



Privacy Statement

This Loyalty program: Legend by Bayer (hereinafter the “Program“) and the domain that is hosting it (hereinafter the “Website“) is provided by Bayer (Pty) Ltd, (reg no: 1968/011192/07) (hereinafter “us” or “we”). For further information regarding the provider of the Website, please refer to our [imprint](#).

Within our capacity as controller for the processing of your personal data, wish to provide you with information on the processing of your personal data.

Handling of personal data

In the following we wish to provide you with information on how we handle your personal data during the Loyalty program: Legend by Bayer and when you use our Website for this purpose

A. Participation to the Program

1. Registration and log in to the Program

When you decide to sign up to our Loyalty program, we may process your contact data and proof of representation:

- Name: first, second name, salutation,
- Address and farm details: Street, PO Box, city, Country,
- Contact details: E-mail address, phone number.
- Proof of representation: official proof of the relation between Farmer and the Farm.

When recording transactions of Bayer products, and other activities to receive loyalty points, we process the following information:

- Invoices entered for purchases of Bayer products,
- Event participation,
- Referrals or recommendations,

- Past product reviews.

The legal basis for the processing of your data for the aforementioned purpose is that the processing is necessary to take the required steps to enter into a contract with you and/or for the performance of a contract with you Section 13 of the Protection of Personal Information Act. No. 4 of 2013 (“POPIA”)

If you do not provide your personal data, you are not able to participate to the program, as this is necessary to identify you and define eligibility

Additionally, if you request Bayer to retrieve your purchase history data from our external Partners (such as Distributors) and consider it within the program, we will try to retrieve and process such purchasing details as well. The legal basis for this personal data processing is your consent Section 13 of the Protection of Personal Information Act. No. 4 of 2013 (“POPIA”)

We will retain your personal data till the end of the loyalty program, unless you withdraw from the participation, whichever happens first. In case of withdrawal, we will anonymize your data and it won't be possible to trace it back to you.

2. Registration and log in to the Program

When you sign up to the loyalty program, we capture your IP address to determine your location.

The legal basis for the processing of your data for the aforementioned purpose is that the processing is necessary to pursue the legitimate interests described in the following, where the interest is not overridden by your interests or fundamental rights and freedoms,. Section 11 of the Protection of Personal Information Act. No. 4 of 2013 (“POPIA”). The reason of processing this information is that it is necessary to detect users from sanctioned regions. Bayer has a legitimate interest to monitor and ensure company compliance with external rules and regulations (local and foreign laws, law enforcement, court and regulatory authorities’ decisions etc.).

We only capture your IP address for a limited period of time, and we do not store this data.

3. Internal Analysis

We may process your usage and/ or preferences of Bayer product for our internal business analysis.

The legal basis for the processing of your data for the aforementioned purpose is that the processing is necessary to pursue the legitimate interests described in the following, where the interest is not overridden by your interests or fundamental rights and freedoms, Section 11 of the Protection of Personal Information Act. No. 4 of 2013 (“POPIA ”). Bayer has a legitimate interest to process personal data of the data subject for the internal analysis of customers/business relationships/internal processes in order to plan strategy, risks, costs and growth for the company.

We will retain your personal data till the end of the loyalty program, unless you withdraw from the participation, whichever happens first. In case of withdrawal, we will anonymize your data and it won't be possible to trace it back to you.

B. Using our website

Unless otherwise indicated in the following chapters, the legal basis for the handling of your personal data results from the fact that such handling is required to make available the functionalities of the Website requested by you Section 11 of the Protection of Personal Information Act. No. 4 of 2013 (“POPIA ”)

1. Accessing our Website

When you call up our Website, your browser will transfer certain information to our web server. This is done for technical reasons and required to make available to you the requested information. To facilitate your access to the Website, the following information is collected, briefly stored and used:

- IP address
- Date and time of access
- Time zone difference to Greenwich Mean Time (GMT)
- Content of request (specific site)
- Status of access/HTTP status code
- Transferred volume of data
- Website requesting access
- Browser, language settings, version of browser software operating system and surface

Moreover, to protect our legitimate interests, we will store such information for a limited period of time in order to be able to initiate a tracking of personal data in the event of

actual or attempted unauthorized access to our servers Section 14 of the Protection of Personal Information Act. No. 4 of 2013 (“POPIA”)

2. Access to your device’s interfaces

In order to enable our services to function properly, we need to access and use the following interfaces of your device for the following purposes: media.

Based on Section 13 of the Protection of Personal Information Act. No. 4 of 2013 (“POPIA”), you may, on a voluntary basis, provide us with the access to your media for enabling the functionality of uploading or downloading media, such as invoice, documents for earning entry, proof of representation.

You will have the opportunity to limit the access rights to specific media within your device’s settings or deny the access rights completely. If you disable this functionality, you will technically not be able to use our service. Shared information will be stored on our server and deleted once you delete your user account.

3. Third party login services/single sign on

Subject to you providing your consent Section 13 of the Protection of Personal Information Act. No. 4 of 2013 (“POPIA”), we provide you with the possibility to register to our services by using the third-party login service provider BayerConnected (SAP Gigya) (hereinafter “Login-Service Provider”). In order to use this login service, you will be asked to login to Login-Service Provider’s service using your respective login credentials. By doing so, your profile will be connected to our service, which means that Login-Service Provider receives the information that you use our service, and we automatically receive the following information about you:

- The fact that the identity has been authenticated by Login-Service-Provider
- Contact data (e.g. postal/email address or phone number)

We will use this information only for the registration purpose and in order to identify you during your logins. In case Login-Service Provider transfers more information about you than we need for the login verification purpose, we immediately delete this information. For further information on how Login-Service Provider’s service work and how the Login-Service Provider processes your personal data, please refer to [Login-Service Provider’s Privacy Policy](#). We delete your personal data in case you delete your user account.

4. Setting of cookies

What are cookies?

This website uses so-called “cookies”. Cookies are small text files that are stored in the memory of your terminal via your browser. They store certain information (e.g. your

preferred language or site settings) which your browser may (depending on the lifespan of the cookie) retransmit to us upon your next visit to our website.

What cookies do we use?

We differentiate between two main-categories of cookies: (1) strictly necessary cookies, which are essential to browse the website and use its features, and (2) optional cookies (e.g. analytic cookies, targeting cookies, functional cookies) used for e.g. website analysis, website personalization and marketing purposes. The following button leads to the Privacy Preference Center and provides a detailed description of the optional cookies in use:

Subject to your consent

We only use optional cookies if we have obtained your prior consent. Section 13 of the Protection of Personal Information Act. No. 4 of 2013 (“POPIA”) Upon your first access to our website, a banner will appear, asking you to give us your consent to the setting of optional cookies. If your consent is given, we will place a cookie on your computer and the banner will not appear again as long as the cookie is active. After expiration of the cookie’s lifespan, or if you actively delete the cookie, the banner will reappear upon your next visit to our website and again ask for your consent.

How to prevent the setting of cookies

Of course, you may use our website without any cookies being set. In your browser, you can at any time configure or completely deactivate the use of cookies. This may, however, lead to a restriction of the functions or have adverse effects on the user-friendliness of our website. You may at any time object to the setting of optional cookies by using the respective objection option in the [Privacy Preference Center](#).

5. Website analysis and online behavioral advertising

Website analysis with Adobe Analytics

If you provide us with your consent, we use a web analysis service of Adobe Systems Software Ireland Limited, 4-6 Riverwalk, Citywest Business Campus, Dublin 24, Republic of Ireland (“Adobe”) on our website to evaluate your use of our website, to compile reports on the website activities and to receive further services from Adobe in connection with the website and internet use. For this purpose, we use the cookies described in more detail in the above table. The information collected by Adobe in connection with your use of our Website (e.g. the referring URL, our webpages visited by you, your browser type, your language settings, your operating system, your screen resolution) will be transmitted to a server of Adobe in Ireland, where it will be stored and analyzed. The respective results will then be made available to us in anonymized

form. Your usage data will not be connected to your full IP address during this process. We have activated on our Website the IP anonymizing function offered by Adobe, which will replace the last octet of your IP address by zeroes before conducting approximate geolocation and subsequently we replace your IP address by a generic IP address before storing the dataset. An access to your data by Adobe Systems Inc., 345 Park Ave., San Jose, CA 95110 located in the USA (“Adobe Inc”) cannot be excluded. Outside the European Union (“EU”) or the European Economic Area (“EEA”) the data protection level may be lower than in European Countries, please see below “Processing of data outside the EU/the EEA”. For further information please visit: <https://www.adobe.com/de/privacy.html>.

You may withdraw your consent to the use of web analysis at any time, either by downloading and installing the provided Browser Plugin <https://www.adobe.com/privacy/opt-out.html> or by administrating your consents in the [Privacy Preference Center](#), in which case an opt-out cookie will be placed. Both options will prevent the application of web analysis only as long as you use the browser on which you installed the plugin and do not delete the opt-out Cookie.

6. Use of contact forms

You can contact us directly via the contact forms available on our Website. In particular, we may process the following information:

- Name and surname
- Contact data (e.g. postal/email address or phone number)
- Message

We process information provided by you via contact forms exclusively for the processing of your specific request. We delete this information as soon as it is no longer required anymore in order to process or follow up on your request.

7. User surveys and feedback

Participation in the user surveys conducted from time to time on our website or giving feedback is voluntary. We use functional cookies to carry out user surveys or ask for feedback. The technical information recorded by the user survey is the same information that is recorded when user visit the website (see above). Your responses submitted during a user survey or provided with feedback will not be linked to your personal data such as your IP address. Legal basis for processing your personal data is our legitimate interest Section 11 of the Protection of Personal Information Act. No. 4 of 2013 (“POPIA ”). As such data processing is required to provide you with access to the survey and participation is voluntary. Your data is only briefly stored and processed.

8. Subscription to our newsletter

On our Website, you may subscribe to receive our newsletter. Based on your prior consent, we will collect and use the email address you indicate for providing you with the newsletter Section 13 of the Protection of Personal Information Act. No. 4 of 2013 (“POPIA”).

If you wish to receive a customized newsletter, you may, on a voluntary basis, provide us with the following additional information:

- Name and surname
- Language
- Email address
- Topic of interest

For subscription to our newsletter we use the so-called double opt-in procedure. After you have subscribed to the newsletter on our Website, we will send you a message to the indicated email address asking for your confirmation. If you do not confirm your subscription, your subscription will automatically be deleted. In order to prevent any misuse of your personal data, we will log your subscription and confirmation, filing the IP address you use when subscribing, the time of your subscription and confirmation, the messages sent by us regarding your subscription, and the wording of your subscription and confirmation.

You may at any time with future effect withdraw your consent to receive our newsletter, in which case we will also delete your personal data connected to receiving our newsletter. To declare that you wish to unsubscribe, you may use the respective link included in all newsletters, or refer to the contacts indicated below (section contact).

In addition, we track the opening rate of our newsletter for statistical purposes. This means that a small transparent tracking image embedded in the newsletters. When you use your browser to open the received newsletter this image will be loaded, which will be counted as an opened email, and will be recorded in an aggregated form. No other data such as IP address would be processed. The tracking opening rates solution is provided by Marketo. You can disable the newsletter tracking functionality by disabling the loading of images within you email client or browser.

Use of the recommendation function

If you wish to recommend us to others, you can do so by using the recommendation

function on our Website. You may, in your and our legitimate interest, send a message to any person if you assume that the recipient wishes to receive such information. We delete the personal data involved with this (e.g. name and email address) after the recommendation is sent.

Recipients of personal data

Commissioned processing

For the processing of your personal data we will to some extent use specialized service contractors that process your data on our behalf (e.g. for IT-Support or cloud services).

Such service contractors are carefully selected and regularly monitored by us. Based on respective data processing agreements, they will only process personal data in accordance with our instructions.

Affiliates

We may share your personal data with our affiliates from the Bayer Group, where necessary for the purposes described above.

Authorities and state institutions

We may share your personal data with law enforcement agencies or other authorities and state institutions if legally required or necessary for the purposes described above.

External lawyers

In order to support legal decisions and to pursue or defend against legal claims, we may share your personal data with external lawyers.

Prospective buyers in the context of Mergers & Acquisitions

We may share your personal data with a prospective buyer in case of an acquisition, merger or any other type of corporate or asset transition involving a change of ownership or control concerning us or our services.

Processing of personal data outside South Africa

Your personal data may not be transferred to any third party in any country outside South Africa, unless:

- We have obtained your consent to do so;
- The third party has agreed to process your personal data on substantially the same terms as those recorded in this Privacy Statement; The transfer is necessary to protect your legitimate interest

Information regarding your rights

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

- Right of information about your personal data stored by us;
- Right to request the correction, deletion or restricted processing of your personal data;
- Right to object to a processing based on legitimate interest or public interest, unless we are able to prove that compelling, warranted reasons superseding your interests, rights and freedom exist, or that such processing is done for purposes of the assertion, exercise or defense of legal claims;
- Right to data portability;
- Right to file a complaint with a data protection authority;
- Where you have provided your consent to the processing of your personal data, you may at any time withdraw your consent with future effect. Such a withdrawal will not affect the lawfulness of the processing prior to the withdrawal.

Contact

For any questions you may have with respect to data privacy, or if you wish to exercise your rights, please address your request to our contact form or contact our company data protection officer at the following address:

Data Privacy Officer

Bayer (Pty) Ltd
Collaboration Hub,
1st Floor, Waterfall Circle
9 Country Estate Drive, Waterfall City, Midrand, 2090
South Africa za_data_privacy@bayer.com

Amendment of privacy statement

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

Declaration as of: 11-18-2024