet browser can be recognized and identified via the unique cookie ID.

By using cookies, BIOCHAR GmbH & Co. KG can provide users of this website with more user-friendly services that would not be possible without the placement of cookies.

Through a cookie, the information and offers on our website can be optimized in the interest of the user. Cookies allow us, as previously mentioned, to recognize the users of our website. The purpose of this recognition is to facilitate the use of our website for users. For example, a user of a website that uses cookies does not need to re-enter their login details each time they visit the website, as this is handled by the website and the cookie stored on the user's computer system. Another example is the cookie of a shopping cart in an online shop. The online shop remembers the items a customer has placed in the virtual shopping cart via a cookie.

The data subject can prevent the placement of cookies by our website at any time by adjusting the settings of the internet browser used, thereby permanently objecting to the placement of cookies. Furthermore, cookies that have already been set can be deleted at any time via an internet browser or other software programs. This is possible in all common internet browsers. If the data subject deactivates the placement of cookies in the internet browser used, not all functions of our website may be fully usable.

4. Collection of General Data and Information

The website of BIOCHAR GmbH & Co. KG collects a series of general data and information with each visit to the website by a data subject or an automated system. This general data and information is stored in the server's log files. The following may

be collected: (1) the browser types and versions used, (2) the operating system used by the accessing system, (3) the website from which an accessing system reaches our website (so-called referrers), (4) the subpages accessed via an accessing system on our website, (5) the date and time of access to the website, (6) an Internet Protocol address (IP address), (7) the Internet service provider of the accessing system, and (8) other similar data and information that serve to protect against threats in the event of attacks on our information technology systems. We store your IP address when you visit our website for a maximum of 7 days to detect and defend against attacks.

When using this general data and information, BIOCHAR GmbH & Co. KG does not draw any conclusions about the data subject. Rather, this information is needed to (1) deliver the content of our website correctly, (2) optimize the content of our website and its advertising, (3) ensure the long-term functionality of our information technology systems and the technology of our website, and (4) provide law enforcement authorities with the information necessary for prosecution in the event of a cyberattack. This anonymously collected data and information is therefore evaluated by BIOCHAR GmbH & Co. KG both statistically and with the aim of increasing data protection and data security within our company, ultimately ensuring an optimal level of protection for the personal data we process. The anonymous data from the server log files is stored separately from all personal data provided by a data subject.

5. Subscription to Our Newsletter

On the website of BIOCHAR GmbH & Co. KG, users are given the opportunity to subscribe to our company's newsletter. The personal data transmitted to the data controller when ordering the newsletter is determined by the input form used for this purpose.

BIOCHAR GmbH & Co. KG regularly informs its customers and business partners about company offers via a newsletter. The newsletter of our company can generally only be received if (1) the data subject has a valid email address and (2) the data subject registers for the newsletter subscription. For legal reasons, a confirmation email is sent to the email address initially entered by the data subject for newsletter delivery using the double opt-in procedure. This confirmation email serves to verify whether the owner of the email address has authorized the receipt of the newsletter as the data subject. When registering for the newsletter, we also store the IP address assigned by the Internet Service Provider (ISP) to the computer system used by the data subject at the time of registration, as well as the date and time of registration. The collection of this data is necessary to be able to track any (potential) misuse of a data subject's email address at a later point in time and therefore serves the legal protection of the data controller.

The personal data collected as part of a newsletter subscription is used exclusively for sending our newsletter. In addition, newsletter subscribers may be informed by email if this is necessary for the operation of the newsletter service or for related registration purposes, such as in the case of changes to the newsletter offering or modifications to technical conditions. No personal data collected as part of the newsletter service will be shared with third parties.

The newsletter subscription can be canceled by the data subject at any time. The consent to the storage of personal data that the data subject has provided for newsletter delivery can be revoked at any time. A corresponding link for revoking consent is included in every newsletter. Furthermore, it is possible to unsubscribe from the newsletter at any time directly on the website of the data controller or to communicate this request to the data controller by other means.

6. Newsletter-Tracking

The newsletters of BIOCHAR GmbH & Co. KG contain so-called tracking pixels. A tracking pixel is a miniature graphic embedded in emails sent in HTML format to enable log file recording and analysis. This allows for a statistical evaluation of the success or failure of online marketing campaigns. Using the embedded tracking pixel, BIOCHAR GmbH & Co. KG can determine whether and when an email was opened by a recipient and which links contained in the email were clicked by the recipient.

The personal data collected through tracking pixels in newsletters is stored and analyzed by the data controller to optimize newsletter delivery and tailor future newsletter content more effectively to the interests of the recipient. This personal data is not shared with third parties. Data subjects have the right to revoke their separate consent, provided via the double opt-in procedure, at any time. Upon revocation, this personal data will be deleted by the data controller. Unsubscribing from the newsletter is automatically considered a revocation by BIOCHAR GmbH & Co. KG.

7. Contact option via the website

The website of BIOCHAR GmbH & Co. KG contains information required by law that enables quick electronic contact with our company and direct communication with us, including a general address for electronic mail (email address). If a data subject contacts the data controller via email or a contact form, the personal data transmitted by the data subject is automatically stored.

Such personal data, voluntarily provided by a data subject to the data controller, is stored for the purpose of processing the request or contacting the data subject. This personal data is not shared with third parties.

8. Routine deletion and blocking of personal data

The controller shall process and store the personal data of the data subject only for the period necessary to achieve the purpose of storage, or as far as this is granted by the European legislator or other legislators in laws or regulations to which the controller is subject to.

If the storage purpose no longer applies or if a storage period prescribed by the European legislator or another competent legislator expires, the personal data is routinely blocked or erased in accordance with the statutory provisions.

9. Rights of the data subject

Right to Confirmation

Every data subject has the right, granted by the European legislator, to obtain confirmation from the data controller as to whether personal data concerning them is being processed. If a data subject wishes to exercise this right, they may contact an employee of the data controller at any time.

Right to Access

Every data subject affected by the processing of personal data has the right, granted by the European legislator, to obtain free information from the data controller at any time about the personal data stored about them and to receive a copy of this information. Furthermore, the European legislator grants the data subject the right to access the following information:

- The purposes of the processing
- The categories of personal data being processed
- The recipients or categories of recipients to whom the personal data has been or will be disclosed, particularly in the case of recipients in third countries or international organizations
- If possible, the planned duration for which the personal data will be stored, or, if this is not possible, the criteria used to determine this duration
- The existence of a right to rectification or erasure of personal data concerning them or to restrict processing by the controller, or a right to object to such processing
- The existence of a right to lodge a complaint with a supervisory authority
- If the personal data is not collected from the data subject: any available information about the data source
- The existence of automated decision-making, including profiling, pursuant to Article 22(1) and (4) of the GDPR and—at least in these cases—meaningful information about the logic involved, as well as the significance and the intended consequences of such processing for the data subject

The data subject also has the right to be informed whether personal data has been transferred to a third country or an international organization. If this is the case, the data subject has the right to be informed of the appropriate safeguards related to the transfer.

If a data subject wishes to exercise this right of access, they may contact an employee of the data controller at any time.

Right to Rectification

Every data subject affected by the processing of personal data has the right, granted by the European legislator, to request the immediate rectification of inaccurate personal data concerning them. Furthermore, the data subject has the right to request the completion of incomplete personal data, including by means of a supplementary statement, considering the purposes of the processing.

Right to Erasure ("Right to be Forgotten")

Every data subject affected by the processing of personal data has the right, granted by the European legislator, to request that the controller erase personal data concerning them without undue delay if one of the following reasons applies and processing is not necessary:

- The personal data is no longer necessary for the purposes for which it was collected or otherwise processed.
- The data subject withdraws their consent on which the processing is based according to Article 6(1)(a) GDPR or Article 9(2)(a) GDPR, and there is no other legal basis for the processing.
- The data subject objects to the processing pursuant to Article 21(1) GDPR, and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) GDPR.
- The personal data has been unlawfully processed.
- The personal data must be erased to comply with a legal obligation under Union or Member State law to which the controller is subject.
- The personal data has been collected in relation to the offer of information society services as referred to in Article 8(1) GDPR.

If one of the above reasons applies and a data subject wishes to request the erasure of personal data stored by BIOCHAR GmbH & Co. KG, they may contact an employee of the data controller at any time. The employee of BIOCHAR GmbH & Co. KG will arrange for the erasure request to be complied with immediately.

If the personal data has been made public by BIOCHAR GmbH & Co. KG and our company, as the controller, is obliged to erase the personal data pursuant to Article 17(1) GDPR, BIOCHAR GmbH & Co. KG shall take reasonable measures, including technical ones, considering available technology and implementation costs, to inform other controllers processing the published personal data that the data subject has requested the erasure of all links to such personal data or copies or replications thereof, provided that processing is not necessary. The employee of BIOCHAR GmbH & Co. KG will take the necessary steps in each case.

Right to Restriction of Processing

Every data subject affected by the processing of personal data has the right, granted by the European legislator, to request that the controller restrict processing if one of the following conditions applies:

- The accuracy of the personal data is contested by the data subject for a period enabling the controller to verify the accuracy of the personal data.
- The processing is unlawful, the data subject opposes the erasure of the personal data, and instead requests the restriction of its use.
- The controller no longer needs the personal data for processing purposes, but the data subject requires it for the establishment, exercise, or defense of legal claims.
- The data subject has objected to processing pursuant to Article 21(1) GDPR, pending the verification of whether the legitimate grounds of the controller override those of the data subject.

If one of the above conditions applies and a data subject wishes to request the restriction of personal data stored by BIOCHAR GmbH & Co. KG, they may contact an employee of the data controller at any time. The employee of BIOCHAR GmbH & Co. KG will arrange for the restriction of processing.

Right to Data Portability

Every data subject affected by the processing of personal data has the right, granted by the European legislator, to receive the personal data concerning them, which they have provided to a controller, in a structured, commonly used, and machine-readable format. They also have the right to transmit this data to another controller without hindrance from the original controller, provided that the processing is based on consent pursuant to Article 6(1)(a) GDPR or Article 9(2)(a) GDPR, or on a contract pursuant to Article 6(1)(b) GDPR, and the processing is carried out by automated means, unless the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority.

Furthermore, in exercising their right to data portability pursuant to Article 20(1) GDPR, the data subject has the right to have the personal data transmitted directly from one controller to another, where technically feasible and provided that this does not adversely affect the rights and freedoms of others.

Right to Object

Every data subject affected by the processing of personal data has the right, granted by the European legislator, to object at any time, on grounds relating to their particular situation, to the processing of personal data concerning them based on Article 6(1)(e) or (f) GDPR. This also applies to profiling based on these provisions.

BIOCHAR GmbH & Co. KG shall no longer process the personal data in the event of an objection unless we can demonstrate compelling legitimate grounds for the processing that override the interests, rights, and freedoms of the data subject or the processing serves the establishment, exercise, or defense of legal claims.

If BIOCHAR GmbH & Co. KG processes personal data for direct marketing purposes, the data subject has the right to object at any time to the processing of personal data for such marketing. If the data subject objects to processing for direct marketing purposes, BIOCHAR GmbH & Co. KG will no longer process the personal data for these purposes.

Right to Withdraw Data Protection Consent

Every data subject affected by the processing of personal data has the right, granted by the European legislator, to withdraw consent to the processing of personal data at any time.

If the data subject wishes to exercise the right to withdraw consent, they may contact an employee of the data controller at any time.

10. Data protection provisions about the application and use of Google Analytics (with anonymization function)

The data controller has integrated the Google Analytics component (with anonymization function) on this website. Google Analytics is a web analytics service. Web analytics involves the collection, gathering, and evaluation of data on the behavior of website visitors. A web analytics service collects data on, among other things, the website from which a person has accessed a website (known as the referrer), which subpages of the website were accessed, or how often and for what duration a subpage was viewed. Web analytics is primarily used to optimize a website and to analyze the cost-benefit of internet advertising.

The operator of the Google Analytics component is **Google Inc., 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, USA.**

The data controller uses the "_gat._anonymizeIp" extension for web analysis via Google Analytics. This extension ensures that Google shortens and anonymizes the IP address of the data subject's internet connection when accessing our website from a member state of the European Union or another contracting state of the Agreement on the European Economic Area.

The purpose of the Google Analytics component is to analyze visitor flows on our website. Google uses the collected data and information, among other things, to evaluate the use of our website, to compile online reports for us that show activities on our web pages, and to provide other services related to the use of our website.

Google Analytics places a cookie on the data subject's IT system. The definition of cookies has already been explained above. The placement of this cookie allows Google to analyze the use of our website. Each time an individual page of this website, which is operated by the data controller and into which a Google Analytics component has been integrated, is accessed, the web browser on the data subject's IT system is automatically prompted by the respective Google Analytics component to transmit data to Google for online analysis. As part of this technical process, Google gains knowledge of personal data, such as the IP address of the data subject, which Google uses, among other things, to track the origin of visitors and clicks and subsequently enable commission settlements.

Through the use of cookies, personal information such as the time of access, the location from which access was made, and the frequency of visits to our website by the data subject is stored. Each time our website is visited, these personal data, including the IP address of the data subject's internet connection, are transmitted to Google in the United States of America. These personal data are stored by Google in the United States of America. Google may transfer these personal data collected through this technical process to third parties.

The data subject may prevent the setting of cookies by our website at any time, as explained above, by adjusting the settings of the web browser used and thus permanently objecting to the setting of cookies. Such a setting in the web browser used would also prevent Google from placing a cookie on the data subject's IT system. Additionally, a cookie already set by Google Analytics can be deleted at any time via the web browser or other software programs.

Furthermore, the data subject has the option of objecting to and preventing the collection of data generated by Google Analytics in connection with the use of this website, as well as the processing of these data by Google. To do this, the data subject must download and install a browser add-on from the following link: <https://tools.google.com/dlpage/gaoptout>. This browser add-on informs Google Analytics via JavaScript that no data or information about website visits may be transmitted to Google Analytics. The installation of the browser add-on is considered an objection by Google. If the data subject's IT system is later deleted, formatted, or reinstalled, the data subject must reinstall the browser add-on to disable Google Analytics again. If the browser add-on is uninstalled or deactivated by the data subject or another person within their sphere of influence, it is possible to reinstall or reactivate the browser add-on.

Alternatively, you can prevent Google Analytics from collecting your data by clicking on the following link. An opt-out cookie will be set to prevent future data collection when you visit this website: **Disable Google Analytics**.

Further information and the applicable Google privacy policy can be found at <https://www.google.de/intl/de/policies/privacy/> and at <http://www.google.com/analytics/terms/de.html>. Google Analytics is further explained at the following link: https://www.google.com/intl/de_de/analytics/.

11. Legal basis of the processing

Article 6(1)(a) GDPR serves as the legal basis for processing activities for which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to which the data subject is a party—such as processing required for the delivery of goods or the provision of another service or consideration—then the processing is based on Article 6(1)(b) GDPR. The same applies to processing operations necessary for carrying out pre-contractual measures, such as inquiries about our products or services.

If our company is subject to a legal obligation requiring the processing of personal data, such as for tax compliance, the processing is based on Article 6(1)(c) GDPR.

In rare cases, the processing of personal data may be necessary to protect the vital interests of the data subject or another natural person. For example, this could be the case if a visitor is injured on our premises and their name, age, health insurance details, or other essential information must be disclosed to a doctor, hospital, or other third parties. In such cases, the processing would be based on Article 6(1)(d) GDPR.

Finally, processing operations may be based on Article 6(1)(f) GDPR. This legal basis applies to processing operations not covered by the aforementioned legal grounds when processing is necessary for the legitimate interests of our company or a third party, provided that the interests, fundamental rights, and freedoms of the data subject do not override these interests. Such processing activities are particularly permitted because they have been specifically acknowledged by the European legislator. In this regard, it was considered that a legitimate interest could be assumed if the data subject is a customer of the data controller (Recital 47, Sentence 2 GDPR).

12. Legitimate interests in the processing pursued by the controller or a third party

Where the processing of personal data is based on Article 6 I lit. f GDPR, our legitimate interest is the performance of our business activities for the benefit of the well-being of all our employees and our shareholders.

13. Duration for which the personal data is stored

The criterion for the duration of the storage of personal data is the respective statutory retention period. After this period has expired, the corresponding data is routinely deleted, provided that it is no longer required for contract fulfillment or contract initiation.

14. Legal or contractual provisions for the provision of personal data; necessity for the conclusion of the contract; obligation of the data subject to provide the personal data; possible consequences of non-provision

We would like to inform you that the provision of personal data is partly required by law (e.g. tax regulations) or may also result from contractual provisions (e.g. information on the contractual partner). Sometimes it may be necessary for a contract to be concluded for a data subject to provide us with personal data that must subsequently be processed by us. For example, the data subject is obliged to provide us with personal data if our company concludes a contract with them. Failure to provide the personal data would mean that the contract with the data subject could not be concluded. Before personal data is provided by the data subject, the data subject must contact one of our employees. Our employee will inform the data subject on a case-by-case basis whether the provision of the personal data is required by law or contract or is necessary for the conclusion of the contract, whether there is an obligation to provide the personal data and what the consequences would be if the personal data were not provided.

15. Existence of automated decision-making

As a responsible company, we do not engage in automated decision-making or profiling.

This privacy policy was generated using the Privacy Policy Generator of DGD Deutsche Gesellschaft für Datenschutz GmbH, which acts as an external data protection officer in Kempten, in cooperation with IT and data protection lawyer Christian Solmecke.