



## Personal Data Processing Policy

[www.taco-bell.ro](http://www.taco-bell.ro) and [comanda.taco-bell.ro](http://comanda.taco-bell.ro)

Date of the last update: 19 August 2021

### Art. 1. General information

In carrying out its activity, CALIFORNIA FRESH FLAVORS SRL, with the registered office in Bucharest, 239 Calea Dorobanti, room 11, 2<sup>nd</sup> floor, Sector 1, Bucharest, registered with the Trade Register Office attached to the Bucharest Court under no. J40/9570/2017, with the Tax Identification Number 37783734 (the "Company"), processes your personal data when you access the websites [www.taco-bell.ro](http://www.taco-bell.ro), [comanda.taco-bell.ro](http://comanda.taco-bell.ro) (the "Websites"). The Company ensures, at all times, the observance of all the principles and of the legislation on the protection of personal data, regarding the processing, collection, storage and transfer of the personal data, as they are governed by the legislation in force, as well as by the provisions of Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (the "GDPR").

This policy sets out the key principles regarding data protection and how the Company manages the personal data you provide to us by accessing the Websites. The Company shall ensure the update of this Policy and shall publish on its websites its latest version.

### Definitions

The following definitions of the terms used in this document are taken from article 4 of the GDPR:

**Personal data:** means any information relating to an identified or identifiable natural person ("data subject") 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.

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

**DPO (Data Protection Officer):** means the person in charge for data protection, more precisely the person responsible for data protection.



## **Art. 2. Categories of personal data**

We know the importance of your personal data and are committed to protecting its privacy and security. Therefore, it is important for us to inform you about the processing of your personal data as a user of our Website, through this Policy.

The categories of personal data processed by the Company vary depending on the interaction and reports that you register on the Websites. Thus, your personal data may be provided by you in the various sections of the Websites, especially in the following situations: when you subscribe to the Company's newsletter, when you fill in the contact form of the Website, or the form in the "Careers" section <https://www.taco-bell.ro/#haisăfimcolegi>, when you place a pickup order as a visitor on [comanda.taco-bell.ro](http://comanda.taco-bell.ro) or when you create an account and register as a user once you place a pickup order on [comanda.taco-bell.ro](http://comanda.taco-bell.ro).

### **Art. 2.1. The categories of data that can be processed:**

- a) When filling in the contact form available on the Website: surname, first name(s);
- b) Phone number, e-mail address;
- c) When filling in the form on the Website – the "Let's be colleagues" Section;
- d) Surname, first name(s), e-mail, phone number, municipality, studies/education, CV;
- e) When subscribing to the newsletter: e-mail, surname, first name(s);
- f) When creating an account at Taco Bell through the form "Create account": e-mail, surname, first name(s), confirmation that the user is 16 years old.
- g) When creating an account at Taco Bell through the form "Create an account using Facebook": e-mail, surname, first name(s), profile picture, Facebook ID.
- h) When creating an account at Taco Bell through the form "Sign in with Apple": e-mail, surname, first name(s), Apple ID.
- i) When placing a pickup order as a registered user on the website [comanda.taco-bell.ro](http://comanda.taco-bell.ro): the geolocation, e-mail, surname, first name(s), order history, selected restaurants, order ID, information on the payment method, successful orders and cancelled orders;
- j) When placing a pickup order as a visitor on the website [comanda.taco-bell.ro](http://comanda.taco-bell.ro): the geolocation, e-mail, surname, first name(s), phone number, selected restaurants, order ID.

We also inform you that the payment of the orders can be made through the following methods:

- In the restaurant: cash, payment by card, meal vouchers;
- Online: payment by card (we do not store card data or data related with it, for example, the name on the card, the CVV, etc., in the records of the transactions we store are found only the last 4 digits of the card used). Nuvei - Safecharge, 9 Kafkasou, Aglantzia, CY 2112, Nicosia, Cyprus; <https://nuvei.com/en-emea/contact/>

The data provided by you must be real, accurate and up-to-date, and you must have the right to provide it. The data mentioned in points a) to j) above, are provided by you voluntarily during the interaction with the Company depending on the purpose communicated by you. You are thus responsible for the data you



provide on the Websites, both to us and to any third party who may be harmed by the provision of the data.

Websites may also collect certain information about your browsing and interactions with various sections thereof. We shall store or access information and cookies in your terminal equipment (computer, telephone, tablet, etc.) only under the conditions described in the corresponding "Cookies" section: <https://www.taco-bell.ro/declaratia-cookie/>. The categories of personal data that are processed concern: the time and date of accessing the website, as well as the IP address of the terminal from which the website was accessed.

### **Simultaneous login using a single account - Facebook**

The Facebook network is managed by Facebook Inc., 1 Hacker Way, Menlo Park, CA 94025, the USA ("Facebook").

You can create an account, or you can log in to our website, if you have a Facebook profile using the "Facebook Connect" feature, within the so-called Single Sign-On technology, using the Facebook user data. It is necessary to express your consent in accordance with art. 6(1)(a) of the GDPR prior to the registration process after which we shall receive the general and publicly accessible information stored in your profile when you use the "Facebook Connect" button on Facebook, depending on the personal data protection settings set by you on this social network. This information includes the user ID, the name, the profile picture, the age and the gender.

The data sent by Facebook is stored and processed by us to create a user account with the necessary data, if they have been made available to Facebook (title, surname, first name(s), data concerning the address, country, e-mail address, date of birth).

The consent given can be revoked at any time by sending us a message at: [protectiadatelor@taco-bel.ro](mailto:protectiadatelor@taco-bel.ro).

Facebook Inc., with the registered office in the USA, is certified under the EU-US bilateral data protection agreement "Privacy Shield", that guarantees the compliance with the level of data protection applicable in the EU.

### **Simultaneous login using a single account - Apple**

The same principles apply as in the case of connecting using the Facebook account, with the mention that this option is available only if you have an iOS device (for example, an iPhone 8).

**Art. 2.2. The Company processes the data mentioned in art. 2.1 above, for the following purposes, as appropriate:**

a) Marketing: sending newsletters to subscribers via means of communication such as e-mail, telephone; the processing of this personal data is done based on your consent;



- b) For recruitment purposes: data processing for the recruitment and employment process; the processing of this personal data is done based on your consent; also, the legal basis is the conclusion and performance of the contract, in the case of the candidates proposed for employment;
- c) For the purpose of managing requests, complaints, suggestions: the data processing for filling in the contact form; the processing of this personal data is carried out based on your consent, as well as in the legitimate interest of the Company in order to resolve the complaints, improve the services, manage the suggestions and requests sent to the Company;
- d) In the context of processing the data of the visitors of the Website, in order to ensure a good functioning of the Company's website; the legal basis for the takeover is the Company's legitimate interest to improve its services.
- e) In order to honour the orders placed on the website comanda.tacobell via the section "Log in"; the processing of this personal data is based on your registration as a user at Taco Bell by filling in a form. Legal basis - art. 6(1)(b) of the GDPR, the performance of the contract;
- f) In order to honour the orders placed on the website comanda.tacobell as a visitor; the processing of this personal data is based on your registration as a visitor. Legal basis - art. 6(1)(b) of the GDPR, the performance of the contract;

### **Art. 3. The basic principles regarding the processing of personal data**

The processing and management of your personal data are carried out in compliance with the following principles:

- ✓ It is open and transparent regarding what it does with the data and why it uses it;
- ✓ Keeps the data safe;
- ✓ Ensures that it always has a legal basis for managing data;
- ✓ Collects and uses the minimum necessary data, thus complying with the principle of minimisation;
- ✓ Keeps the data updated, correct and complete;
- ✓ Does not keep the data longer than necessary, ensuring the implementation of data retention periods, where there is no mandatory period provided by law;
- ✓ Complies with the legal rights of the data subjects, regarding their personal data;
- ✓ Does not transfer data abroad without taking the measures provided for the transfer of data, and not before informing the data subjects in this regard.



### **Art. 3.1. Fairness and transparency**

The personal data is processed lawfully, fairly and transparently in relation to the data subject. This is the basic principle and means that we use the personal data only to the extent that the persons entrusting it to the Company have been informed in advance of how to use it. You may request from the Company, at any time, information on the following main aspects:

- ✓ What kind of data shall be collected;
- ✓ For what purpose shall such data be used;
- ✓ With whom such data shall be shared (if applicable);
- ✓ If such data shall be transferred to other countries;
- ✓ How long such data shall be kept;
- ✓ What rights do natural persons have regarding their personal data;
- ✓ The contact channels through which the data subjects can exercise these rights.

The personal data shall be processed only for the purpose communicated to the data subject. The subsequent changes to the purpose of the processing shall be communicated to the data subject, prior to the use of its personal data.

### **Art. 3.2. Legal**

The Company understands to carry out all processing activities both for a purpose well determined and related to its activity, but also limited to an appropriate legal justification, as well as to fulfil the Company's legitimate interests in the context of its object or activity, as follows:

- ✓ the subscription to the Company's newsletter through which we shall send launches of new products or services, commercial communications regarding the promotions and campaigns carried out by the Company;
- ✓ independently or in collaboration with one or more partners, useful information about the services offered, etc.;
- ✓ the provision of answers in case of filling in the contact form;
- ✓ the participation in the contests and campaigns organised online by the Company;
- ✓ the management of the applications received through the form in the "Careers" section;



- ✓ the management of the relationships with customers, partner merchants and users of products and services, as a result of the orders placed on comanda.taco-bel.ro as a registered user and as a result of the orders placed on comanda.taco-bell.ro as a visitor;

### **Art. 3.3. The consent of the data subject**

Obtaining the consent of the person whose data we are going to collect and process is another legal basis provided for by the GDPR, and the Company shall process the personal data, only based on your express and unequivocal consent, in all situations where this is necessary.

### **Art. 3.4. Data minimisation**

The personal data shall only be used when absolutely necessary and relevant to a particular process or project task. If the use of personal data cannot be avoided, the Company shall use only the minimum data necessary to fulfil that purpose.

### **Art. 3.5. The accuracy of data**

The Data Protection Act requires that personal data be kept accurate, complete and up-to-date. The Company shall ensure the correction, completion, update or erasure, as the case may be, of inaccurate or incomplete data.

### **Art. 3.6. The data retention period and storage**

We shall keep your personal data for a period exceeding the period necessary to fulfil the purposes for which the data is processed, except in cases where the legal provisions provide or require us otherwise.

Therefore:

- ✓ regarding the Company's newsletter, we shall keep your e-mail address in the newsletter database as long as your subscription is active; from the moment we receive your unsubscribe request;
- ✓ we shall disable the sending of newsletters to your e-mail address; at which point, the e-mail address shall be deleted from the database regarding the newsletter subscribers;
- ✓ regarding the contact form, we shall keep your personal data for the period necessary to provide answers to your messages and requests and to prove the correspondence with you, but not more than 1 year from their receipt;
- ✓ in order to participate in the contests and campaigns organised online by the Company, we shall keep your personal data for the period necessary to carry out these programs and as proof;
- ✓ your participation in these programs, according to the Regulations communicated for each event;



- ✓ regarding the applications received through the form in the “Careers” section, your data shall remain in the database for as long as necessary to complete the position for which you applied within the Company, but not more than 2 years from the date of collection of such data;
- ✓ regarding the analysis of website navigation and user interactions with the website, we shall keep the data on your interactions for a period of up to 3 years.

The Company may delete your personal data when it considers that it is no longer necessary for the purposes for which it was collected.

- ✓ regarding the customer account created through the form “Log in/Create account” and in case of creating an account via Facebook Connect or Login with Apple, we shall keep your personal data during the existence of the account and, subsequently, for the period necessary to prove the operations performed via the account;
- ✓ for a period of 1 year from the last order placed via the website [comanda.taco-bell.ro](http://comanda.taco-bell.ro);
- ✓ regarding the orders placed as a visitor, we shall keep your personal data for a period of 3 months (without marketing purpose);

We do not store information or access the information stored in your terminal equipment (computer, telephone, tablet, etc.) except with your prior consent or when these operations are carried out exclusively for the purpose of sending a communication via an electronic communications network, or are strictly necessary in order to provide an information society service expressly requested by you (for example, to store information about your activities on the website or in the mobile or tablet app, so that you can easily use the website or mobile or tablet app for later access).

In order to use cookies for which your prior consent is required, the websites shall ask for your account consent through a banner displayed on the website at the time of accessing them. This banner contains a link to this Personal Data Protection Policy and gives you the option to accept cookies, as well as the option to refuse them. If you have given your consent, but later change your mind, you can use the settings of your browser to delete the stored information or to refuse cookies.

If you want to know what cookies are, access the Privacy Policy on our Websites.

### **Art. 3.7. Data security**

The Company ensures and implements the technical and organisational security measures imposed by law and by the industry standards, to protect your personal data against accidental or illegal destruction, loss, amendment, disclosure or unauthorised access, as well as against any other form of illegal processing. We also take measures to ensure that we use your personal data exactly as described in this Policy and to comply with your choices regarding the processing of your personal data.



### **Art. 3.8. Disclosure to third parties**

Except as set forth below, we shall not disclose any information about your data without authorisation. Based on your express and unequivocal consent, provided in this way and only within the limits of the legislation in force or for the purpose of fulfilling a legal obligation and/or protecting a legitimate interest, we may send your personal data to:

- ✓ Service providers in the following fields: marketing, administrative and transaction processing services;
- ✓ Other service providers, all having signed agreements to maintain the confidentiality of the information;
- ✓ Organisations or companies that coordinate specific studies and that agree to keep the information received confidential;
- ✓ State and government agencies, if the legislation stipulates this;
- ✓ Other authorities and bodies, in order to fulfil our legislative obligations and/or to protect our legitimate interests;
- ✓ Other companies with which we can develop joint programs to offer our products and services on the market;
- ✓ The companies within the Sphera Francise Group S.A. Group, the subsidiary companies, respectively: American Restaurant System SA, US Food Network SA, California Fresh Flavors SRL.

The transmission of your personal data to the above-mentioned recipients shall only be done based on a commitment of confidentiality and ensuring an appropriate level of security on their part, which guarantees that the personal data is kept secure.

### **Data processing outside the European Area**

Some of our service providers may have their registered office outside the EU and in the EEA.

We shall always sign a data processing agreement with each provider, and the service providers outside the European Area must meet additional requirements. Thus, according to the GDPR, the data may be transferred to the service providers that meet at least one of the following requirements:

- i) The Commission has decided that the third country provides an appropriate level of protection (for example, Israel and Canada);
- ii) The standard data protection clauses adopted. These are contractual clauses that cannot be amended by the contracting parties and in which they undertake to ensure an appropriate level of data protection;
- iii) Approved certification mechanism.





According to the international agreements, the companies may be certified, based on defined criteria. One of these certifications is the EU-US Privacy Shield Agreement. By accessing the following link, you can see which companies are certified: <https://www.privacyshield.gov/welcome>.

#### **Art. 4. The rights of natural persons**

According to the legal provisions in force, the data subjects benefit from the following rights:

- ✓ The right to be informed about the manner and reason for the use of the personal data ;
- ✓ The right to request the correction of any inaccuracies in their personal data;
- ✓ The right to order the erasure of the personal data;
- ✓ The right to request the Company to stop the processing of the personal data;
- ✓ The right to object to the use of their personal data for indirect marketing purposes;
- ✓ The right to have any personal data that has been provided to the Company transferred to another party (for example, another banking service provider) in a structured, frequently used and machine-readable format”;
- ✓ The right not to be subject to a fully automated decision-making process (i.e. a decision generated by a system without a human contribution), if the result has a legal effect or a similar significant effect on the person concerned;
- ✓ The right to withdraw the consent when it has been given for processing purposes;
- ✓ The right to address the National Supervisory Authority for Personal Data Processing, if deemed necessary.

If the Company receives a request from you in the exercise of any of the above rights, we shall respond to the request within 30 days, with the possibility of extending this period, only after informing the data subject and provided there is a good reason to justify the impossibility of drafting an answer within 30 days.

#### **Art. 5. Data security breach**

If the personal data is lost, damaged, stolen, compromised or as a result of a complaint about how the Company has managed the personal data, the latter shall report the breach to the National Supervisory Authority for Personal Data Processing within 72 hours from the finding of the breach and notify without delay the relevant persons if they are likely to be affected by the incident. In addition, the Company shall make reasonable effort to limit the damages caused by the data security breach.



## **Art. 6. Protection of personal data belonging to minors**

The KFC Romania websites or mobile app are not dedicated to minors.

If a parent or a holder of parental authority notifies the processing of personal data belonging to persons under the age of 18, the Company shall immediately delete/destroy this data from the means of processing and storage.

If article 6(1)(a) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC, applies with regard to the provision of information society services directly to a child, the processing of a child's personal data is lawful if the child is at least 16 years old. If the child is under the age of 16, such processing is lawful only if and to the extent that the consent is given or authorised by the holder of the parental liability over the child.

We recommend for the parents/guardians to regularly check and monitor how their e-mail address is used, as well as the online activities that their children carry out. Please make sure that your child has requested your prior permission before sending us personal data online.

## **Art. 7. Organisation and responsibilities**

The responsibility for ensuring the appropriate processing of the personal data rests with any person working for or finding itself in a form of collaboration with the Company and who has access to the personal data processed.

### **Art. 7.1. The DPO's contact information**

If you have a question regarding the exercise of any of your rights mentioned above or any request for an address, you must contact your local DPO at the following e-mail address: **protectiadatelor@taco-bell.ro**. You may also address requests, in writing, to the correspondence address of the Company, detailed in the introductory part of this policy.