



## **Privacy Shield Statement**

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## **Privacy Policy**

**Associates of Cape Cod, Inc.**  
**Privacy Shield Statement**

**Table of Contents**

Associates of Cape Cod, Inc. (ACC) Privacy Shield Statement ..... 3

ACC Privacy Policy ..... 3

What information is collected? ..... 3

Why is information collected?..... 4

Processing Personal Data ..... 4

Data Transfers to Third Parties..... 4

How your information is protected ..... 4

Access rights ..... 8

Disclosures for National Security or Law Enforcement ..... 8

Questions or complaints ..... 8

Binding Arbitration..... 8

Intellectual property ..... 8

Virus protection ..... 8

Contact ..... 9

Additional Information..... 9

## **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).

Associates of Cape Cod, Inc. (ACC) complies with the EU-US Privacy Shield Framework and the Swiss-US Privacy Shield Framework(s), as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland, to the United States. 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/>. This Statement supplements the ACC Privacy Policy located here, and unless specifically defined in this Statement, the terms in this Statement have the same meaning as in the ACC Privacy Policy.

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, 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 adheres to the Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity and Purpose Limitation, Access, Recourse, Enforcement and Liability.

## **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

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.

### 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. Under certain circumstances, we may remain liable for the acts of our third party agents or service providers that perform services on our behalf for their handling of Personal Data that we transfer to them.

#### 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)) 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

### **Access Rights**

You may have the right to access the Personal Data that we hold about you and to request that we correct, amend, or delete it if it is inaccurate or processed in violation of the Privacy Shield. These access rights may not apply in some cases, including where providing access is unreasonably burdensome or expensive under the circumstances or where it would violate the rights of someone other than the individual requesting access. If you would like to request access to, correction, amendment, or deletion of your Personal Data, you can submit a written request to the contact information provided below. We may request specific information from you to confirm your identity. In some circumstances we may charge a reasonable fee for access to your information.

### **Disclosures For National Security Or Law Enforcement**

Under certain circumstances, we may be required to disclose your Personal Data in response to valid requests by public authorities or to meet national security or law enforcement requirements.

### **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).

### **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. For more information on binding arbitration, see U.S. Department of Commerce's Privacy Shield Framework: Annex I (Binding Arbitration) at [http://ec.europa.eu/justice/data-protection/files/annexes\\_eu-us\\_privacy\\_shield\\_en.pdf](http://ec.europa.eu/justice/data-protection/files/annexes_eu-us_privacy_shield_en.pdf). Similar information is available in local regions.

### **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

Phone: 888-395-2221

Email: [dataprotection@acciusa.com](mailto:dataprotection@acciusa.com)

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

## Additional Information

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/>