

## **Data Protection Statement**

(Last updated on March 2019)

We appreciate your interest in Fresenius SE & Co. KGaA ("**Fresenius**"). Protecting your privacy is important to us. We would like to inform you on how we collect personal data, what types of information we collect, and explain to you how that information is used.

We also inform you that our websites include links to external sites which are not covered by this Data Protection Statement. Also, some of our Fresenius subsidiaries' local websites may include different data protection statements. Your visit to such websites is subject to the respective data protection statement.

### **1. Responsible Person**

The Controller responsible for the processing of your personal data in relation to the use of this website and its functionalities is:

Fresenius SE & Co. KGaA  
Else-Kröner-Straße 1  
61352 Bad Homburg  
Phone: +49 6172 686 0  
Fax: +49 6172 686 2628  
E-Mail: [pr-fre@fresenius.com](mailto:pr-fre@fresenius.com)

You can also reach out directly to our Data Protection Officer via:

Fresenius SE & Co. KGaA  
Data Protection Officer  
Else-Kröner-Straße 1  
61352 Bad Homburg  
Germany  
E-mail: [dataprotectionofficer@fresenius.com](mailto:dataprotectionofficer@fresenius.com)

### **2. Processing of your personal data**

We process your personal data for the following purposes and on the basis of the following legal bases:

### **When visiting our website**

As with most websites, we collect data of your visit to our site. We do this in order to be able to present the website optimized to the device you are using and with all its functions or to store your preferences for your current or future browsing sessions. The following internet protocol data is routinely collected during visits to our websites: your IP address, the website that directed you to our site, the pages visited on our website, your web browser type, and the date and length of your visit. Your IP address will be processed in a fully anonymized manner by deleting the last three figures. That way we are no longer able to identify you as an individual person. We process this data based on statutory provisions which allow the processing (1) because it is required to fulfil the agreement on the use of our website (Art. 6 sec. 1 lit. b) GDPR) and (2) we have a legitimate interest in ensuring the functionality and fault-free operation of our website and in being able to offer a service tailored to the user which is not overridden by your interests, rights and freedoms (Art. 6 sec. 1 lit. f) GDPR). We will delete the IP address within no more than one month. For web analytics purposes, data will be stored on the Matomo (formerly Piwik) servers for three years and will be completely deleted afterwards.

### **When you actively provide information when contacting us**

We will collect and process data you actively provided to us for instance when filling in online forms when contacting us by means of communication such as e-mail, telephone or mail. In case of online forms, the purpose for which you provide us with your personal data can be found on the form itself, generally the purpose will be to communicate with you.

If you contact us via e-mail, phone, fax or an online contact form provided on our website, we process personal data as far as provided by you: your name, company, profession, address data, e-mail address, phone number, fax number, content and type of your request and possible further information provided by you for the purpose of responding to your inquiry. We do this based on your prior given consent (Art. 6 sec. 1 lit. a) GDPR) or, in order to execute a contract you are party to (Art. 6 sec. 1 lit. b) GDPR), or based on our legitimate interest in communicating with you and answer your inquiry, which is not overridden by your interests, rights or freedoms since you contacted us yourself (Art. 6 sec. 1 lit. f) GDPR). We will not use the information as a basis for contacting you further for marketing purposes, unless you have given us your explicit consent to do so. Your contact details will be stored after the inquiry has been completed, in order to be able to react to follow up inquiries, if these arise. Details provided on online forms are always collected using a secure connection to protect personal

information from manipulation or unauthorized access. Please be aware that regular e-mail traffic is not secure.

### **When you activate Activity Feeds**

We implemented activity feeds of social media providers on our website (in our case namely those of Facebook, Twitter, Instagram, YouTube, LinkedIn and Xing). These activity feeds are deactivated by default. If you choose to use these activity feeds, you will be asked for your consent regarding the respective transfer of your data. The transfer of data takes place in order to enable you to use and connect with the services of these social media providers. Your consent provides the legal basis for this transfer of your personal data by Fresenius (Art. 6 sec. 1 lit. a) GDPR). In addition, if you are currently logged in to a social network of one of the listed providers, your activity may be linked to your user account by the respective social media provider at the same time. If you activate the activity feeds of social media providers your web browser will connect to the servers of the respective providers and send your specific user data. The transmitted data may encompass: date and time of your visit on our website, URL of the website you are on, URL of the website you visited before, used browser, used operating system, and your IP-Address.

Fresenius has no influence on the scope or the kind of data that will be submitted by activating the activity feeds. Besides, further data processing operations by the respective social media providers could be triggered, on which we do not have any influence. To learn more about the scope of personal data collected and processed, the purpose your data may be used for, as well as your respective rights and configuration options in order to protect your privacy (including your right of withdrawal of consent), please refer to the respective social network's privacy policy.

<https://www.facebook.com/policy.php>

<https://twitter.com/en/privacy>

[https://www.youtube.com/static?template=privacy\\_guidelines](https://www.youtube.com/static?template=privacy_guidelines)

<https://help.instagram.com/155833707900388>

<https://www.linkedin.com/legal/privacy-policy?src=li-other&veh=www.linkedin.com>

All processing of personal data in relation to the activity feed is carried out by and in responsibility of these providers. Fresenius is not responsible for such processing of personal data.

As part of the activity feed, we incorporate videos from YouTube on our website from time to time. YouTube, as the majority of websites, uses cookies in order to collect user specific data

on its website for, amongst other things, recording video statistics, prevent fraud, and improve the user-friendliness. By starting the respective video, further data processing operations could be triggered by YouTube simultaneously, on which we do not have any influence. For more information about privacy on YouTube, see Google's privacy policy: <http://www.google.com/intl/en-GB/policies/privacy/>.

### **3. Recipients of your personal data**

We share your data solely with other entities within the Fresenius Group. The data will be stored and hosted by Fresenius Netcare GmbH, Else-Kröner-Straße 1, 61352 Bad Homburg, Germany.

In order to provide our website we make use of external service providers ("**Processors**"), such as hosting service providers, who thereby get access to your personal data. All Processors are carefully chosen by us and regularly checked. These processors may only process personal data for the purposes determined by us and may only process data in accordance with this Data Protection Statement and applicable data protection laws.

We store your data in cloud. This means that your personal data may be processed by cloud service providers like Microsoft and stored in different countries within the European Union. We require these providers to implement similar data protection measures as we take based upon contractual arrangements.

In order to be able to handle your inquiries, we will forward your inquiry, including your personal data as provided by you, to your local country contact. This may lead to your personal data being transferred to a third country outside of the European Union, which may not provide a similar level of data protection. With regard to those countries we have provided appropriate safeguards in order to secure your personal data to a degree that equals the level of data protection in the European Union. These safeguards are: Standard Contractual Clauses that have been issued by the European Commission or commiseration in the US-Privacy Shield. Where no safeguards are provided we will ask you for your consent.

We will not disclose your personal data to any governmental authority, unless required by law. Our employees, agencies, and retailers are obliged to respect the confidentiality and protection of your personal data.

### **4. Cookies**

Our website uses cookies. Cookies are small text files that are stored locally on your computer by your web browser. Before cookies are used by us, you will be asked whether you agree to

this. You can delete cookies at any time, even if they have already been used. Please follow the instructions of your browser provider for the settings.

## **What cookies do we use and why**

### **Session and functional cookies**

For a functioning and individualized browsing experience, we use so called "session cookies" which will help to identify you while using our website, in order to make the visit of our website more convenient. These "session cookies" will be deleted automatically and immediately after you close our website. These session cookies cannot be deselected because they are necessary for the proper use of the website.

We also use a functional "cookie notifier" cookie, which saves your decision either to agree with the usage of cookies on our website or not. It is saved automatically upon your click on one of the two options available. Your acceptance of our cookies is stored for one year from then on; if you decide to refuse our cookies, your decision will be stored for one month. During this time the cookies information banner will not be shown again.

We use these cookies based on our legitimate interest to provide an optimized and functional website, which is not overridden by your interests, rights and freedoms (Art. 6 sec. 1 lit. f) GDPR).

### **Analytical cookies**

Moreover, we use "analytical cookies" to analyze and improve how our website works. These cookies collect pseudonymous non-user-specific information only. These cookies track for instance the time of the visit of the website, how often visitors use a page of our website, which pages visitors go to most often, how long they stay on which site, the websites that directed the visitor to our website and if they get error messages from our pages. In addition to this, the country of origin, the browser and the operating software of the visitor are tracked. These cookies collect information in a way that cannot be used to identify a single user of our website. Whenever we use tracking cookies, your data will be immediately anonymized right after collection.

Our website uses Matomo (formerly Piwik) an open source web analytics tool. The cookie collects anonymized analytical data of the use of our website, through which we know the usage of the website and are able to optimize our website accordingly. The information generated by the cookie about your use of the website (including your IP address anonymized prior to its storage) will be stored on the server of our in-house service provider, Fresenius NetCare GmbH, Else-Kröner-Straße 1, 61352 Bad Homburg, Germany. The anonymized IP-address that is transmitted will not be merged with other data collected by us. Those data will be stored for five years. If you decide to set a "do-not-track" preference in your web browser or on your mobile device, your visit will not be tracked.

We use tracking cookies based on our legitimate interest to provide an optimized and functional website, which is not overridden by your interests, rights and freedoms (Art. 6 sec. 1 lit. f) GDPR).

## **How to manage cookies**

Whether you allow the use of cookies is your choice, you may enable or disable the use of cookies by websites such as ours at any time by selecting the respective browser settings. Also, you can delete already set cookies at your own discretion at any time. However, please note that if you choose not to accept the use of cookies you may not be able to experience the full functionality of this website.

If you give your full consent to the use of the above-mentioned cookies, this decision will be stored until you revoke your consent to the use of cookies. We will also ask you for your consent again after one year.

If you refuse to use the cookie completely, we will ask you for your consent again after one month.

If you make specific decisions for or against certain types of cookies as part of the [cookie settings](#), this will be stored for a period of 12 months and we will ask you again for your consent.

In order to refuse the use of cookies, you will need to manage the settings of your web browser or on your mobile device. More information on how to do this can be found here, depending on the web browser you are using:

- Chrome <https://support.google.com/chrome/answer/95647?hl=en>
- Firefox <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences>
- Internet Explorer <http://windows.microsoft.com/en-GB/windows-vista/Block-or-allow-cookies>
- Safari <http://help.apple.com/safari/mac/8.0/#/sfri11471>

If you choose to delete cookies, you might have to confirm certain dialogs once again in order to use all functionalities of this website. Please note that your cookie settings are always related to the web browser you are using and the settings are of no effect if you use a different web browser upon your next use of this website.

You can revoke your consent to the use of cookies at each and any time in the [cookie settings](#).

## **5. Your rights as a data subject**

### **Right to access**

You have the right to obtain from Fresenius confirmation as to whether or not personal data concerning you is being processed, and where that is the case, access to the personal data.

### **Right to rectification**

You have the right to request from Fresenius the rectification of inaccurate personal data concerning you.

### **Right to erasure**

You have the right to request from Fresenius the erasure of personal data concerning you under the prerequisites put up in Art. 17 GDPR. These prerequisites inter alia provide a right to erasure, if data is not necessary for the purpose it was collected for, in case of an unlawful processing of personal data, if the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which Fresenius is subject, or if you have withdrawn your consent and there is no other legal ground for the processing.

### **Right to restriction of processing**

You have the right to request from Fresenius the restriction of processing if the prerequisites of Art. 18 GDPR apply. This right exists inter alia, if the accuracy is contested by you, for a period enabling Fresenius to verify the accuracy of personal data, if the processing is unlawful and you contest erasure and demand restriction of their use instead.

### **Right to data portability**

You have the right to receive your personal data, which you have provided to Fresenius, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from Fresenius under the prerequisites of Art. 20 GDPR.

### **Right to object**

**You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on lit. e) or lit. f) of Art. 6 sec. 1 GDPR. In this case, Fresenius shall no longer process personal data unless it demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.**

To enforce any of the aforementioned rights, please contact us through one of the communication channels mentioned above.

**Right to lodge a complaint**

You have the right to lodge a complaint with a responsible supervisory authority.

Our communications department or Data Protection Officer would be ready to answer any questions regarding our Data Protection Statement. Please refer to the contact information given above.

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