

Valid from: 1 July, 2024 until further notice | Version number: EV4/240701

1. INTRODUCTION

The purpose of this present policy is to lay down data protection and data management rules applied by

**ÖMKi – Ökológiai Mezőgazdasági Kutatóintézet Közhasznú Nonprofit Korlátolt Felelősségű Társaság
(Hungarian Research Institute of Organic Agriculture)**

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Represented by: Dóra Drexler managing director

hereinafter: **Controller**,

and to provide relevant information on the processing and protection of their personal data to visitors of the *Controller's* website, the guests of quarters which operated by the *Controller*, business partners and others who concerned.

The processing operation is organized and executed to achieve the uppermost security of the privacy of those who are affected by the processing operation. *Controller* protects data particularly from unauthorized access, modification, transmission, disclosure, erasure, incidental destruction, damage, incidental impairment and loss, furthermore from the inaccessability caused by the modification of the applied technology.

When formulating the present rules the *Controller* took into special consideration

- the Fundamental Law of Hungary;
- Act CXII of 2011 on information self-determination and freedom of information (Infoact.);
- Law V of 2013 on the Civil Code (Civil Code);
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (GDPR regulation);
- Act C of 2000 on accountancy (Accountact.);
- Act CLV of 1997 on Consumer Protection.

The *Controller* is not obliged to appoint data protection officer according to Section 37 of GDPR.

2. DEFINITIONS AND TERMS USED

Consent: freely given, specific and informed consent of the data subject that gives explicit agreement to the processing of their personal data – fully or only extending to certain operations;

Controller: the natural or legal person, or an organization with legal personality, who alone or jointly with others determines the purposes of the processing of data, makes decisions on the processing of data (including the means of use) and implements or have them implemented by the data processor;

Data erasure: making the data unrecognisable so that they will be irretrievably lost;

Data management: any operation or set of operations performed on personal data irrespective of the means, such as, in particular, collecting, registering, recording, classifying, storing, altering, using, querying, transferring, disclosing, aligning or combining, blocking, erasing and destroying, as well as preventing their further use, taking photographs, making audio or visual recordings;

Data processing: any technical operation performed relating to data management;

Data subject: the natural person whose personal data are concerned by the processing of data;

Limitation of data management: marking stored private data for prospective limitation of data management;

Management system: a pool a personal data - whether it is managed centralized, decentralized or by functional or geographical aspects – which can be accessed by certain aspects;

Objection: the *Data subject's* declaration in which he or she objects to the processing of their personal data and requests further processing to be ceased and the data erased;

Personal data: any information relating to an identified natural person – in particular his or her name, identification number, also one or more factors specific to the physical, physiological, mental, economic, cultural or social identity of the natural person -, as well as any conclusion on the person that is made on the basis of the data and does not constitute information of public interest or publicly available information on grounds of public interest. Name, address and email address, among others, constitute personal data;

Privacy incident: a security breach resulting accidental or unlawful destruction, loss, alteration or unauthorised disclosure of, or access to the data transferred, stored or processed by other means;

Third party: a natural or legal person or any organization other than the data subject, the controller, the data processor or the persons authorised to manage personal data under direct control of the controller or the data processor;

Transfer of personal data: making available the personal data to a determined third party.

3. PRINCIPLES RELATING TO PROCESSING OF PERSONAL DATA

Data management carried out by *Controller* complies with the GDPR data processing principles, which are as follows:

- **Accountability principle:** the *Controller* shall be responsible for and be able to demonstrate compliance with principles.
- **Accuracy principle:** personal data shall be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.
- **Data minimisation principle:** personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed. *Controller* shall not exceed the mandatory personal data of the data subject that is necessary for the purposes.
- **Integrity and confidentiality principle:** personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
- **Principles of lawfulness, fairness and transparency:** personal data shall be processed lawfully, fairly and in a transparent manner in relation to the subject matter. *Controller* process data in any case in compliance with the legal regulations and proceed in fairness and transparency.
- **Purpose limitation principle:** personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes. Personal data shall be processed until and only to the extent that it is necessary for those purposes.
- **Storage limitation principle:** personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.

Besides principles relating to processing of personal data, the common requirement for providing adequate information is laid down, since the *Controller* shall provide information to data subjects on data processing performed on any legal basis.

4. SCOPE OF PERSONAL DATA PROCESSED, PURPOSE OF DATA PROCESSING, LEGAL BASIS AND DURATION OF DATA PROCESSING

4.1. Contact through website

Data subjects can contact the *Controller* through its website.

Scope of personal data processed	name and email address of <i>Data subject</i>
Purpose of data processing	contact between the <i>Data subject</i> and the <i>Controller</i>
Legal basis of data processing	freely given consent of the data subject to process personal data for purpose limitation principle [Section 6 (1) a) of GDPR]
Duration of data processing	until <i>Data subject</i> requests the delete of personal data

4.2. Data management during contracting and execution

In case a contract is concluded between *Controller* and its partner contracting parties shall appoint their contact person and their accessibility.

Scope of personal data processed	name, phone number, status and email address of <i>Data subject</i>
Purpose of data processing	contact between enterprises, fulfillment of the contract
Legal basis of data processing	perform the contract - processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract [Section 6 (1) b) of GDPR]
Duration of data processing	until the the contract is terminated or until the regulations impose its duration

4.3. Newsletter

The *Controller* contact with the guests (*Data subject*) in newsletter, where call their attention to services of *Controller*, inform them about organic agriculture and other novelty. Data subject can subscribe on the website of the *Controller*.

Scope of personal data processed	name and email address of <i>Data subject</i>
Purpose of data processing	inform <i>Data subject</i> about sales, preference and relevant information about the <i>Controller</i>
Legal basis of data processing	freely given consent of the <i>Data subject</i> to process personal data for purpose limitation principle [Section 6 (1) a) of GDPR]
Duration of data processing	until data subject unsubscribes from the newsletter, which is accessible in the link „unsubscribe” in the newsletter

4.4. Cookies

'Cookies' are a small sized text files that are stored on the hard drive of the *Data subject's* computer or mobile device until the set expiration time and they are reactivated on later visits of the website. The purpose of the cookies are to record information and the personal settings about the visit, which data cannot be connected to the visitor's person. 'Cookies' facilitate user friendly website, advance *Data subject's* online experience. In case *Data subject* does not give consent for *Controller* to use cookies, when *Data Subject* browse the website, some of the functions may not work properly.

Scope of personal data processed	<i>Controller</i> store every analysed data without name or other personal data
Purpose of data processing	storing the personal settings of <i>Data subject</i>
Legal basis of data processing	freely given consent of the <i>Data subject</i> to process personal data for purpose limitation principle [Section 6 (1) a) of GDPR]
Duration of data processing	<i>data subject</i> is able to delete cookies any time from the settings of its computer or mobile device.

4.5. Job advertisements

The *Controller* does not advertise jobs anonymously and deletes unsolicited applications without delay unless they require further handling. Recruited applicants are asked for consent to the processing of their data.

In case of unsuccessful application – because of later contact – the *Controller* stores the CVs if the *Data subject* contributed it.

Controller specifically, but not exclusively post job advertisements on its website.

Scope of personal data processed	name, telephone, email and postal address of the <i>Data subject</i> , the languages spoken, previous workplace(s) and freely given personal data stated in his/her CV
Purpose of data processing	contact between the data subject and the <i>Controller</i> , establishment of an employment relationship
Legal basis of data processing	freely given consent of the <i>Data subject</i> to process personal data for purpose limitation principle [Section 6 (1) a) of GDPR]
Duration of data processing	unless they require further handling data are deleted without delay

4.6. Registration in the webshop

When *Data subject* registers in the shop *Controller* is able to provide a more convenient service if *Controller* is able to store data given during registration. Registration is not a precondition for contracting.

Scope of personal data processed	name, address and/or habitation of the <i>Data subject</i> , telephone, email address, in case of registration with Facebook data accessible from the Facebook profile (profile picture, name)
Purpose of data processing	registration into the shop
Legal basis of data processing	freely given consent of the <i>Data subject</i> to process personal data for purpose limitation principle [Section 6 (1) a) of GDPR]
Duration of data processing	until consent is withdrawn by <i>Data subject</i>

The *Data subject* can voluntarily cancel the registration in the *Controller's* webshop. In this case, the personal data will be deleted regardless of the *Controller*.

4.7. Fulfillment of orders

Handling the data provided when placing orders in the webshop is essential for the fulfillment of orders.

Scope of personal data processed	name, address and/or habitation of the <i>Data subject</i> , telephone, email address
Purpose of data processing	fulfillment of orders placed in the shop
Legal basis of data processing	perform the contract – processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract [Section 6 (1) b) of GDPR]
Duration of data processing	based on Act on accountancy (8 years)

4.8. Billing

The purpose of data processing is to issue bills that are in compliance with the billing and receipt retaining obligations.

Scope of personal data processed	name, address and/or habitation of the <i>Data subject</i> , telephone, email address
Purpose of data processing	to be in compliance with billing and receipt retaining obligations
Legal basis of data processing	perform legal duty – processing is necessary for compliance with a legal obligation to which the controller is subject [Section 6 (1) c) of GDPR]

Duration of data processing	based on Act on accountancy, at the moment 8 years
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4.9. Performing warranty

In case *Data subject* request perform warranty, data shall be given and managed to ensure the effectiveness of the performance.

Scope of personal data processed	name, address, phone number, email address, VAT number of the <i>Data subject</i>
Purpose of data processing	to perform warranty in connection with ordering from the shop
Legal basis of data processing	perform legal duty – processing is necessary for compliance with a legal obligation to which the controller is subject [Section 6 (1) c) of GDPR]
Duration of data processing	based on the Act on consumer protection (5 years)

4.10. Data processing in connection with donations

Data subjects are able to donate to *Controller* to support *Controller's* work. *Controller* guarantees that donors, as *Data subject*, are able to get to know the purpose and method of *Controller's* work, and the utilisation of the donations.

Scope of personal data processed	name, bank account number and email address of <i>Data subject</i>
Purpose of data processing	to support the work of <i>Controller</i>
Legal basis of data processing	freely given consent of the <i>Data subject</i> to process personal data for purpose limitation principle [Section 6 (1) a) of GDPR]
Duration of data processing	until the consent of <i>Data subject</i> is withdrawn

4.11. On-farm network

The ÖMKi on-farm is a research network for innovative research achieved by domestic ecological farming. In connection with the on-farm network *Controller* conclude the following data processing.

Scope of personal data processed	name of <i>Data subject</i> , postal address, phone number, email address
Purpose of data processing	application and in case of successful admission, participation in the on-farm network
Legal basis of data processing	freely given consent of the <i>Data subject</i> to process personal data for purpose limitation principle [Section 6 (1) a) of GDPR]
Duration of data processing	until the consent of <i>Data subject</i> is withdrawn or until <i>Data subject</i> quits the network

4.12. Public online databases created by ÖMKi

Controller starts online databases (e.g. "Farmer-Miller-Baker database", "Compost map" etc.) to facilitate the connecting of the participants of ecological farming.

The name and address of the participants are disclosed on the maps or in other types of databases created for this purpose.

Scope of personal data processed	name of <i>Data subject</i> , postal address, email address
Purpose of data processing	appearance / participation in the given public database
Legal basis of data processing	freely given consent of the <i>Data subject</i> to process personal data for purpose limitation principle [Section 6 (1) a) of GDPR]
Duration of data processing	until the consent of <i>Data subject</i> is withdrawn or until <i>Data subject</i> quits the network

4.13. Social media platforms

The *Controller* manages the following social media platforms:

- ❖ <https://www.facebook.com/OMKibiokutatas/>
- ❖ <https://www.facebook.com/omkihungary/>
- ❖ <https://www.youtube.com/@omki-okologiaimezogazdasag2369>
- ❖ https://twitter.com/omki_research
- ❖ <https://www.linkedin.com/company/3291559/admin/>
- ❖ https://www.instagram.com/omki_research_institute/

Scope of personal data processed	name and picture of <i>Data subject</i>
Purpose of data processing	news and current information relating to the <i>Controller</i>
Legal basis of data processing	freely given consent of the <i>Data subject</i> to process personal data for purpose limitation principle (Section 6 (1) a) of GDPR)
Duration of data processing	the <i>Data subject</i> can unfollow the <i>Controller's</i> social media platforms or delete unwanted news posted on the timeline by setting news feed preferences

4.14. Research and events

The *Controller* organizes research projects and professional events, which also involve the management of participants' personal data.

Scope of personal data processed	name, phone number, email address
Purpose of data processing	participation in research projects and events, as well as information on subsequent projects and events with a similar theme
Legal basis of data processing	freely given consent of the <i>Data subject</i> to process personal data for purpose limitation principle [Section 6 (1) a) of GDPR]
Duration of data processing	until the completion of each research project and event

5. DATA PROCESSORS

The following data processors can get access as necessary to certain groups of personal data bearing in mind the relating principles of data processing.

Name of data processor	Contact details	Duties
3 in 1 Hosting Számítástechnikai és Szolgáltató Bt.	2310 Szigetszentmiklós, Brassó utca 4/A.	hosting service provider
Barion Payment Zrt.	1117 Budapest, Infopark sétány 1. I. ép. 5. em. 5.	online payment
GLS General Logistics Systems Hungary Csomag-Logisztikai Kft.	2351 Alsónémedi, GLS Európa utca 2.	parcel delivery service
Lajtamag Mezőgazdasági Termelő, Szolgáltató és Kereskedelmi Kft.	9246 Mosonudvar, Bereki utca 1.	fulfillment of orders
Magyar Posta Zrt.	1138 Budapest, Dunavirág utca 2-6.	postal and parcel delivery service
PayPal Holdings Inc.	PayPal (Europe) S.à r.l. et Cie, S.C.A. Société en Commandite par Actions Registered Office: 22-24 Boulevard Royal, L-2449 Luxembourg RCS Luxembourg B 118 349	online payment
Printosh Advertising Kft.	1055 Budapest, Balassi Bálint utca 2/B	IT services
Sendinblue SAS („Brevo”)	1402 Third Avenue, Seattle, WA 98101 USA	newsletter service
Sky Garden Zrt. („Logify” webshop-logisztika)	1037 Budapest, Kunigunda útja 68.	fulfillment of webshop orders

The *Data processors* duties join to the data processing is insured the technical background.

The *Data processors* cannot return a substantive verdict, they can expend the personal data only for the *Controller's* directions, expend the personal data for private aims is prohibited, moreover they must store and retain these data for the *Controller's* direction.

During the *Controller* data processing there is not automated individual decision-making and profiling, according to Section 13 (2) f) of GDPR.

6. DATA TRANSFER, DATA PROCESSING

The personal data that managed by *Controller* shall not transferred to third persons, except when *Data subject* contributes to transfer or it is prescribed by a statute.

7. DATA SECURITY

The *Controller* stores the above listed personal data at the registered office of the Company and the server of IT service.

The *Controller* commits to ensure data security in accordance with the provisions of the GDPR.

In the course of operating the information systems the necessary authorisation, internal organisational and technical solutions ensure that personal data may not fall into hands of unauthorised persons and unauthorised persons can not erase, save or modify the data. The *Controller* shall ensure that the data processors also comply with the requirements of data security.

The *Controller* shall keep records of possible privacy incidents and notifies the data subject and the National Authority for Data Protection and Freedom of Information (NAIH) of the incident if necessary.

The *Controller* perform every necessary provision to ensure secure data processing without data sustaining damage and establish and operate the necessary system to do so. The *Controller* ensures that unauthorized persons will not access, disclose, transmit, modify, or delete the processed data.

The *Controller* commits to ensure data security by using state-of-the-art and most suitable equipment and security policy, in particular with a view to ensuring that unauthorised persons will not access the data, and to preventing any unlawful disclosure, erasure or destruction of the data. The *Controller* shall make every effort to prevent accidental damage or loss of the data and will also impose the above obligation on his employees who are involved in data processing activities.

The *Controller* shall under no circumstances collect special data, that is to say, data concerning racial origin, belonging to a national or ethnic minority, political views or party affiliation, religious or other philosophical belief, membership in interest representative organisations, health state, pathological dependence, sexual life or criminal record.

8. RIGHTS OF THE *DATA SUBJECT* IN THE COURSE OF DATA PROCESSING

Right to be informed

The *Controller* shall provide easily accessible (online or offline) information on the relevant aspects of data management in plain and comprehensible language by appropriate means. When the *Controller* collects personal data from the data subject, or if he or she asks for information later, then at the time of giving the requested information the *Data Protection Management* shall be made available to the data subject and the *Controller* shall have a declaration of consent signed, which verifies that the data subject was made aware of, understood and accepted the content of the *Data Protection Management*.

The *Data subject* is entitled to ask for information at any time concerning his or her personal data processed by the *Controller*. Enquiries about respective data processing can be made to the email address or postal address given in the *Data Protection Management*, or also by phone. The *Controller* is obliged to provide the requested information within 30 days on receipt of a request.

Right to erasure

The *Data subject* shall have the right to obtain from the *Controller* the erasure of personal data concerning him or her without undue delay, and the *Controller* shall have the obligation to erase personal data concerning the data subject without undue delay. Where the *Controller* gave third parties access to the data requested to be erased, he shall be obliged to inform all the parties, to whom the data concerned were disclosed, to erase all references or personal data stored by them. This aims – unless there is a legal or reasonable barrier to it – to make the data concerned “disappear” from all existing databases.

The obligation to erase shall not apply where data processing is necessary for

- the purpose of exercising the freedom of expression or the right to information;
- establishment, exercise or defence of legal claims;
- compliance with legal obligations; and
- archiving purposes in the public interest, for scientific or historical research purposes or statistical purposes, or where erasure would render impossible or seriously jeopardize the fulfilment of the data processing purposes.

Furthermore, the *Controller* shall erase the personal data in his documentation relating to the *Data subject* if the purposes of processing have ceased.

It shall be ensured that a record of the destruction of paper-based documentation is drawn up in order to prove subsequently to the competent authority that it was done.

Rectification

The *Data subject* has the right to claim that the personal data concerning him or her are inaccurate and request the correct data to be indicated instead. The *Controller* bears responsibility for the accuracy of the personal data and shall ensure that their accuracy is checked from time to time.

Right to restriction of processing

The *Data subject* shall have the right to obtain from the *Controller* restriction of processing, for instance, in case of an unsettled legal dispute. When processing is restricted, the respective personal data can only be processed, except for storage, with the consent of the data subject, or for establishment, exercise or defence of legal claims, or in order to defend the rights of other natural or legal persons, or on grounds of public interest of the EU or a member state.

Right to data portability

The *Data subject* shall have the right to receive the personal data concerning him/her in a structured, commonly used and machine-readable format (e.g. doc, pdf etc.) and to transmit those data to another controller without hindrance from the controller to which the personal data have been provided. It enables the data subject to exercise the right to have his or her personal data transmitted directly from one controller to another.

Right to objection

The *Data subject* shall have the right to object to the processing of personal data relating to him or her for specific reasons at any time where he or she has not given consent to processing data.

If the *Data subject* takes advantage of this right, he/she must communicate with the *Controller*, he/she is going to be identified, the *Controller* is going to manage his/her personal data (only the data which is managed by the *Controller* earlier), moreover the *Data subject's* complain about data processing from his/her email in the period of disposal of complain.

The *Controller* must answer the complain without delay, at latest 30 days.

Data subject is able to exercise its abovementioned right by sending an electronic letter to the *Controller's* email to info@biokutatas.hu or by sending a letter to the registered office of the *Controller*.

9. JUDICIAL REMEDIES

The *Data subject* is entitled to appeal to the National Authority for Data Protection and Freedom of Information (NAIH; registered office: H-1055 Budapest, Falk Miksa utca 9-11.; postal address: 1363 Budapest, Pf.: 9.; www.naih.hu, telephone: +36 (1) 391-1400, telefax: +36 (1) 391-1410, email address: ugyfelszolgalat@naih.hu) or to assert his/her rights concerning the processing of personal data before a court of competent jurisdiction according to the Law CXXX of 2016 on the Civil Code.

10. FINAL PROVISIONS

If, however, we intend to perform further processing relating to the collected data with purposes other than those determined when the collection was carried out, we inform the data subject prior to further data processing on its purposes. *Data processing* may commence only subsequently and where consent is the legal basis for processing, in addition to information provision, *Data subject* consent is also required to data processing.

The *Controller* reserves the right to modify this present notice or to amend it in accordance with changes in EU or Hungarian legislation.

This *Data protection management* and notice valid from 1 July, 2024 (4th English version).