

# Privacy Policy

*Taking effect: 25/05/2018*

## 1. Introduction

### 1.1. What is the definition and the nature of personal data?

In the context of using our platform, which is accessible from <https://foodassembly.com/en> (the “**Website**” or the “**Platform**”) or from our mobile application, we may request you to provide us with personal data about you (“you” meaning all Users of the Website – Members, Hive Managers, Producers – as defined in the General Terms and Conditions of Use of the Website).

The term “personal data” means all data used to directly or indirectly identify a person, by clustering several data points, i.e., in particular, your last name, first name(s), pseudonym, photographs, e-mail addresses, telephone number(s), date of birth, data on your transactions on the Platform as well as any other information which we may request and which you may opt to provide to us with, as explained in further detail in clause 2 hereinafter.

### 1.2. Who is Responsible for gathering and processing data?

As processing officer, EQUANUM SAS, a French company, registered with the Paris Trade and Companies Registry under n° 528 203 755, whose registered office is located at 2, rue de la Roquette - Cour Sainte Marguerite, 75011 Paris, France (referred to hereunder as: “**We**”), We give special importance to protecting and respecting your privacy.

In accordance with our Special Terms and Conditions of use, insofar as We, with Assembly Hosts, define certain purposes for the processing of personal data on the Platform, We may find ourselves to be co-contracting parties and We must in this case be deemed to be joint processing officers, without prejudice to the fact that We alone determine the essential means of processing such as, without this list being exhaustive, the data categories that may be processed, the data recipients or the data retention periods.

As the owners and managers of the Platform, We assume practically all of the commitments made to ensure respect for and protection of your privacy. This is why We are your main contact to deal with any request relating to your personal data. Please find the breakdown of our various obligations in clause 2 of our [Special Conditions of use and Terms of use](#).

### 1.3. What is the purpose of this Non-disclosure policy?

This Non-disclosure policy is to inform you of the means We implement to gather and process the personal data that you provide via use of our Platform which is accessible from <https://foodassembly.com/en> or mobile application, in strictest compliance with your rights. Please carefully read this document to better understand the practices that we implement to process your personal data.

## 2. The data We gather

We are liable to gather and process the following data:

### 2.1. The data that you send to Us directly and in particular:

- The data needed to register on our Platform is, in particular, your last name and first name, e-mail address and postal address, date of birth and password. This information is mandatory. Otherwise, you cannot set up an account on our Platform and access the services of the La Ruche qui dit Oui<sup>1</sup> ! ;
- A telephone number is requested when you wish to place an order for the first time;
- A photograph;
- A copy of all orders placed on our Platform;
- The detail of financial or accounting transactions on our Platform;
- The history of your visits to our Platform and of content you accessed;
- The data that We request when you report a problem to Us on our Platform or our services, as, for instance, the purpose of your request;
- Your geolocation data when you agreed to Our gathering and processing said data (only via the mobile application).

### 2.2. The data that We automatically gather:

**2.2.1.** We record the data used when you access our Platform and our services (or use it in any way).

**2.2.2.** Upon each of your visits, We may possibly gather, in accordance with the applicable law and with your consent, where applicable, information on devices on which you use our services or networks and from which you access our services, such as, in particular, your IP addresses, login data, types and versions of web browsers used, types and versions of your browser plugins, operating systems and Platforms, data on your browsing history on our Platform, in particular, your browsing history on the various URL pages of our Platform, the content that you access or consult. Among the technologies used to gather said information, in particular, We use cookies, the specific details of which are set out in clause 9 hereinafter.

**2.2.3.** We also gather information on your use of our Platform (such as the number of orders placed and details thereof, the Assemblies with which you are registered, etc.).

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<sup>1</sup> Translator's note: The Hive that says Yes

## 2.3. Retention period of your data

2.3.1. As regards the data on the management of our business relationship with you and our prospects:

- your personal data will not be retained beyond the period strictly needed to manage our business relationship with you;
- however, data used to prove a right or a contract, which must be retained for compliance with a statutory obligation, will be used during the applicable legal period;
- regarding any canvassing operations, your data may be kept for a three (3) year period as from the end of the business relationship. At the end of said three (3) year period, We may contact you again to find out if you would like to continue receiving our commercial solicitations;
- likewise, personal data on a prospect, potential customer, may be kept for a three (3) year period as from being gathered or from the last contact of the prospect.

2.3.2. Regarding managing commercial canvassing blacklists, the information used to take account of your right of objection is kept at least three (3) years as from exercising the right to objection.

2.3.3. Regarding audience measuring statistics, the information stored on users' terminals or any other information used to identify users and to trace them or their visits will not be kept more than thirteen (13) months.

2.3.4. Regarding your bank card data:

- Financial transactions on payment of purchases and expenses via the Platform are entrusted to a payment service provider who sees to the proper processing and security thereof, the MangoPay company, (the "**Payment Service Provider**"). The Service Provider gathers and retains, while you are registered on the Platform and at the very least, until you do your last transaction, in your name and on your behalf, your personal data on your bank card numbers. We do not have access to said data. On ticking the space expressly provided for this purpose on the Platform, you expressly consent to Our retaining said data.
- The data on the visual cryptogram or CVV2, on your bank card, is not stored.
- On proof of your identity and if the conditions of exercise of said rights are met, you may exercise your right to access, modify, delete, limit processing, object, right to lodge a claim with the ICO and your right to define what happens to your data in the event of your death by contacting MangoPay (Tel: +44 20 8068 0070) or by contacting Us directly (see clause 13 hereinafter).
- In any event, your data may be kept for thirteen (13) months following the debit date, for evidentiary purposes in the event of any contesting of the transaction in accordance with applicable legislation. Said period may be extended to fifteen (15) months in order to take account the possible use of any deferred debit payment cards.

2.3.5. As regards other financial data (for instance, payments, repayments, etc.), it is retained for the period required under the applicable tax and accounting laws.

**2.3.6.** If your account has been suspended or frozen, We will retain your data for a period of up to ten (10) years as from its suspension so as to avoid your circumventing rules under our General Terms and Conditions of use.

### 3. Why do We gather data?

We process personal data in order to manage, invoice and monitor the activity of the Platform. This data is needed to properly perform our services.

We can also use said data to send you information and/or canvassing e-mails. The processing is then based on our legitimate interest to inform you and to develop our activity.

3.1. We gather and process your personal data in order to satisfy one or more of the following purposes:

- To manage your access to certain services accessible on the Website and the use thereof;
- To carry out the operations relating to the management of Users for contracts, orders, deliveries, invoices, loyalty programmes, monitoring of the relationship between Users;
- Building a file of prospects and of Users – To send newsletters, solicitations and special offer messages. If you object thereto, We give you the right to express your refusal in this regard upon gathering your data, in accordance with the applicable legal provisions. We are also liable to use your data to send you advertising messages that may interest you on social media platforms or third party websites. If you would like more information on this subject, We invite you to read the general terms and conditions of use of said platforms;
- To draw up commercial statistics and audience statistics of our services;
- To organise competition games, lotteries and any special offer operations, apart from online gambling games, subject to the approval of the competent authority;
- To manage the opinions of persons on products, services or content;
- To manage any unpaid accounts and disputed claims relating to use of our products and services;
- To comply with our legal and regulatory obligations;
- To collect your payments or to send you repayments collected on your behalf in collaboration with our Payment Service Provider;
- To enable you to customise your profile on our Platform;
- To allow communication and discussion between Users;
- To check compliance with the applicable law, our general terms and conditions and, where applicable, special terms and conditions of use and with this Non-disclosure policy. In the event of breach by you, We may have to suspend your account on our Platform;
- To inform you of the changes made to the Platform or to our services;
- To manage our Platform and to carry out internal technical operations as part of troubleshooting, analysis of data, of tests, searches, analyses, studies and polls;

- To improve and to optimise our Platform, in particular, to check that the displaying of our content is adapted to your device;
- To help Us to preserve the secure environment of our Platform.

**3.2** We will inform you when gathering your personal data, if your response to certain data is mandatory or optional. We will also inform you of any consequences in the event of a failure to respond.

**3.3** The purposes described in this clause relate only to the purposes as defined by Us and not to any purposes provided for by the other Users of the Website in their capacity as recipients of your personal data, as provided for in clauses 4.1 and 4.2 hereinafter.

## 4. Who are the recipients of the data We gather and why do We send them said data?

**4.1.** In the context of using our services, some of your information may be sent to the other Users of the Website.

For instance, in the event a Assembly is closed, the personal data of Members is liable to be sent to another Assembly host nearby.

Likewise, the personal data of Producers may be accessible by various Assembly hosts.

Producers are also liable to receive the personal data of Members without however being jointly liable for processing.

**4.2.** Assembly hosts and Producers using the personal data of Members, via or outside the Platform, for purposes other than those specifically defined in this Non-disclosure policy, would incur their own liability; we cannot under any circumstances be held liable in said respect.

**4.3.** We are also liable to share the personal data with other entities of the La Ruche qui dit Oui ! group.

**4.4.** Certain bodies are authorised by law to access your personal data:

- bodies responsible for auditing our activity (the statutory auditor, in particular);
- public bodies, such as court officers, law officials.

**4.5.** We also work in close collaboration with third party companies with possible access to your personal data and, in particular, with the processors We call on, in particular, for technical services, payment services, transport and delivery services, identity checking or else suppliers of analytical solutions and collection firms and credit institutions.

We share your data with the aforementioned third parties only in the following cases:

- When We call on a service provider to perform any contract entered into between Us or to provide or to improve our services (for instance, for payments made via our Platform);
- When We call on search engine and analytical solution service providers to improve or to optimise our Platform;
- When We have the statutory obligation to do so or if We believe in good faith that this is necessary in order (i) to respond to any claim against The Food Assembly, (ii) to comply with a court decision, (iii) to have performed any contract entered into with our Users, such as the General Terms and Conditions of Use and this Non-disclosure policy (iv) in the event of an emergency involving public health or the physical integrity of a person, (v) in the scope of enquiries and investigations, or (vi) to guarantee the rights, assets and security of the La Ruche qui dit Oui !, its Users and more generally any third party;

**4.6.** We draw your attention to the fact that if you decide to allow Us access to some of your information, in particular, to your personal data, via a login services made available by a third party (for instance, Facebook Connect), its non-disclosure policy is also binding on you. We have no control over the gathering or processing of your data by a third party on its own Platform.

4.7. Lastly, Users whose data is gathered based on our legitimate interest, as mentioned in clause 3, are reminded that they may at any time object to their data being processed; in any event their consent is required for such processing.

## 5. How do We use and moderate your messages?

**5.1.** We can read the message that you send to Assembly hosts via our Platform, in particular, to prevent fraud, improve our services, support users, check compliance by our members with contracts entered into with Us and, in particular, with our General Terms and Conditions of Use. For instance, so that a Producer does not misappropriate our Services to propose the sale of Products outside our Platform, We take the liberty of going through and analysing messages sent on our Platform to check that they do not contain any contact information or reference to other websites which characterises prohibited conduct, as described in clause 12 of the General Terms and Conditions of Use, to which We refer.

**5.2.** We never read your communications for promotional purposes or targeted advertising.

## 6. E-mails and Text Messages that We send you

**6.1.** In accordance with the applicable legislation and with your consent when so required, We may use the data that you Provide to Us on the Platform for commercial canvassing and to send you our newsletters, invitations to our events, to display targeted advertising on social media platforms or third party website or any other communication that might be of interest to you.

**6.2.** As regards our notices by e-mails or those of Assembly hosts, you may at any time send said notices by unchecking the relevant space in your account, by clicking on the opt-out link provided in each of our communications or by contacting Us as described in clause 13 hereinafter.

## 7. How and to where is your data transferred?

**7.1.** We keep your personal data in the European Union.

**7.2.** In the event that your data is likely to be transferred to one or other countries whose law on the protection of personal data is less protective of your rights than that applicable to your situation, We will take all necessary measures to ensure processing in compliance with the applicable regulations and to ensure that said transfer is governed by standard contractual clauses like those proposed by the European Commission so as to guarantee a similar level of protection of your rights.

## 8. What rights do you have over your personal data?

**8.1.** You have various rights over your personal data:

**8.1.1.** You may object to any type of processing defined in this document for legitimate reasons either upon gathering your data or by contacting Us at a later stage (right to object).

**8.1.2.** You may request that the processing of your personal data be limited, only in the cases provided for by law (right to limit processing):

- While We are checking it when you contest the accuracy of your personal data,
- When the processing of said data is unlawful and you wish to limit said processing rather than delete your data,
- When We no longer need your personal data but you wish to see the retention thereof to exercise your rights,
- During the period of checking of legitimate reasons when you objected to the processing of your personal data.

**8.1.3.** You can request that We provide you with all personal data We have about you (right of access). You can then take this opportunity to check the accuracy thereof and to have it rectified (right to rectify) or to delete it (right to delete), where applicable.

**8.1.4.** You can recover your personal data that you provided to Us in an open and machine readable format to store it for your personal use or to communicate it to another processing officer (right of portability).

**8.1.5.** You have the right to define instructions on the retention, deletion and communication of your personal data in the event of your death.

These are general instructions, i.e. they then relate to all personal data about you. It must in this case be recorded with a trusted digital third party certified by the CNIL.

The instructions may also be specific to the data We process. They should then be sent to Us at the following contact information:

- e-mail address: [privacy@thefoodassembly.com](mailto:privacy@thefoodassembly.com)

- postal address: The Food Assembly - The Ramp, 95a Rye Lane, Peckham, SE15 4ST London (United Kingdom)

By giving Us such instructions, you expressly consent to said instructions being retained, transferred and followed as provided for hereunder.

In your instructions, you may appoint a person in charge of following them. Such person will then be authorised, upon your death, to read your instructions and to request Us to follow them. Failing an appointment, your heirs will be authorised to read your instructions on your death and to request Us to follow them.

You may change or revoke your instructions at any time by writing to Us at the above contact information.

**8.1.6.** You have a right to bring a claim before the proper regulatory authority or to obtain redress from the proper courts if you consider that We have not complied with your rights.

**8.2.** Prior to responding to your request, We are liable to (i) check your identity and (ii) request you to provide Us with more information.

**8.3.** We will endeavour to respond to your request within a reasonable time and, in any event, within the time limits set by law. If you wish to exercise said right, contact Us as specified in clause 13 hereinafter.

## 9. Cookies

**9.1.** Cookies are text files stored on your browser; they are often encrypted. They are created when a User's browser uploads a given website: the website sends information to the browser, which then creates a text file. Whenever the User returns to the same website, the browser recovers said file and sends it to the website server.

**9.2.** There are two types of cookies, which do not have the same purposes, the technical cookies and the advertising cookies:

- Technical cookies are used while you browse to facilitate and execute certain functions. For instance, a technical cookie may be used to store responses provided in a form or else the preferences of a User, as regards the language or the presentation of a website, when such options are available.
- Advertising cookies may be created not only by the website on which the User browses, but also on other websites disseminating advertising, advertisements, widgets or other elements on the displayed page. Said cookies may be used, in particular, for targeted advertising, i.e. advertising determined based on User browsing.

**9.3.** We use technical cookies. They are stored on your browser for a period of thirteen (13) months at most. We do not use advertising cookies. However, if We should use them in the future, We will first inform you thereof and you may, where applicable, opt to disable said cookies.



**9.4.** In particular, we use Google Analytics, an audience analysis tool, which generates a cookie to measure the number of visits to the Website, the number of pages viewed and the activity of visitors. Your IP is also collected to determine your login country. The retention period of said cookie is mentioned in clause 2 of this Non-disclosure policy.

**9.5.** We inform you for all useful purposes that you may object to cookie placement by configuring your browser. For cookie management, the configuration of each browser is different. It is described in the help menu of your browser, which will explain how to change your wishes in relation to cookies (please note that the objection to cookie placement on your browser might, however, prevent the proper operating of the Platform). For this purpose, you may follow the links listed hereinafter:

- [Internet Explorer™](#)
- [Safari™](#)
- [Chrome™](#)
- [Firefox™](#)
- [Opera™](#)

## 10. Confidentiality of your login ID and password

In accordance with the General Terms and Conditions of Use, you are responsible for the confidentiality of your login ID and your password to access our Platform.

You undertake to keep this password secret and not disclose it to anyone. You must contact Us immediately in the event of theft, loss, misappropriation or unauthorised use of your login ID or if you notice that your account has been used without your knowledge.

## 11. Security measures

We inform you that we take all useful precautions, suitable organisational and technical measures to preserve the security, integrity and confidentiality of your personal data and, in particular, to prevent it from being distorted, damaged or to prevent access thereto by unauthorised third parties.

## 12. Amendment of our Non-disclosure policy

We reserve the right at all times to amend this Non-disclosure policy, in whole or in part. Said amendments will take effect as from the publication of the new non-disclosure policy. We will first inform you thereof by all useful means. In any event, your use of the Platform following the taking of effect of said amendments will constitute acknowledgement and acceptance of the new non-disclosure policy.

## 13. Contacts

If you have any questions on this Non-disclosure policy or your personal data, please contact Us by:

- sending an e-mail to our data protection officer, the law firm BOLD at 19, rue des Petites Ecuries, Paris (75010), France, at: [dpo@wearebold.co](mailto:dpo@wearebold.co)
- sending an e-mail to [privacy@thefoodassembly.com](mailto:privacy@thefoodassembly.com)
- or by sending Us a letter to: EQUANUM SAS – Question on personal data – The Food Assembly - The Ramp, 95a Rye Lane, Peckham, SE15 4ST London (United Kingdom)