

General information on data protection in our online shop

FresuCare AG, Am Mattenhof 4, CH-6010 Kriens, Switzerland (hereinafter referred to as "we" or "FresuCare") provides this "General information on data protection in our online shop" to inform you about how we process your personal data, including your health-related data, in the course of operating the online shop and handling and administering orders that you place in the online shop, and about the rights you have in this regard.

You have a user account in FresuCare's online shop and have already placed or intend to place orders. FresuCare must collect and process your personal data for the processing and administration of the order. This processing of your personal data is therefore a direct consequence of your order and necessary for fulfilment of the contract with you.

Why we collect and process your data

FresuCare will process your personal data (including any health-related data) in order to operate the online shop (including the generation of log files for the technically flawless presentation and optimization of the online shop and in order to ensure security of the online shop), and to process and fulfill the order you place in the online shop and perform the related administrative tasks.

These may include billing to your health insurance provider. Furthermore, we need your data for our master data management, for the preparation of delivery notes and invoices, and for the dunning process. Your email address can be used to inform you about the delivery status as well. Where required, we will also communicate with the other parties involved in your care (e.g. prescription issuers or other service providers) in order to comply with legal requirements and process the order. We will use your data to troubleshoot issues in our IT systems and to further improve our service for you. Furthermore, we will need your data in order to answer your inquiries.

If and insofar as we do not collect the personal data ourselves, we will receive your personal data from the doctors or healthcare professionals treating you, or from other persons whom you have authorized to place the order.

What data we collect, and how we process them

The personal data to be collected and processed include in particular the following:

- Surname, first name
- Address
- Telephone N°
- Email address
- Particulars / contact details of the person authorized by you (e.g. family member, legal guardian)
- Date of birth
- Health insurance provider
- Attending physician
- Nursing service involved
- Pre-existing conditions, allergies, and intolerances
- Medication and prescriptions, where required
- Insurance status (e.g. statutory or private, as applicable)
- Insurance N°
- Account details
- Where required, details of other service providers participating in your care
- Technical data of your local device for the log file
- Prescription data (e.g. date of prescription, duration of prescription, prescribing office)
- Delivery address and delivery history
- Requested delivery dates and delivery preferences
- Written and telephone correspondence (incl. meeting notes)

- Declarations of consent and contractual documents (e.g. care contract)
- Data on the use of digital services (e.g. login times, user activities in patient portals or in the online shop, in order to prevent misuse or fraud)
- Language preferences and communication needs (e.g. need for an interpreter)

Legal basis for the processing and disclosure of your data

We process your personal data based on the Swiss Federal Act on Data Protection (*Schweizerisches Bundesgesetz über den Datenschutz*) and the ordinances issued thereunder. The data processing is justified by one or several of the following reasons:

- The processing of your personal data is necessary for fulfillment of the contract concluded between you and us.
- The processing of your personal data is necessary to enable us to comply with legal obligations, in particular anti-money laundering laws, sanctions list screening, product traceability requirements, legal disclosure and reporting obligations, or similar compliance obligations that may require us to process certain personal data.
- The processing is necessary to protect our legitimate interests or the interests of a third party. Our legitimate interests are:
 - Collection of information to support knowledge management in relation to internal processes, products and services.
 - (Further) development, optimization and improvement of our products, services, the online shop, and our IT systems.
 - Optimization of internal communication.
 - Optimization of administration.
 - Organizational management.
 - Risk management: Safeguarding e.g. against financial and reputational risks.
 - Maintenance of the IT infrastructure, IT security, ensuring IT support, and detection and rectification of any errors.
 - Assertion, exercise or defense of legal claims, as well as actions taken by courts within their judicial functions.
- You have granted us your consent to the intended processing of your personal data.

Why it is necessary that you provide your personal data

The provision of your personal data is not mandated by law. However, we need your personal data in order to conclude and execute the order you have placed in the online shop. Failure to provide these personal data would mean that we might not be able to properly fulfill our obligations under the contract.

How long will my personal data be stored?

In general, we will store your personal data for one of the following periods:

- As long as we are obliged to retain the data in accordance with applicable laws (e.g. because we need to retain contract data).
- If there is no statutory retention obligation, at least for the duration of the contractual relationship with you.
- If we have a legitimate interest in processing your personal data outside of such a contractual relationship, we will process them for as long as we have a legitimate interest in processing these data.

We share your data

FresuCare will disclose your data to selected service providers, vicarious agents, and other recipients in order to provide and process your care, in particular for the purpose of billing the health insurance company for the services provided. They may be granted access to your data to the extent respectively necessary, and use them to provide the contractual performance.

Service providers, vicarious agents, and other recipients can be grouped into the following categories:

- Other companies of the Fresenius Kabi Group, <https://www.fresenius-kabi.com/im-print/entities>.
- Other companies of the Fresenius Group, <https://www.fresenius.com/group-overview>.
- Health insurance companies for billing.
- Other service providers/vicarious agents: IT, billing and accounting providers, banks, debt collection agencies, financial and tax auditors, law firms, tax advisors, logistics providers, printing services, call centers, medical engineering and maintenance specialists, and qualified independent contractors commissioned to provide care on behalf of FresuCare, who in turn may be supported by their own qualified staff.

International data transfer

We may transfer your personal data for the above-mentioned purposes in whole or in part to recipients within the Fresenius Group, our service providers, or other international organizations in countries outside Switzerland that are not Member States of the European Union. Please note the overview of the locations where Fresenius Kabi operates.

We may lawfully transfer data to any of the following countries where Fresenius companies are established and for which the Swiss authorities have acknowledged an adequate level of data protection that is equivalent to the level of data protection in Switzerland: EU Member States, Argentina, Canada, New Zealand, Uruguay.

With regard to such international data transfers to third countries for which the Swiss authorities have not ruled that an adequate level of data protection exists, we have provided appropriate safeguards to secure your personal data to a level equivalent to the level of data protection in Switzerland.

These safeguards are:

- For data exchange within our company: our Binding Corporate Rules for data controllers.
- For data exchange with our service providers and other international organizations: Standard Contractual Clauses issued by the European Commission. These correspond to the level of data protection mandated by Swiss legislation.

You can obtain a copy of these [Standard Contractual Clauses](#) and our [Binding Corporate Rules](#) online or upon request.

Changes to the processing of your personal data

As our collection and use of your data may change over time, we may update this privacy notice from time to time in order to accurately reflect our data processing practices. We recommend that you call up and re-read this privacy notice periodically.

Further information on data protection

Further information on how we process personal data can be found on our website in our general data privacy statement at <https://www.fresucare.ch/de/datenschutz> / <https://www.fresu-care.ch/fr/protection-des-donnees>

Contact, requests, inquiries and data protection complaints

Contact to responsible persons / data controller

Data controller:
FresuCare AG
Am Mattenhof 4
CH-6010 Kriens, Switzerland
Switzerland
datenschutz.ch@fresenius-kabi.com

Requests and inquiries

Our online data protection contact form (available at <https://www.fresenius-kabi.com/de-ch/data-privacy-contact>) allows you to request information and exercise your data protection rights. Your data protection rights are:

- to obtain confirmation as to whether or not we are processing your personal data.
- to request access to your personal data.
- to demand correction of your personal data if the same should be incorrect.
- to request the deletion of your personal data.
- to request restriction of the processing of your personal data.
- to submit a request for data portability to another organization.
- to lodge an objection to data processing.
- to revoke or withdraw your previously granted consent at any time. You can revoke your consent for the entire processing or for individual purposes of your choice with effect for the future. Such a revocation of consent does not affect the lawfulness of processing based on your consent before its revocation.

The revocation is to be sent by letter to: FresuCare AG, Datenschutz (Data Protection), Am Mattenhof 4, CH-6010 Kriens, Switzerland, or by email to: datenschutz.ch@fresenius-kabi.com.

Please note that the processing of your health-related data may be necessary for the administration and processing of the order. This applies in particular to any prescription-only drugs that you order. In the event of revocation, depending on the circumstances of your revocation FresuCare may factually no longer be able to administer and/or process your order.

If you submit a data protection request, our data protection organization may ask you for additional information in order to confirm your identity and clarify your request. We provide our information free of charge, unless the requests are manifestly unfounded or excessive, in which case we may charge a fee. We will endeavor to respond to your request within thirty days. We reserve the right to extend the deadline to the extent permitted by law and will inform you in such a case. Please do not inquire about the processing status of your request.

Data protection complaints

Local Data Protection Advisor

FresuCare AG
LDPA, Am Mattenhof 4, CH-6010 Kriens, Switzerland
✉ datenschutz.ch@fresenius-kabi.com

Data Protection Supervisory Authority

You have the right to lodge a complaint with the supervisory authority responsible for FresuCare: Eidgenössischer Datenschutz- und Öffentlichkeitsbeauftragter (Swiss Federal Data Protection and Information Commissioner), Feldeggweg 1, CH-3003 Bern, Switzerland.