



## **Privacy Shield Statement**

**And**

## **Privacy Policy**

# Associates of Cape Cod, Inc. Privacy Shield Statement

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## **Associates of Cape Cod, Inc. (ACC) Privacy Shield Statement**

This Privacy Policy applies to Associates of Cape Cod, Inc. and to its two subsidiary companies Associates of Cape Cod International, Inc. (Liverpool, UK) and Associates of Cape Cod Europe GmbH (Frankfurt, Germany).

ACC recognizes that the EU and Switzerland established strict protections regarding the handling of Personal Data, including requirements to provide adequate protection for Personal Data transferred outside of the EU and Switzerland to the United States, respectively. To provide adequate protection for certain Personal Data relating to website visitors, customers, prospective customers, partners, vendors, third party suppliers and contractors that ACC receives in the U.S., ACC has elected to self-certify to the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks administered by the U.S. Department of Commerce (“Privacy Shield”).

## **ACC Privacy Policy**

ACC manufactures and sells product on a world-wide basis both through direct and distributor sales both 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). 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.

ACCIUK and ACCEU are registered as a ‘data controller’ under the General Data Protection Regulations (GDPR) as personal information about our customers and suppliers is collected and processed. Personal data are stored and processed for contractual and legitimate business reasons. As a business there is a need to hold personal information to allow legitimate business activities to be made and maintained, which is done in compliance with this policy and GDPR.

We process and hold our customers and suppliers information in order to provide sales and support for our products and services. This notice explains how we use and share your information. Information may be collected on paper or online forms, by telephone, email, by electronic means (e.g. website cookies) and by any member of our staff.

## **What Information Is Collected?**

ACC collects Business and Personal Data (i) from individuals who visit our website and voluntarily provide their information, and (ii) from our customers, vendors, contractors and agents, including the following specific types of information:

- Contact information, including name, address, email address and phone number.
- Professional and employment information may be collected for HR purposes

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.

## **Why Is Information Collected?**

ACC collects, uses and processes Personal Data for a number of purposes which include the following:

- Providing products, services and support to our customers

- Providing information about our products, services and events
- Communicating with business partners, vendors, agents and contractors about business matters
- To analyse information in order to improve business practices, products and services
- To conduct related tasks for legitimate business purposes
- To maintain records for the purpose of service agreements, software licensing, software updates and/or software upgrade information

## Processing Personal Data of EU/EAA Individuals: GDPR

ACC will only process Personal Data in ways that are compatible with the purpose for which ACC collected the Personal Data or for purposes that the individual or entity providing the Personal Data later authorizes. Before using your Personal Data for a purpose that is materially different than the purpose for which it was collected 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.

ACC subsidiary companies, ACCIUK and ACCEU may process your information overseas using web services that are hosted outside the European Economic Area, but only with data processing agreements that meet our obligations under GDPR.

## 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/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/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.

## Data Transfers To Third Parties

### Third Party Agents Or Service Providers

We may transfer Personal Data to our third party agents or service providers that perform functions on our behalf. Where required by the Privacy Shield, we enter into written agreements with those third party agents and service providers requiring them to provide the same level of protection that the Privacy Shield requires and limiting their use of the data to the specified services provided on our behalf. We take reasonable and appropriate steps (i) to ensure that third party agents and service providers process Personal Data in accordance with our Privacy Shield obligations and (ii) to stop and remediate any unauthorized processing.

### **Third Party Data Controllers**

In some cases, we may transfer Personal Data to unaffiliated third party data controllers. These third parties do not act as agents or service providers and are not performing functions on our behalf. We may transfer your Personal Data to third party data controllers for the following purposes:

To facilitate provision of services to ACC customers, ACC may provide Personal Data to third party software and services companies whose products interact with ACC products and services. If we transfer your Personal Data to one of our affiliated entities within our corporate group, we will take steps to ensure that your Personal Data is protected with the same level of protection that the Privacy Shield requires.

### **Detailed Information On The Processing Of Personal Data**

Personal Data is collected for the following purposes and using the following services:

#### **Advertising**

This type of service allows User Data to be utilized for advertising communication purposes displayed in the form of banners and other advertisements on this Application, possibly based on User interests. This does not mean that all Personal Data are used for this purpose. Information and conditions of use are shown below.

Some of the services listed below may use Cookies to identify Users or they may use the behavioural retargeting technique, i.e. displaying ads tailored to the User's interests and behaviour, including those detected outside this Application. For more information, please check the privacy policies of the relevant services.

Facebook Audience Network is an advertising service provided by Facebook, Inc. In order to understand Facebook's use of Data, consult [Facebook's data policy](#). This Application may use identifiers for mobile devices (including Android Advertising ID or Advertising Identifier for iOS, respectively) and technologies similar to cookies to run the Facebook Audience Network service. One of the ways Audience Network shows ads is by using the User's ad preferences. The User can control this in the [Facebook ad settings](#). Users may opt-out of certain Audience Network targeting through applicable device settings, such as the device advertising settings for mobile phones or by following the instructions in other Audience Network related sections of this privacy policy, if available.

Personal Data collected: Cookies, unique device identifiers for advertising (Google Advertiser ID or IDFA, for example) and Usage Data.

Click link to view [Privacy Policy – Opt Out](#)

#### **Bing Ads (Microsoft Corporation)**

Bing Ads is an advertising service provided by Microsoft Corporation.

Personal Data collected: Cookies and Usage Data.

Click link to view [Privacy Policy – Opt Out](#)

## **Analytics**

The use of the ACC corporate website ([www.acciusa.com](http://www.acciusa.com)) may result in the capture of additional user information. This includes websites managed by ACC which includes pages from our corporate group websites ([www.acciuk.co.uk](http://www.acciuk.co.uk), [www.acciusa.de](http://www.acciusa.de), [www.pyroquant.de](http://www.pyroquant.de), [www.beacondiagnostics.com](http://www.beacondiagnostics.com), and [www.fungitell.com](http://www.fungitell.com), [www.redknotsafe.com](http://www.redknotsafe.com) ) and does not cover websites linked from our website.

The services contained in this section enable the Owner to monitor and analyse web traffic and can be used to keep track of User behaviour.

### **Google AdWords Conversion Tracking (Google Inc.)**

Google AdWords conversion tracking is an analytics service provided by Google Inc. that connects data from the Google AdWords advertising network with actions performed on this Application.

Personal Data collected: Cookies and Usage Data.

Click link to view [Privacy Policy](#)

### **Google Analytics (Google Inc.)**

Google Analytics is a web analysis service provided by Google Inc. ("Google"). Google utilizes the Data collected to track and examine the use of this Application, to prepare reports on its activities and share them with other Google services.

Google may use the Data collected to contextualize and personalize the ads of its own advertising network.

Personal Data collected: Cookies and Usage Data.

Click link to view [Privacy Policy – Opt Out](#)

### **Google Tag Manager (Google Inc.)**

Google Tag Manager is an analytics service provided by Google Inc.

Personal Data collected: Cookies and Usage Data.

Click link to view – [Privacy Policy](#)

### **Facebook Ads Conversion Tracking (Facebook, Inc.)**

Facebook Ads conversion tracking is an analytics service provided by Facebook, Inc. that connects data from the Facebook advertising network with actions performed on this Application.

Personal Data collected: Cookies and Usage Data.

Click link to view [Privacy Policy](#)

### **User Database Management, E-Marketing & Surveying Tools**

This type of service allows the Owner to build user profiles by starting from an email address, a personal name, or other information that the User provides to this Application, as well as to track User activities through analytics features. This Personal Data may also be matched with publicly available information about the User (such as social networks' profiles) and used to build private profiles that the Owner can display and use for improving this Application.

Some of these services may also enable the sending of timed messages to the User, such as emails based on specific actions performed on this Application.

Additional services allow for the ability to conduct customer surveys in which personal data may be collected as part of an analytical study.

#### **Microsoft CRM**

Microsoft CRM is a User database management service provided by Microsoft Corporation. Types of personal data that may be collected: email address, phone number and various types of Data as specified in the privacy policy of the service.

Click link to view [Privacy Policy](#)

#### **ACT CRM**

ACT CRM is a software application developed by Swiftpage which is used to keep track of client and prospect details in a single database that can be shared by multiple users. Types of personal data that may be collected: email address, phone number and various types of Data as specified in the privacy policy of the service.

Click link to view [Privacy Policy](#)

#### **LinkedIn**

LinkedIn is a business and employment-oriented service that operates via websites and mobile apps. It is mainly used for professional networking, including employers posting jobs and job seekers posting their CVs. Types of personal data that may be collected: email address, phone number and various types of Data as specified in the privacy policy of the service.

Click link to view [Privacy Policy](#)

#### **Constant Contact**

Constant Contact, Inc. is an online marketing company that provides tools and services for conducting email marketing and online marketing campaigns. Types of personal data that may be collected: email address, phone number and various types of Data as specified in the privacy policy of the service.

Click link to view [Privacy Policy](#)

#### **QuestionPro**

QuestionPro is an online survey software tool that allows the user to create custom surveys and receive automated analytical reports. Types of personal data that may be collected: email address, phone number and various types of Data as specified in the privacy policy of the service.

Click link to view [Privacy Policy](#)

### **How Your Information Is Protected**

ACC maintains reasonable and appropriate security measures to protect Personal Data from loss, misuse, unauthorized access, disclosure, alteration, or destruction in accordance with the Privacy Shield .

Staff that handle personal information are trained to meet the data security requirements. Information is not kept longer than it is needed or where the law states how long this should be kept. Records, both paper records and electronic personal information is disposed of in a secure way.

We will keep your information in the following circumstances:

- You are an existing customer
- We have been in contact with you in the past 12 months regarding our products or services
- You are or have been a supplier in the past 24 months
- You have requested to receive information about our products and services in the past 12 months
- You have purchased products which are FDA licensed materials which require that we maintain records of products purchased that are still within the expiry date
- Where after assessment we consider there is a legitimate interest in doing so

## **For EU and Swiss Individuals: Privacy Shield Notice for Personal Data Transfers to the United States**

ACC complies with the EU-US Privacy Shield Framework and the Swiss-US Privacy Shield Framework as set forth by the US Department of Commerce regarding the collection, use, and retention of personal information from European Union member countries (including Iceland, Liechtenstein, and Norway) and Switzerland transferred to the United States pursuant to Privacy Shield. ACC has certified that it adheres to the Privacy Shield Principles with respect to such data. If there is any conflict between the policies in this privacy policy and data subject rights under the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification page, please visit <https://www.privacyshield.gov/>

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

Pursuant to the Privacy Shield Frameworks, 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 may 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 under Privacy Shield, should direct their query to [dataprotection@acciusa.com](mailto: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](mailto:dataprotection@acciusa.com)

In certain situations, we may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

ACC's accountability for personal data that it receives in the United States under the Privacy Shield and subsequently transfers to a third party is described in the Privacy Shield Principles. In particular, ACC remains responsible and liable under the Privacy Shield Principles if third-party agents that it engages to process the personal data on its behalf do so in a manner inconsistent with the Principles, unless ACC proves that it is not responsible for the event giving rise to the damage.

In compliance with the Privacy Shield Principles, ACC commits to resolve complaints about your privacy and our collection or use of your personal information transferred to the United States pursuant to Privacy Shield. European Union and Swiss individuals with Privacy Shield inquiries or complaints should first contact ACC by email at [dataprotection@acciusa.com](mailto: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

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/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm)

ACC has further committed to refer unresolved privacy complaints under the Privacy Shield Principles to an independent dispute resolution mechanism, the BBB EU PRIVACY SHIELD, operated by the Council of Better Business Bureaus. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit [www.bbb.org/EU-privacy-shield/for-eu-consumers](http://www.bbb.org/EU-privacy-shield/for-eu-consumers) for more information and to file a complaint. This service is provided free of charge to you.

### **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.

If your Privacy Shield complaint cannot be resolved through the above channels, under certain conditions, you may invoke binding arbitration for some residual claims not resolved by other redress mechanisms. See Privacy Shield Annex 1 at <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>

### **Questions Or Complaints**

In compliance with the Privacy Shield Principles, ACC commits to resolve complaints about our collection or use of your personal information. EU and Swiss individuals with inquiries or complaints regarding our Privacy Shield policy should first contact ACC at [dataprotection@acciusa.com](mailto:dataprotection@acciusa.com).

### **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.

## Contact

If you have any questions about this Policy or would like to request access to your Personal Data, please contact us as follows:

**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](mailto:dataprotection@acciusa.com)

Website: [www.acciusa.com](http://www.acciusa.com)