

## Privacy Notice (Annex B)

### DATA PROTECTION INFORMATION FOR UK CUSTOMERS FRESH WAYS LOGISTICS LTD - INTERNATIONAL TRANSPORT SERVICES (ITALY-UK ROUTES)

#### 1. WHO WE ARE

**Data Controller:** FRESH WAYS LOGISTICS Ltd  
Company Registration Number: 14752509  
Registered Office: Lympne, United Kingdom

**Contact Details:**

e-mail: 'gdpr@freshways.it'  
- telephone: +39 039 635891  
- website: 'www.freshways.it'

**Our Italian operations:**

Fresh Ways Logistics Ltd operates through its Italian establishment, Fresh Ways Srl, located at Via Enrico Fermi, 14, 20875 Burago di Molgora (MB), Italy. This operational base handles logistics, freight collection, and delivery coordination for Italy-UK routes.

#### 2. PURPOSE OF THIS NOTICE

This Privacy Notice explains how Fresh Ways Logistics Ltd collects, uses, stores, and protects your personal data when you engage our international transport services, particularly for shipments between Italy and the United Kingdom. We are committed to protecting your privacy and complying with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

#### 3. WHAT PERSONAL DATA WE COLLECT

We collect and process the following categories of personal data:

**3.1 Company and Business Contact Information**

- company name and registration details
- VAT number / Company registration number
- trading address and registered office address
- main business telephone number
- general business e-mail address

**3.2 Individual contact details**

- names of your operational contacts (e.g., logistics managers, warehouse staff)
- business e-mail addresses
- business telephone numbers
- job titles and roles

**3.3 Account and Platform Access Data**

- username and password for Omnia platform access
- login credentials and authentication data
- user activity logs and booking history

**3.4 Shipment and operational data**

- collection and delivery addresses
- goods descriptions (type, quantity, temperature requirements)
- shipping instructions and special handling requirements
- CMR waybills and consignment notes
- proof of Delivery (POD) documents including signatures
- photographs of goods condition (when relevant for claims)
- booking and reservation details
- pallet exchange records

**3.5 Financial and billing information**

- invoicing details
- payment history and transaction records
- bank details (if provided for payment processing)
- credit terms and account status
- pallet accounting records

**3.6 Claims and Disputes Data**

- correspondence regarding damage claims or service issues
- supporting documentation (photographs, inspection reports)
- insurance claim documentation
- credit notes and damage invoices
- legal correspondence (if disputes arise)

**We do not process special categories of personal data** (such as health data, racial or ethnic origin, political opinions, religious beliefs, etc.) nor criminal conviction data in the course of providing our transport services.

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### 4. HOW WE USE YOUR PERSONAL DATA (PURPOSE AND LEGAL BASIS)

#### 4.1 Contract performance (legal basis: art. 6(1)(b) UK GDPR)

We process your personal data to perform our contract with you, including:

- Managing and executing transport bookings via our Omnia platform
- Organising collections from Italian locations
- Coordinating deliveries to UK destinations
- Managing temperature-controlled transport operations
- Issuing CMR waybills and transport documentation
- Processing invoices and managing payments
- Administering pallet exchange accounting
- Providing customer service and operational support

**Necessity:** without this data, we cannot provide the transport services you have requested.

#### 4.2 Legal obligations (legal basis: Art. 6(1)(c) UK GDPR)

We process personal data to comply with legal requirements, including:

- UK tax and accounting obligations (Companies Act, HMRC requirements)
- Italian tax and customs requirements for operations in Italy
- CMR Convention obligations (carriage of goods by road)
- ATP regulations (temperature-controlled transport)
- UK and Italian customs and export control requirements
- Health and safety regulations
- Insurance and liability requirements

#### 4.3 Legitimate interests (legal basis: art. 6(1)(f) UK GDPR)

We process personal data based on our legitimate business interests where these do not override your rights:

##### Claims management:

- investigating and resolving damage or loss claims
- managing disputes and exercising our rights under the CMR Convention
- defending against unjustified claims
- operating our right of retention (lien) over goods where payment disputes arise

##### Business operations:

- fraud prevention and detection
- credit risk assessment and management
- improving service quality and efficiency
- network security and system integrity
- managing relationships with carriers and logistics partners
- Business planning and analytics

##### Legitimate interest assessment:

We have balanced our legitimate interests against your rights and freedoms and determined that our processing is proportionate and does not cause unwarranted harm to your interests.

### 5. WHO WE SHARE YOUR PERSONAL DATA WITH

We may share your personal data with the following categories of recipients:

#### 5.1 Within Our Group

**Fresh Ways Srl (Italy)** - our Italian operational entity that manages logistics, collections, and local coordination.

#### 5.2 Transport and Logistics Partners

- road hauliers and freight carriers (qualified for temperature-controlled food transport)
- warehouse and storage facilities
- customs agents and freight forwarders
- intermodal transport operators

#### 5.3 Service providers (data processors)

- Omnia platform provider (transport management system)
- IT infrastructure and hosting providers
- e-mail and communication service providers
- document management and archiving services
- payment processing providers

All service providers acting as processors are bound by written contracts under Article 28 UK GDPR, requiring them to protect your data and process it only on our instructions.

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### 5.4 Financial institutions

- banks and payment service providers
- credit reference agencies (where credit terms apply)
- debt collection agencies (in case of payment default)
- factoring companies (where we assign receivables - Art. 8 of our Terms)

### 5.5 Insurance and legal

- insurance companies and brokers (for CMR liability and All Risk cover)
- loss adjusters and claims assessors
- legal advisors and solicitors
- expert witnesses and technical consultants

### 5.6 Public authorities (when legally required)

- HM Revenue & Customs (HMRC)
- UK Border Force and customs authorities
- Italian customs and tax authorities (Agenzia delle Dogane e dei Monopoli)
- Information Commissioner's Office (ICO)
- Courts and tribunals
- Law enforcement agencies

### 5.7 Professional advisors

- accountants and auditors
- legal counsel
- GDPR and data protection consultants

## 6. INTERNATIONAL TRANSFERS OF PERSONAL DATA

### 6.1 Transfers to Italy

#### Why we transfer data to Italy:

As part of our service delivery, we regularly transfer personal data to Italy because:

- Our operational hub (Fresh Ways Srl) is located in Italy
- Goods are collected from Italian locations
- Italian staff coordinate logistics and transport operations
- Italian customs and documentation requirements apply

#### Legal Framework:

Following the UK's departure from the EU, Italy is considered a "third country" under UK data protection law. The UK has not yet adopted an adequacy decision recognising Italy/EU as providing an adequate level of data protection.

#### Safeguards We Have Implemented:

To ensure your data remains protected when transferred to Italy, we have put in place appropriate safeguards in accordance with article 46 UK GDPR:

#### 1. UK International Data Transfer Agreement (IDTA) / Standard Contractual Clauses

- We have executed the UK IDTA (or equivalent Standard Contractual Clauses approved by the ICO) with Fresh Ways Srl
- These contractual clauses provide enforceable data protection obligations
- They include rights for you as a third-party beneficiary

#### 2. Transfer risk assessment (TRA)

- We have conducted a Transfer Risk Assessment examining:
  - o Italian and EU data protection laws (GDPR applies in Italy)
  - o Potential access to data by Italian authorities
  - o Additional safeguards needed beyond contractual clauses
- Our assessment confirms that Italy, as an EU member state bound by GDPR, provides strong data protection standards
- No supplementary measures beyond the IDTA/SCCs were deemed necessary

#### 3. Technical and Organisational Measures

- Encryption of data in transit (TLS/SSL protocols)
- Secure authentication for Omnia platform access
- Access controls limiting data access to authorised personnel
- Regular security audits and updates

#### Your Rights Regarding Transfers:

You have the right to:

- Request further information about the international transfers
- Obtain a copy of the UK IDTA/Standard Contractual Clauses
- Object to the transfer in specific circumstances (though this may impact our ability to provide services)

To exercise these rights or request documentation, contact 'gdpr@freshways.it'

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### 6.2 Other International Transfers

We do not routinely transfer personal data to countries outside the UK and Italy. If such transfers become necessary for specific shipments (e.g., transit through third countries), we will:

- Implement appropriate safeguards (adequacy decision or Standard Contractual Clauses)
- Inform you where practicable
- Ensure compliance with UK data protection law

### 7. HOW LONG WE KEEP YOUR PERSONAL DATA

We retain personal data for as long as necessary to fulfil the purposes outlined in this notice and to comply with legal obligations.

Data Category	Retention Period	Reason
Account and contact data	Duration of relationship + 10 years	CMR limitation periods; contract claims; business
CMR waybills and transport documents	10 years from date of shipment	CMR Convention Article 32 (1-year + extension to 3 years, plus UK limitation periods up to 10 years for
Financial records (invoices, payments)	7 years from end of financial year	UK tax law (HMRC requirements); Companies Act
Claims and dispute records	10 years from claim resolution	CMR limitation periods; potential litigation
Omnia platform credentials	Duration of account + 12 months	Security; audit trail
Operational correspondence	Duration of relationship + 3 years	Evidence of instructions; dispute resolution

#### Automatic deletion:

Once retention periods expire, personal data is securely deleted or anonymised unless retention is required for:

- compliance with a legal obligation
- establishment, exercise, or defence of legal claims

### 8. YOUR DATA PROTECTION RIGHTS

Under the UK GDPR, you have the following rights regarding your personal data:

#### 8.1 Right of access (article 15)

You can request:

- confirmation whether we process your personal data
- a copy of your personal data
- information about how we use it, who we share it with, and how long we keep it

**How to request:** e-mail 'gdpr@freshways.it' with "Subject Access Request" in the subject line.

#### 8.2 Right to rectification (Article 16)

You can request correction of inaccurate personal data or completion of incomplete data.

**Practical note:** For operational contact details, you can update these directly via the Omnia platform or by contacting your account manager.

#### 8.3 Right to erasure / "Right to be Forgotten" (Article 17)

You can request deletion of your personal data where:

- it's no longer necessary for the purposes we collected it
- you withdraw consent (where consent was the legal basis)
- you object to processing based on legitimate interests and we have no overriding grounds
- the data was unlawfully processed
- deletion is required to comply with a legal obligation

**Limitations:** we cannot delete data where retention is necessary for:

- compliance with legal obligations (e.g., tax records, CMR documentation)
- establishment, exercise, or defence of legal claims
- archiving purposes in the public interest

#### 8.4 Right to restriction of processing (article 18)

You can request we restrict processing (i.e., store but not use) your data where:

- you contest the accuracy of the data (while we verify it)
- processing is unlawful but you don't want erasure
- we no longer need the data but you need it for legal claims
- you've objected to processing (pending verification of our legitimate grounds)

#### 8.5 Right to data portability (article 20)

Where processing is based on consent or contract performance and carried out by automated means, you can request to:

- receive your personal data in a structured, commonly used, machine-readable format
- transmit that data to another controller

**Applicability:** Limited to data you directly provided (e.g., booking information, contact details) and processed automatically via Omnia platform.

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### 8.6 Right to object (article 21)

#### Objection to processing based on legitimate interests:

You can object at any time to processing based on our legitimate interests (e.g., claims management, credit control). We will cease processing unless we demonstrate compelling legitimate grounds that override your interests, rights, and freedoms, or the processing is necessary for legal claims.

#### Objection to direct marketing:

We do not currently engage in direct marketing to customers. If we do so in future, you will have an absolute right to opt out at any time.

### 8.7 Right not to be subject to automated decision-making (article 22)

We **do not** use automated decision-making or profiling that produces legal effects or similarly significant effects on you. All operational and commercial decisions (including credit terms, claims decisions, and service provision) involve human review and judgement.

### 8.8 How to exercise your rights

#### Contact details:

- **e-mail:** 'gdpr@freshways.it' (preferred method)
- **Post:** Fresh Ways Logistics Ltd, c/o Fresh Ways Srl, Via Enrico Fermi 14, 20875 Burago di Molgora (MB), Italy

#### What to include in your request:

- your full name and company name
- contact details for our response
- clear description of the right you wish to exercise
- copy of proof of identity (for security purposes)
- reference to relevant shipments/account (if applicable)

#### Our response time:

We will respond to your request **within one month** of receipt. In complex cases, we may extend this by a further two months, and we will notify you of any extension and the reasons for it.

#### Cost:

exercising your rights is generally **free of charge**. We may charge a reasonable fee only where requests are manifestly unfounded or excessive (particularly repetitive requests).

## 9. RIGHT TO LODGE A COMPLAINT

If you believe we have not handled your personal data properly or have concerns about our data protection practices, you have the right to lodge a complaint with the supervisory authority.

#### Information Commissioner's Office (ICO)

- **Website:** 'www.ico.org.uk'
- **Telephone:** 0303 123 1113
- **live chat:** available on ICO website
- **Address:** Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, United Kingdom
- **e-mail:** 'casework@ico.org.uk'

#### Before contacting the ICO:

we encourage you to contact us first at 'gdpr@freshways.it' so we can try to resolve any concerns directly.

#### Not satisfied with our response?

You also have the right to seek a judicial remedy through the UK courts if you believe your data protection rights have been infringed.

## 10. DATA SECURITY

We take the security of your personal data seriously and have implemented appropriate technical and organisational measures to protect it against unauthorised access, accidental loss, destruction, or damage.

#### Security Measures Include:

##### Technical Measures:

- Encryption of data in transit using TLS/SSL protocols
- Secure authentication mechanisms for Omnia platform (username/password with regular password updates)
- Firewalls and intrusion detection systems
- Regular security patching and updates
- Secure backup procedures
- Anti-malware and antivirus protection

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### Organisational Measures:

- Role-based access controls (staff access data only on a "need to know" basis)
- Confidentiality agreements with all staff
- Regular data protection training for employees
- Clear data retention and disposal policies
- Incident response procedures
- Article 28 processor agreements with all service providers
- Regular review and audit of security measures

### Data Breach Notification

In the unlikely event of a personal data breach that poses a risk to your rights and freedoms, we will:

- Notify the ICO within 72 hours of becoming aware of the breach (where required)
- Notify you without undue delay if the breach is likely to result in a high risk to you
- Provide information about the nature of the breach and steps we're taking to mitigate it

## 11. SOURCE OF PERSONAL DATA

### We obtain personal data directly from you through:

- completion and signing of our General Terms and Conditions
- registration and use of the Omnia booking platform
- e-mail and telephone communications
- commercial correspondence and documentation

In limited circumstances, we may receive personal data from:

- **Third parties booking on your behalf** (article 2.2 of our Terms states they become jointly liable for payment)
- **Delivery recipients** (when they sign PODs or note claims on CMR documents)
- **Carriers and logistics partners** (operational data during transport execution)
- **Credit reference agencies** (if credit terms apply)

## 12. PROVIDING PERSONAL DATA - CONSEQUENCES OF NOT PROVIDING

### 12.1 Data Required for Contract Performance

The following data is **mandatory** to perform our transport services:

- company identification and registration details
- operational contact details (name, e-mail, telephone)
- Omnia platform credentials
- shipment details (collection/delivery addresses, goods description, special requirements)
- billing information

### Consequence of not providing:

We cannot execute transport bookings or fulfil our contractual obligations if you do not provide this essential data. The contract cannot be performed without it.

### 12.2 Optional Data

Additional data (e.g., mobile numbers, additional contact persons) is optional but may improve service efficiency and communication. Choosing not to provide optional data does not prevent us from providing the core transport service.

## 13. COOKIES AND ONLINE TRACKING

### Omnia Platform:

Our Omnia booking platform uses:

- **Essential cookies** necessary for the platform to function (e.g., session cookies, authentication tokens)
- **Functional cookies** to remember your preferences and improve usability

We do not use analytics, marketing, or advertising cookies on the Omnia platform.

**Website ('www.freshways.it'):** 'www.iubenda.com/privacy-policy/43089675'

## 14. AUTOMATED DECISION-MAKING AND PROFILING

### We do not use automated decision-making or profiling.

All decisions affecting your service (including credit decisions, claims assessments, and operational choices) involve human assessment and judgement. No solely automated processes produce legal or similarly significant effects concerning you.

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### 15. CHANGES TO THIS PRIVACY NOTICE

**We may update this Privacy Notice from time to time to reflect:**

- changes in our business practices
- legal or regulatory changes
- new technologies or processing activities

**How we notify you of changes:**

Material changes will be communicated by:

- e-mail notification to your registered contact address
- prominent notice on the Omnia platform at login
- publication on 'www.freshways.it' with revision date clearly marked

**Effective date of changes:**

Changes take effect from the date of publication unless otherwise specified. We encourage you to review this notice periodically.

**Version Control:**

- current version: V1 - 2026/03/18
- last updated: 2026/03/18
- next scheduled review: not scheduled yet

### 16. CONTACT US

If you have questions, concerns, or requests regarding this Privacy Notice or how we handle your personal data, please contact:

**Fresh Ways Logistics Ltd - Privacy Team**

**e-mail:** 'gdpr@freshways.it'

**- Telephone:** +39 039 635891

**- Post:** Fresh Ways Logistics Ltd, c/o Fresh Ways Srl, Via Enrico Fermi 14, 20875 Burago di Molgora (MB), Italy

**Response time:**

we aim to respond to all privacy enquiries within 10 working days for general questions, and within one month for formal data subject rights requests.

### 17. CONTRACTUAL INTEGRATION

This Privacy Notice forms part of our contractual relationship and should be read in conjunction with:

- General Terms and Conditions of Shipping and Transport Service
- Appendix A: Transport Tariff
- Appendix B: Pallet Management Rules
- Appendix C: Claims Handling Procedures

All documents are available at 'www.freshways.it/documents' and were provided to you at contract inception.

By signing our General Terms and Conditions, you acknowledge that:

- You have received, read, and understood this Privacy Notice
- You have been informed of your data protection rights
- You understand how we will process your personal data

### 18. LEGAL BASIS AND COMPLIANCE

This Privacy Notice complies with:

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Privacy and Electronic Communications Regulations (PECR)
- Guidance issued by the Information Commissioner's Office (ICO)

Where we transfer data to Italy, we also ensure compliance with Italian implementation of GDPR (Legislative Decree 196/2003 as amended by Legislative Decree 101/2018).

Fresh Ways Logistics Ltd is committed to processing personal data in accordance with the principles of:

1. **lawfulness, fairness, and transparency**
2. **purpose limitation**
3. **data minimisation**
4. **accuracy**
5. **storage limitation**
6. **integrity and confidentiality**
7. **accountability**

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### DECLARATION

Fresh Ways Logistics Ltd, as Data Controller, confirms its commitment to protecting your personal data and respecting your privacy rights under UK data protection law. We will process your personal data fairly, lawfully, and transparently, and only for the purposes set out in this notice.

This Privacy Notice is available in electronic format at '[www.freshways.it/documents](http://www.freshways.it/documents)' and can be provided in hard copy upon request.

For Italian language version / Per la versione in italiano, contact / contattare: '[gdpr@freshways.it](mailto:gdpr@freshways.it)'.

**Electronically signed by the Data Controller  
in accordance with the Electronic Communications Act**

Read, approved, and signed in Lympne,

**The Client**

**Nicola Sorace**  
CEO

