



ASSOCIATES OF CAPE COD INCORPORATED

Specialists in Endotoxin and Glucan Detection

Associates of Cape Cod, Inc. US (ACC) Privacy Policy

This Privacy Policy applies to Associates of Cape Cod, Inc's processing of personal data of persons in the EU, UK and Switzerland and does not apply to persons in the US or any other country. For more information on how our subsidiaries in the EU/UK process personal data please visit

- [UK Privacy Policy applicable to Associates of Cape Cod International, Inc. \(Liverpool, UK\)](#)
- [EU Privacy Policy applicable to Associates of Cape Cod Europe GmbH \(Frankfurt, Germany\)](#)

We take your privacy very seriously. Please read this privacy notice carefully as it contains important information on who we are and how and why we collect, store, use and share your personal information. It also explains your rights in relation to your personal information and how to contact us or supervisory authorities in the event you have a complaint.

We collect, use and are responsible for certain personal information about you. When we do so we are subject to certain data protection laws, including the General Data Protection Regulation (GDPR) if you are in the EU and the UKGDPR if you are in the UK and we are responsible as 'controller' of that personal information we process for the purposes of those laws.

Key Terms

Personal Data - any information relating to an identified or identifiable individual.

Data Subject – the individual that is identified or identifiable by the Personal Data.

Data Processing – means anything that is done with personal data, including collecting, recording, disclosing and storing.

Data Controller – The organisation which processes your personal data and makes key decisions on how and why that personal data is processed.

About Us

ACC manufactures and sells product on a world-wide basis both through direct and distributor sales from the corporate office in Falmouth, USA, and through its two subsidiary

companies based in Liverpool, UK (Associates of Cape Cod International, Inc. – ACCIUK) and Frankfurt, Germany (Associates of Cape Cod Europe GmbH – ACCEU). Our contact details are below.

ACC acts as a controller of personal data it processes including personal data received from our subsidiaries, this means we make decision on how your personal data is processed and what we do with it. ACC has policies and processes in place to manage and protect personal data ACC processes.

Personal Data We Process

We may collect and process the following categories of personal information

- Name
- Email address
- Telephone number
- Address
- Other contact details
- Your professional details such as your position and employer's details
- Information about how you use our website, IT, communication and other systems
- Survey responses
- CV's if applying for a position
- Any other information that may identify you that you have voluntarily provided to us

Phone calls are not recorded or monitored and we will not record telephone calls without express permission. Similarly if you email us we may keep a record of your email address, as well as your email for our records. We would also suggest that you keep the amount of confidential information you send to us via email to a minimum and use only secure online services.

This personal information is required to provide products and/or services to you. If you do not provide personal information we ask for, it may delay or prevent us from providing products and/or services to you.

The company has policies and processes in place to manage and protect data provided to ACC from many sources including customers, vendors, consultants and similar sources.

How Your Personal Data is Collected

We collect most personal data directly from you. However, we may also collect information:

- from cookies on our website
- from your employer
- from other websites or social media sites such as LinkedIn

- from suppliers of services
- from other controllers within the Associates of Cape Cod, Inc. Group

How We Use Your Personal Data

We only use your Personal Data if we have a proper reason for doing so, for example:

- to comply with our legal and regulatory obligations;
- for the performance of our contract with you/your employer or to take steps with a view to entering into such a contract;
- for our legitimate interests or those of a third party; or
- where you have given consent.

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use (process) your personal information for and our reasons for doing so:

What we use your personal information for	Reasons and our lawful grounds
Where it is necessary to comply with professional, legal and regulatory obligations that apply to our business, such as tax or health and safety regulations. For the prevention and detection of crime.	We will only use your personal data to the extent that we are bound to do so by law or regulations in order that we can comply with that obligation (legal obligation) or for the prevention and detection of crime (legitimate interest)
Statistical analysis to help manage our business	We have a legitimate interest in understanding statistics behind purchases of products in order to be able to provide you with products and services that best suit your needs. (legitimate interest)
Updating and enhancing customer records	We take reasonable steps to keep your personal data up to date. (legal obligation). We ensure we can match you with products and services that you would be most interest in or best suit your needs (legitimate interest)

What we use your personal information for	Reasons and our lawful grounds
Fulfilling Orders for products or services or respond to enquiries with a view to a purchase	If we are supplying a product or service direct to you then we process your personal data to perform any contract we have entered into or with a view to entering such a contract (necessary for contract or in order for us to supply our products and services to a non-individual customer (legitimate interest)). In order to maintain records for the purpose of service agreements, software licensing, software updates and/or software upgrade information (legitimate interest/necessary for contract). Carrying out testing of customer samples and preparation of reports (legitimate interest/necessary for contract)
Responding to general enquiries	For us to properly respond to any other enquiries with regards our products and services. (legitimate interest/necessary for contract)
Facilitate promotional events	To let you know about events that are likely to be of interest to you where there is or has been some relationship or contact between us. To administrate, organise and facilitate those events (legitimate interest)
Marketing our products and services to existing and former customers or potential customers who have previously expressed an interest in our products or services	To provide details of any of our products that are relevant to you and any promotional offers. (legitimate interests).
Audits of our Business	For business management and planning, including accounting and auditing, conducting performance reviews, managing performance and determining performance requirements. (legitimate interest)

What we use your personal information for	Reasons and our lawful grounds
Recruitment	In order to consider you for roles within our company we will need to discuss your application and personal information with relevant employees. Only employees involved within the recruitment process will have access to your information and will keep it secure. If you are not selected for an interview, your personal information will be deleted from our systems within 6 weeks.
Business contacts	In order to facilitate any business to business relationships to suppliers or other businesses we will need to process personal details of persons within those businesses such as names, email addresses and professional status (legitimate interest)

We only use your personal information for purposes compatible with those outlined in the above table. If we need to process your Personal Data for reasons that are materially different with those outlined above or that you later authorized, we will provide you with the opportunity to opt out and prevent its use. ACC maintains reasonable procedures to help ensure that Personal Data is reliable for its intended use, accurate, complete, and current.

Who We Share Your Personal Data With

We routinely share personal data with:

- companies within the ACC group;
- third parties we use to help deliver our products, services or events to you, for example, payment service providers, delivery companies, event organisers, testing labs;
- other third parties we use to help us run our business, for example, marketing agencies, website hosts, CRM software providers, survey providers or administrative functions;
- our insurers and brokers (if applicable);
- our bank, (if applicable);

We may also share personal information with external auditors, accreditation and the audit of our accounts. We may disclose and exchange information with law enforcement agencies, public authorities and regulatory bodies to comply with our legal and regulatory obligations, to meet national security or law enforcement requirements or for the prevention or detection of crime.

We only allow third parties to handle your Personal Data on our behalf if we are satisfied they take appropriate measures to protect your Personal Data. Where required we also impose contractual obligations on service providers to ensure they can only use your Personal Data to provide services to us and to you.

We may also need to share some personal information with other parties, such as potential buyers of some or all of our business or during a re-structuring. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

ACC remains responsible and liable if third-party agents engaged to process the personal data on its behalf do so in a manner inconsistent with the ACC data principles, unless ACC proves that it is not responsible for the event giving rise to the damage.

Promotional communications

We may use your personal information to send you updates by email, post or social media communications about our products and/or services, including exclusive offers, promotions, new products and services and promotional.

We have a legitimate interest in processing your personal information for promotional purposes (see above 'How and why we use your personal information'). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly.

We may share your personal information for marketing purposes with third parties but only where we have engaged such third parties to market on our behalf and only our products. They will only act upon our strict instructions and we will only allow them to handle your personal information if we are satisfied they take appropriate measures to protect your personal information.

You have the right to opt out of receiving promotional communications at any time by:

- contacting us at dataprotection@acciusa.com
- using the 'unsubscribe' link in emails

Keeping your personal information secure

We have appropriate technical and organisational measures to prevent personal information from being accidentally lost or used/accessed unlawfully. We limit access to your personal information to those who have a genuine business need to access it. Those processing your information are subject to regular data protection training and will only process your personal data in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

How long your personal information will be kept

We will keep your personal information while we are providing products and services to you. Thereafter, we will keep your personal information for as long as is necessary:

- to respond to any questions, complaints or claims made by you or on your behalf;
- to show that we treated you fairly;
- to keep records required by law.

We will not retain your personal information for longer than necessary for the purposes set out in this notice. Different retention periods apply for different types of personal information. Further details on this are available in our retention schedule which is available upon request by contacting us using our details below.

When it is no longer necessary to retain your personal information, we will securely dispose of, delete or anonymise it.

Your rights (EU, EEA and UK Data Subjects Only)

You have the following rights, which you can exercise free of charge:

Access	The right to be provided with a copy of your personal information (the right of access)
Rectification	The right to require us to correct any mistakes in your personal information
To be forgotten	The right to require us to delete your personal information—in certain situations

Restriction of processing	The right to require us to restrict processing of your personal information—in certain circumstances, for example if you contest the accuracy of the data
Data portability	The right to receive the personal information you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations
To object	The right to object: —at any time to your personal information being processed for direct marketing (including profiling); —in certain other situations to our continued processing of your personal information, for example processing carried out for the purpose of our legitimate interests.
Not to be subject to automated individual decision making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you

If you would like to exercise any of those rights, please:

- email, call or write to us using our details below;
- complete the form we will then provide to you;
- let us have enough information to identify you (for example your full name, address and any customer or matter reference number);
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and

- let us know what right you want to exercise and the information to which your request relates.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

You may also have the right to make a GDPR complaint to the relevant Supervisory Authority. A list of Supervisory Authorities is available here:

http://ec.europa.eu/justice/dataprotection/bodies/authorities/index_en.htm

If you need further assistance regarding your rights, please contact us using the contact information provided below and we will consider your request in accordance with applicable law. In some cases our ability to uphold these rights for you may depend upon our obligations to process personal information for security, safety, fraud prevention reasons, compliance with regulatory or legal requirements, or because processing is necessary to deliver the services you have requested. Where this is the case, we will inform you of specific details in response to your request.

Privacy Shield

ACC complies with the Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information. ACC has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

International Transfers

In 2020 the European Courts ruled that Privacy Shield can no longer be relied upon as a safeguard for transferring personal data from the EU to the US.

Where ACC receives personal data from our subsidiaries in the EU or UK we have implemented appropriate safeguards to ensure you enjoy a similar level of data protection you would in the EU/UK, this includes entering into a contract containing Standard Contractual Clauses approved by the European Commission.

Where ACC transmits your personal data to a country outside of the EU/UK that does not have adequacy status we will ensure we have in place appropriate safeguards to ensure you can enjoy the same level of data protection, this again includes Standard Contractual Clauses.

If you would like a copy of the Standard Contractual Clauses please contact us using the details below.

Additional Information Under GDPR

If you wish to learn more about your rights you can contact regional offices where rights and information on GDPR are readily available. The following websites are good sources of information:

US:

Department of Commerce: <https://www.commerce.gov/>

Better Business Bureau: <https://www.bbb.org/en/us>

DE: Datenschutz Hessen: <https://datenschutz.hessen.de>

UK: Information Commissioners Office: <https://ico.org.uk/>

You may also have the right to make a GDPR complaint to the relevant Supervisory Authority. A list of Supervisory Authorities is available here:

http://ec.europa.eu/justice/dataprotection/bodies/authorities/index_en.htm

For EU and Swiss Individuals: Personal Data Transfers to the United States

With respect to personal data received or transferred, ACC is subject to the regulatory and enforcement powers of the U.S. Federal Trade Commission.

EU and Swiss individuals have the right to obtain our confirmation of whether we maintain personal information relating to you in the United States. Upon request, we will provide you with access to the personal information that we hold about you. You may also correct, amend, or delete the personal information we hold about you. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data transferred to the United States, should direct their query to dataprotection@acciusa.com. If requested to remove data, we will respond within a reasonable timeframe.

We will provide an individual opt-out choice, or opt-in for sensitive data, before we share your data with third parties other than our agents, or before we use it for a purpose other than which it was originally collected or subsequently authorized. To request to limit the use and disclosure of your personal information, please submit a written request to dataprotection@acciusa.com

In certain situations, we may be required to disclose personal data in response to lawful requests by public authorities, including situations involving national security or law enforcement. ACC remains responsible and liable if third-party agents engaged to process the personal data on its behalf do so in a manner inconsistent with the ACC data principles, unless ACC proves that it is not responsible for the event giving rise to the damage.

ACC commits to resolve complaints about your privacy and our collection or use of your personal information transferred to the United States. European Union and Swiss individuals

with personal data inquiries or complaints should first contact ACC by email at dataprotection@acciusa.com or via post at:

Associates of Cape Cod, Inc.

124 Bernard E. Saint Jean Drive

East Falmouth, MA 02536

Attention: Data Protection

Phone: 888-395-2221

Email: dataprotection@acciusa.com

If your complaint involves human resources data transferred to the United States from the EU and/or Switzerland in the context of the employment relationship, and ACC does not address it satisfactorily, ACC commits to cooperate with the panel established by the EU data protection authorities (DPA Panel) and/or the Swiss Federal Data Protection and Information Commissioner, as applicable and to comply with the advice given by the DPA panel and/or Commissioner, as applicable with regard to such human resources data. To pursue an unresolved human resources complaint, you should contact the state or national data protection or labor authority in the appropriate jurisdiction. Complaints related to human resources data should not be addressed to the BBB EU PRIVACY SHIELD.

Contact details for the EU data protection authorities can be found at http://ec.europa.eu/justice/dataprotection/bodies/authorities/index_en.htm

Binding Arbitration

You may have the option to select binding arbitration for the resolution of your complaint under certain circumstances, provided you have first taken the following steps:

- (1) raised your complaint directly with ACC and provided us the opportunity to resolve the issue;
- (2) made use of the independent dispute resolution mechanism identified above; and
- (3) raised the issue through the relevant data protection authority and allowed the U.S. Department of Commerce an opportunity to resolve the complaint at no cost to you.

Intellectual Property

The names, images and logos identifying ACC and its subsidiaries are proprietary marks. Copying of our logo and / or any other trademarked or registered products or services accessed via the ACC website is not permitted without the express permission of the company.

Virus Protection

We make every effort to check and test material at all stages of production. It is always wise for you to run an anti-virus program on all material downloaded from the internet.

Therefore, we cannot accept responsibility for any loss, disruption or damage for your data or computer system which may occur while using material derived from this website.