



ISTA

Secretariat, Zurichstrasse 50, 8303 Bassersdorf, CH-Switzerland

Phone: +41-44-838 60 00, Fax: +41-44-838 60 01, E-mail: ista.office@ista.ch, <http://www.seedtest.org>

Document No: 18020

Data Protection Policy

Note on the use of the translations

If there are any inconsistencies on interpretation of ISTA Data Protection Policy translation, the German text shall take precedence.

The following Data Protection Policy applies to the use of the website www.seedtest.org (hereinafter 'website').

The International Seed Testing Association places great importance on data protection. The collection and processing of your personal data takes place in compliance with the applicable data protection regulations, in particular the General Data Protection Regulation (GDPR). We collect and process your personal data in order to be able to offer you our service. This policy describes how and for what purpose your information is collected and used, and what choices you have about personal information.

By using the website, you consent to the collection, use and transfer of your information in accordance with this Data Protection Policy.

1. Responsible body

The responsible authority for the collection, processing and use of your personal data within the meaning of Art. 4 No. 7 GDPR, is:

International Seed Testing Association (ISTA)
Secretariat, Zurichstrasse 50, 8303 Bassersdorf, CH-Switzerland
Phone: +41-44-838 6000, Fax: +41-44-838 60 01
E-mail: ista.office@ista.ch

If you wish to object to the collection, processing or use of your data by us in accordance with these data protection provisions, in whole or for individual measures, you can address your objection to the responsible body.

You may save and print this Data Protection Policy at any time.

2. General use of the website

2.1. Access data

We collect your information when you use the website. We automatically collect information about your usage patterns and your interaction with us and register information about your computer or mobile device. We collect, store and use data about each access to our website (so-called 'server log files'). The access data includes:

- name and URL of the retrieved file
- date and time of retrieval
- transferred data volume
- message about successful retrieval (HTTP response code)
- browser type and browser version
- operating system
- referrer URL (i.e. the previously visited page)

- websites accessed by the user's system through our website
- Internet service provider of the user
- IP (Internet Protocol) address and the requesting provider

We use these log data, without personal allocation or other profiling, for statistical evaluations for the purpose of operation, security and optimisation of our website, but also for anonymous recording of the number of visitors to our website ('traffic'). We assess the scope and type of use of our website and services, as well as measuring the number of clicks received from cooperation partners, for billing purposes. This information enables us to provide personalised and location-based content and to analyse traffic, troubleshoot and correct errors, and to improve our services.

This is also our legitimate interest pursuant to Art. 6 Para. 1 S. 1f GDPR.

We reserve the right to subsequently check the log data if there is a justified suspicion of illegal use on the basis of concrete indications. We store IP addresses in the log files for a limited period of time, if this is necessary for security purposes or for the provision or billing of a service, e.g. if you use one of our services. After aborting the order process or after receipt of payment, we delete the IP address, if it is no longer required for security purposes. We also store IP addresses if we have a concrete suspicion of a criminal offence in connection with the use of our website. We save the date of your last visit as part of your account (e.g. when registering, logging in, clicking links, etc.).

2.2. E-mail contact

When you contact us (e.g. via contact form or e-mail), we store your details for processing the enquiry and in the event that follow-up questions arise.

We only store and use further personal data if you give your consent (Art. 6 Para. 1 S. 1a GDPR) or if we have a legitimate interest in the processing of your data (Art. 6 Para. 1 S. 1f GDPR). A legitimate interest is, for example, to reply to your e-mail.

2.3. Google Analytics

We use Google Analytics, a web analysis service provided by Google Inc. ('Google'). Google Analytics uses 'cookies', which are text files placed on your computer, to help the website analyse how users use the site. The information generated by cookies about the use of this website by visitors is generally transmitted to a Google server in the United States and stored there.

This is also our legitimate interest pursuant to Art. 6 Para. 1 S. 1f GDPR.

Google has signed and certified a privacy shield agreement with the European Union and the US. By doing so, Google is committed to complying with the standards and regulations of European data protection law. Further information can be found at the following link:

<https://www.privacyshield.gov/participant?id=a2zt000000001L5AAI&status=Active>.

However, if IP anonymisation is enabled on the website, Google will have previously truncated your IP address within member states of the European Union or other signatory states to the agreement in the European Economic Area. Only in exceptional cases is the full IP address transmitted to a Google server in the US and shortened there. Google will use this information on our behalf to evaluate your use of the website, to compile reports on website activity and to provide us with other services relating to website activity and Internet usage.

The IP address transmitted by your browser as part of Google Analytics is not merged with other data from Google. You may refuse the use of cookies by selecting the appropriate settings on your browser. However, please note that if you do this you may not be able to use the full functionality of the website.

In addition, you can prevent the transmission to Google of the data generated by cookies and related to your use of the website (including your IP address), and the subsequent processing of this data by Google, by downloading and installing the browser plug-in available under the following link: <http://tools.google.com/dlpage/gaoptout?hl=en>.

As an alternative to the browser plug-in or within browsers on mobile devices, you can click on the following link to set an opt-out cookie that will prevent Google Analytics from collecting it within this site in the future (this opt-out cookie only works in this browser and only for this domain). If you delete the cookies in your browser, you must click this link again: [Disable Google Analytics](#).

2.4. Legal basis and storage period

The legal basis for data processing in accordance with the above paragraphs is Art. 6 (1f) GDPR. Our interests in data processing include, in particular: ensuring the operation and security of the website; investigating the manner in which visitors use the website; and simplifying the use of the website.

Unless specifically stated, we will only store personal data for as long as is necessary to fulfil the purposes for which they were collected.

In some cases, the legislator provides for the retention of personal data, for example in tax or commercial law. In these cases, the data will only be stored by us for these legal purposes but will not be processed elsewhere and will be deleted after the expiry of the legal retention period.

3. Your rights as a data subject in data processing

Under the applicable laws, you have various rights with respect to your personal information. If you wish to exercise these rights, please send your enquiry by e-mail or by post to the address stated in paragraph 1, identifying yourself clearly.

Below you will find an overview of your rights.

3.1. Right to confirmation and information

You have the right to clear information about the processing of your personal data.

In particular, you have the right at any time to receive confirmation from us as to whether personal data concerning you will be processed. If this is the case, you have the right to request from us free information about the personal data stored about you, together with a copy of this data. Furthermore, there is a right to the following information:

1. the processing purposes;
2. the categories of personal data to be processed;
3. the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients from non-EU jurisdiction or international organisations;
4. if possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration;
5. the existence of a right to rectify or delete personal data concerning you or to limit the processing by the controller, or to object to such processing;
6. the existence of a right of appeal to a supervisory authority;
7. if the personal data is not collected from you, all available information about the origin of the data;
8. the existence of automated decision-making including profiling in accordance with Art. 22 (1) and (4) GDPR and – at least in these cases – meaningful information on the logic involved and the scope and intended effects for you of such processing.

If personal data are transferred to a non-EU jurisdiction or to an international organisation, you have the right to be informed of the appropriate safeguards pursuant to Art. 46 GDPR in connection with the transfer.

3.2. Right to rectification

You have the right to demand that we correct and, if necessary, complete any of your personal data.

In particular, you have the right to demand from us the immediate correction of incorrect personal data concerning you. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data – also by means of a supplementary declaration.

3.3. Right to cancellation ('right to be forgotten')

In a number of cases, we may be required to delete your personal information.

In particular, pursuant to Art. 17 (1) GDPR, you have the right to demand that we delete personal data concerning you immediately, and we are obliged to delete personal data immediately if one of the following reasons applies:

1. Personal data are no longer necessary for the purposes for which they were collected or otherwise processed.
2. You revoke your consent on which the processing was based pursuant to Art. 6 Para. 1 S. 1a GDPR or Art. 9 Para. S. 2a GDPR, and there is no other legal basis for the processing.
3. You object to the processing pursuant to Art. 21 (1) GDPR and there are no overriding legitimate reasons for the processing or you object to the processing pursuant to Art. 21 (2) GDPR.
4. Personal data have been processed unlawfully.
5. The deletion of personal data is necessary to fulfil a legal obligation under Union law or Member States' law to which we are subject.
6. The personal data were collected in relation to information society services offered pursuant to Art. 8 (1) GDPR.

If we have made the personal data public and we are obliged to delete them pursuant to Art. 17 (1) GDPR, we shall take appropriate measures, including technical measures, taking into account the available technology and implementation costs, to inform those responsible for processing personal data, that you have requested them to delete all links to this personal data or copies or replications of this personal data.

3.4. Right to limitation of processing

In a number of cases, you have the right to ask us to restrict the processing of your personal data.

In particular, you have the right to demand that we restrict processing if one of the following conditions is met:

1. The accuracy of the personal data is disputed by you for a period of time that allows us to verify it.
2. The processing is unlawful and you have refused to delete the personal data and instead request that the use of the personal data be restricted.
3. We no longer need the personal data for the purposes of processing, but you need the data to assert, exercise or defend legal claims.
4. You have lodged an objection against the processing pursuant to Art. 21 Para. 1 GDPR, as long as it has not yet been established whether the legitimate reasons of our association outweigh yours.

3.5. Right to data transferability

You have the right to receive, transmit or allow us to transmit machine-readable personal data concerning you.

In particular, you have the right to receive the personal data concerning you that you have provided to us in a structured, common and machine-readable format, and you have the right to transfer such data to another responsible person without our interference, provided that:

1. the processing is based on a consent pursuant to Art. 6 Para. 1 S. 1a GDPR or Art. 9 Para. 2a GDPR or on a contract pursuant to Art. 6 Para. 1 S. 1b GDPR; and
2. processing is carried out using automated procedures.

In exercising your right to data transfer in accordance with the above-mentioned Para. 1, you have the right to obtain that the personal data be transmitted directly by us to another responsible person, insofar as this is technically feasible.

3.6. Right of objection

You have the right to object to a lawful processing of your personal data by us if this is justified by your particular situation and our interests in the processing do not outweigh yours.

In particular, you have the right, for reasons arising from your particular situation, to object at any time to the processing of your personal data on the basis of Art. 6 Para. 1 S. 1e or 1f GDPR; this also applies to profiling based on these provisions. We would no longer process the personal data unless we can prove compelling reasons for the processing worthy of protection, which are:

Your interests, rights and freedoms prevail, or the processing serves the assertion, exercise or defence of legal claims.

If your personal data are processed by us for the purpose of direct advertising, you have the right to object to this at any time; this also applies to profiling insofar as it is connected with such direct advertising.

You have the right to object to the processing of your personal data for scientific or historical research purposes or for statistical purposes pursuant to Art. 89 Para. 1 GDPR for reasons arising from your particular situation, unless such processing is necessary for the performance of a task in the public interest.

3.7. Automated decisions including profiling

You have the right not to be subject to any decision based solely on automated processing, including profiling, that has any legal effect on you or similarly significantly affects you.

There is no automated decision-making on the basis of the personal data collected.

3.8. Right to revoke consent under data protection law

You have the right to revoke your consent to the processing of personal data at any time.

3.9. Right of appeal to a supervisory authority

You have the right to complain to a supervisory authority, in particular in the Member State where you are residing at your place of work or at the place where the alleged infringement occurred, if you consider that the processing of your personal data is unlawful.

4. Data security

We make every effort to ensure the security of your data within the framework of the applicable data protection laws and technical possibilities.

Your personal data will be transmitted as encrypted. This applies to your orders and to the customer login. We use the SSL (Secure Socket Layer) coding system but point out that data transmission over the Internet (e.g. when communicating by e-mail) can have security gaps. A complete protection of data against access by third parties is not possible.

To secure your data, we maintain technical and organisational security measures in accordance with Art. 32 GDPR, which we continually update.

Furthermore, we do not guarantee that our services will be available at specific times; disruptions, interruptions or failures cannot be excluded. The servers we use are regularly and carefully backed up.

5. Passing on data to third parties, no data transfer to non-EU countries

In principle, we use your personal data only within our association.

If we involve third parties in the performance of contracts (e.g. logistics service providers), these third parties will only receive personal data to the extent that the transmission is necessary for the corresponding service.

In the event that we outsource certain parts of our data processing ('Order Processing'), we contractually require processors to use personal data only in accordance with the requirements of data protection laws and to protect the rights of the data subject.

Data transmission to entities or persons outside the EU as the case referred to in Para. 4 does not take place and is not planned.