

## PRIVACY POLICY

**Effective Date: 17/05/2017**

### 1. Data Controller and Data Protection Officer

Ferrero Fındık İthalat İhracat ve Ticaret Anonim Şirketi ("**Ferrero**," "**we**," or "**us**") respects your privacy and is committed to protect it during and after your visit of this site, its related mobile site and of any microsites (which may be administered on behalf of Ferrero by a third party typically acting as data processor) which may be accessed through the same (each referred to as "**Site**," and collectively the "**Sites**"). In this regard, Ferrero acts as data controller ("**Data Controller**"). This privacy policy ("**Privacy Policy**") discloses our practices with respect to the collection of information through the Sites and our use of the information. This Privacy Policy applies solely to information collected through the Sites, and does not apply to information collected through any other sources, including, without limitation, Facebook®, Twitter®, YouTube® and other third party and social media websites. Please be advised that Ferrero is not responsible for any other websites maintained by other Ferrero companies in the Ferrero Group. If you do not agree with any term in this Privacy Policy, please do not use the Site(s) or provide any personal data to us.

Ferrero has appointed a data protection officer who can be contacted at the following e-mail address: [privacy@ferrero.com](mailto:privacy@ferrero.com)

### 2. Types of processed data

We collect and store certain personal data about you (*i.e.*, information which may directly or indirectly identify you 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; ("**Personal Data**") through the Site. We may request that you submit Personal Data in certain instances, such as when you use a customer order form to purchase products and services offered by us, submit comments or questions, request information, participate in a promotion, contest or sweepstakes or utilize other features or functions of a Site. Ferrero will not collect Personal Data from your visits to our Sites unless you provide it to us voluntarily, except for some items of Personal Data collected by information systems and programs used for the operation of the website, transmission of which is inherent in the use of Internet communication protocols (e.g. IP addresses) and will not require you to provide more information than is necessary to participate in the activities on our Sites. If you opt not to provide us with Personal Data (Apart from Personal Data referred to the use of Internet communication protocols which is typically collected when you request to visit a website), you can still access our Sites, however you will be unable to participate in certain promotions, create login credentials in order to use certain functionalities on the Sites, activate or use a service, have a purchase order fulfilled or receive product information.

Certain pages of the Sites may allow you to create login credentials by typing in your user name/ID or email address and password and other information, or by using one of the available social media authentication methods such as Facebook®, Google+®, and Yahoo®. If you choose to create login credentials using your account with one of the available social media authentication tools, you allow us to access your Personal Data that is publicly available or that you have made publicly available (e.g., name, user ID, profile picture), and information you "Allow" the Site to access. Hence, by authenticating through one of the social media options, you allow us to receive your information that is accessible. We encourage you to

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review the relevant third-party privacy policy and any terms and conditions, for the method you choose to utilize for authentication.

Moreover, when you connect to a Site, there are certain Personal Data (e.g., IP address, purchase preferences, profiling features) that may include identifiers that may permit us to serve tailored ads to your device, along with technical, non-Personal Data which itself may not identify any individual ("Non-Personal Data", e.g., internet browser type) that may be collected and stored through the use of "cookie" and other tracking technologies. In addition, other parties such as advertising partners and analytics providers may collect information about your online activity over time and across the Sites, with your informed consent. This information assists us to update a Site so that it remains interesting to our visitors and contains content that is tailored to visitors' interests. If you disable cookies, we may be unable to optimize your visit to a Site and certain features on the Site may not be available.

### **3. Purposes, legal basis of the processing and possible consequences of failure to provide Personal Data**

When you provide your Personal Data at a Site, we will limit the use of the Personal Data for the purpose for which they were collected in accordance with the terms of this Privacy Policy. Uses of your Personal Data include:

- A. To take steps at your request prior to entering into a contract (e.g., to respond to your questions and comments; to fulfil your requests; to communicate with you about your activities on a Site);
- B. To perform a contract to which you are a party (e.g., to provide you with access to certain areas and features on a Site; to fulfil your order in connection with shopping or commercial services offered on a Site; to provide customer service);
- C. To investigate suspected fraud, harassment, physical threats, or other violations of any law, rule or regulation, the rules or policies of a Site, or the rights of third parties; or to investigate any suspected conduct which we deem improper;
- D. To comply with a legal obligation to which Ferrero is subject to (e.g., for disclosures required by law, regulation, or court order);
- E. For the purpose of or in connection with legal proceedings, establishing, defending, or exercising legal rights;
- F. to send advertising or direct sales materials or to conduct market research, carry out data analytics or deliver commercial communications, by means of electronic tools (SMS, email, social network), whether automated (calls without an operator) or not automated (snail mail and calls with an operator), in compliance with appropriate legal grounds;
- G. to communicate your Personal Data to selected third-party advertising partners for their own marketing purposes in compliance with appropriate legal grounds;

The provision of Personal Data for the purposes from A to E above is voluntary, however, any refusal to provide such data may not allow Ferrero to enter into a contract with you, reply to your requests, fulfill your purchased order and to comply with legal obligations to which Ferrero is subject to.

The provision of Personal Data for the purposes described in sections F and G above is also voluntary; failure to provide such Personal Data, or objecting to the relevant data processing on appropriate grounds relating to your particular situation, may prevent Ferrero to send advertising or direct sales materials or to conduct market research, carry out data analytics or deliver commercial communications, and/or to communicate your Personal Data to selected third-party advertising partners for their own marketing purposes. We may still contact you for administrative purposes, such as confirming a purchase order or request further requests you've made.

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#### 4. Recipients

Your Personal Data may be disclosed, in close relation to the purposes specified above, only to:

- subjects necessary for order fulfilment, delivering packages, sending postal mail and e-mail, removing repetitive information from customer lists, analysing data and providing marketing assistance, processing credit card payments, and providing customer service, which typically process Personal Data on behalf of Ferrero as data processors
- persons authorised by Ferrero to process Personal Data, that are committed to/ or under an appropriate statutory obligation of confidentiality (Ferrero's employees);
- law enforcement agencies and public authorities when so required by the applicable law or in the good faith belief (e.g., to conform to the edicts of the law or comply with legal process served on Ferrero; to protect and defend the rights or property of Ferrero and this Site; or, to act under exigent circumstances to protect the personal safety of users of Ferrero, its Sites, or the public);
- third-party commercial partners for their own purposes only in compliance with appropriate legal grounds.

#### 5. Transfer of Personal Data to third countries

Ferrero may transfer Personal Data to third countries: European Union Countries, United States of America

#### 6. Retention

Ferrero will process your Personal Data only for the duration necessary to achieve the purposes described in section 2. Regarding the purposes described in section 2.F and 2.G, your Personal Data will be processed until you will exercise your right to object to or to restrict the processing. Apart from the above, Ferrero will retain your Personal Data for a period of time necessary or permitted to comply with the applicable data protection law.

#### 7. Your rights

Ferrero informs you that, pursuant to and to the extent allowed by the applicable law, you have the right to request from Ferrero access to and rectification or erasure of Personal Data or restriction of the processing concerning your Personal Data or to object to relevant processing activity, and to lodge a complaint with the competent supervisory authority. You also have the right to know the recipients or categories of recipient to whom your Personal Data have been or will be disclosed, in particular recipients in third countries.

Within the framework of Turkish laws, your rights are as following:

- a) to learn whether your Personal Data is handled or not,
- b) to request information if your Personal Data has been handled,
- c) to learn the purpose why your Personal Data is handled and whether it is used appropriately for its purpose,
- d) to know the third parties to whom your Personal Data is transferred in Turkey or abroad,
- e) to requesting correction of your Personal Data if it is incomplete or incorrectly handled, to request deletion or termination of personal data in accordance with the provisions of the law,
- f) to request that actions taken in accordance with items (d) and (e) just mentioned be notified to third parties to whom your Personal Data are transferred,

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- g) to object to the emergence of a consequence against you by analyzing your processed data exclusively through automated systems,
- h) to request indemnification in the event that you incur loss due to illegal handle of your Personal Data.

## **8. Links to Other Sites**

A Site may contain links to other websites that are not owned, operated, or maintained by Ferrero. When you leave a Site you should note and read the terms and conditions and privacy policies of each and every website that you visit. You should also independently assess the authenticity of any website which appears or claims that it is one of our Sites (including those linked to through an email). Despite any links that might exist on a Site, unless expressly stated otherwise, we do not control, recommend, or endorse and are not affiliated with these websites or their content, products, services, or privacy policies. Downloading material from certain websites may risk infringing intellectual property rights or introducing viruses into your computer system.

## **9. Protection of Children’s Privacy**

Ferrero takes the protection of children’s privacy seriously. We operate the Sites in compliance with all applicable laws in the jurisdiction set forth below. We do not collect Personal Data from any person under the legal age of sixteen (16) or, where permitted by the applicable law, under the age of thirteen (13). Children under sixteen (16) or, where permitted by the applicable law, below thirteen (13) years of age should have a parent/ guardian’s consent before providing any Personal Data to a Site. If we determine upon collection that a user is under this age, we will not use or maintain his/her Personal Data without his/her parent/guardian’s consent. Without such consent, though, the child may not be able to participate in certain activities. A parent/guardian can review, remove, change, or refuse further collection or use of their child’s Personal Data by contacting us using one of the options listed in the section entitled “Managing Your Personal Information” (please provide child’s name, address, and e-mail address).

## **9. Security Practices**

The security of your Personal Data is very important to us. We have put in place appropriate physical, electronic, and managerial procedures to safeguard the information we collect. However, due to the inherent open nature of the Internet, we cannot guarantee that communications between you and us or information stored on a Site or our servers will be completely free from unauthorized access by third parties, such as hackers. Your use of a Site demonstrates your assumption of this risk. To the fullest extent permitted by the applicable law, we disclaim all liability and responsibility for any damages (including, but not limited to, any and all direct, special, indirect, consequential, or punitive loss or other damages of any kind, whether in contract (including fundamental breach), tort (including negligence), or otherwise) that you may suffer due to any loss, unauthorized access, misuse, or alteration of any information you submit to a Site.

## **10. Governing Law/Jurisdiction**

All matters relating to a Site and/or this Privacy Policy are governed by the laws of Turkey, without reference to conflict or choice of law principles. You agree that exclusive jurisdiction and venue for any legal proceeding relating to a Site and/or this Privacy Policy shall be in appropriate courts located in Turkey. We do not warrant or imply that the Sites or content/materials on the Sites are appropriate for use outside of the Turkey. The information set forth on the Sites concerning any products or services is applicable only in Turkey, and these products and services may not be available in all locations. If you are located outside Turkey, you are solely responsible for compliance with any applicable local laws.

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## **10. Transfer of Assets**

During the course of our business, we may sell or purchase assets. If another entity acquires Ferrero or all or substantially all of our assets, Personal Data and Non-Personal Data that we have collected about the users of the Sites may be transferred to such entity. Also, if any bankruptcy or reorganization proceeding is brought by or against us, such information may be considered an asset of ours and may be sold or transferred to third parties.

## **11. Severability**

If any term or provision of this Privacy Policy shall be held or declared to be invalid, illegal or unenforceable for any reason by any rule of law or public policy, such provision shall be severed to the extent invalid or unenforceable and the remaining provisions shall continue in full force and effect.

## **12. Changes and Updates to our Privacy Policy**

Ferrero reserves the right to change or update this Privacy Policy at any time and without prior notice to you. Please check back from time to time for any changes or updates to our Privacy Policy, which will be posted here and will reflect an updated effective date on the first page of the Privacy Policy should any changes or updates be made.

## **13. Contact Information**

Should you have any questions or comments regarding the Sites or this Privacy Policy, you may contact us from the following email address [privacy.tr@ferrero.com](mailto:privacy.tr@ferrero.com) indicating from which country you are writing from.

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