

## Consumer privacy notice

### Nestlé Vietnam Consumer Data Privacy Notice

#### SCOPE OF THIS NOTICE

Please read this privacy notice (“**Notice**”) carefully to understand our policies and practices regarding your Personal Data and how we will treat it. This Notice applies to individuals who interact with Nestlé and through Starbucks at Home products and services as consumers services as consumers (“**you**”). This Notice explains how your Personal Data are collected, used, and disclosed by Nestlé Vietnam Limited (“**Nestlé**”, “**We**”, “**Us**”). It also tells you how you can access and update your Personal Data and make certain choices about how your Personal Data are used.

This Notice covers both our online and offline data collection activities, including Personal Data that We collect through our various channels such as websites, apps, third party networks, Consumer Engagement Service, points of sale and events. Please note that We might aggregate personal data from different sources (e.g., websites, offline events). As part of this, We combine Personal Data that were originally collected by different *Nestlé* entities or *Nestlé* partners. Please see Section 9 for further information on how to object to this.

If you do not provide necessary Personal Data to us (We will indicate to you when this is the case, for example, by making this information clear in our registration forms), We may not be able to provide you with our goods and/or services. This Notice can change from time to time (see Section 11).

This Notice provides important information in the following areas:

1. **SOURCES OF PERSONAL DATA**
2. **PERSONAL DATA THAT WE COLLECT ABOUT YOU AND HOW WE COLLECT IT**
3. **PERSONAL DATA OF CHILDREN**
4. **COOKIES/SIMILAR TECHNOLOGIES, LOG FILES AND WEB BEACONS**
5. **USES MADE OF YOUR PERSONAL DATA**
6. **DISCLOSURE OF YOUR PERSONAL DATA**
7. **RETENTION OF PERSONAL DATA**
8. **STORAGE AND/OR TRANSFER OF YOUR PERSONAL DATA**
9. **YOUR RIGHTS**
10. **YOUR CHOICES ABOUT HOW WE USE AND DISCLOSE YOUR PERSONAL DATA**
11. **CHANGES TO OUR NOTICE**
12. **DATA CONTROLLERS & CONTACT**

#### 1. SOURCES OF PERSONAL DATA

This Notice applies to Personal Data that We collect from or about you, through the methods described below (see Section 2), from the following sources:

**Nestlé websites.** Consumer-directed websites operated by or for *Nestlé*, including sites that We operate under our own domains/URLs and mini-sites that We run on third party social networks such as Facebook (“Websites”).

**Nestlé mobile sites/apps.** Consumer-directed mobile sites or applications operated by or for *Nestlé*, such as smartphone apps.

**E-mail, text and other electronic messages.** Interactions with electronic communications between you and *Nestlé*.

**Nestlé CES.** Communications with our Consumer Engagement Centre (“CES”).

**Offline registration forms.** Printed or digital registration and similar forms that We collect via, for example, postal mail, in-store demos, contests and other promotions, or events.

**Advertising interactions.** Interactions with our advertisements (e.g., if you interact with on one of our ads on a third party website, we may receive information about that interaction).

**Data We create.** In the course of our interactions with you, we may create Personal Data about you (e.g. records of your purchases from our websites).

**Data from other sources.** Third party social networks (e.g. such as Facebook), advertising networks (e.g. such as Google), market research (if feedback is not provided on an anonymous basis), third party data aggregators, *Nestlé* promotional partners, public sources and data received when we acquire other companies.

## **2. PERSONAL DATA THAT WE COLLECT ABOUT YOU AND HOW WE COLLECT IT**

Depending on how you interact with *Nestlé* (online, offline, over the phone, etc.), We collect various types of information from you, as described below.

### **2.1. Basic Personal Data:**

**Personal contact information.** This includes any information you provide to Us that would allow Us to contact you, such as your name, postal address, e-mail address, social network details, or phone number

**Account login information.** Any information that is required to give you access to your specific account profile. Examples include your login ID/email address, screen name, password in unrecoverable form, and/or security question and answer.

**Demographic information & interests.** Any information that describes your demographic or behavioural characteristics. Examples include your date of birth, age or age range, gender, favourite products, hobbies and interests, and household or lifestyle information.

**Information from computer/mobile device.** Any information about the computer system or other technological device that you use to access one of our Websites or apps, such as the Internet protocol (IP) address used to connect your computer or device to the Internet, operating system type, and web

browser type and version. If you access a *Nestlé* website or app via a mobile device such as a smartphone, the collected information will also include, where permitted, your phone's unique device ID, advertising ID, and other similar mobile device data.

**Websites/communication usage information.** As you navigate through and interact with our Websites or newsletters, We use automatic data collection technologies to collect certain information about your actions. This includes information such as which links you click on, which pages or content you view and for how long, and other similar information and statistics about your interactions, such as content response times, download errors and length of visits to certain pages. This information is captured using automated technologies such as cookies and web beacons, and is also collected through the use of third party tracking for analytics and advertising purposes. You have the right to object to the use of such technologies, for further details please see Section 4.

**Market research & consumer feedback.** Any information that you voluntarily share with Us about your experience of using our products and services.

**Consumer-generated content.** Any content that you create and then share with Us on third party social networks or by uploading it to one of our Websites or apps, including the use of third party social network apps such as Facebook. Examples include photos, videos, personal stories, or other similar media or content. Where permitted, We collect and publish consumer-generated content in connection with a variety of activities, including contests and other promotions, website community features, consumer engagement, and third party social networking.

**Third party social network information.** Any information that you share publicly on a third party social network or information that is part of your profile on a third party social network (such as Facebook) and that you allow the third party social network to share with Us. Examples include your basic account information (e.g. name, email address, gender, birthday, current city, profile picture, user ID, list of friends, etc.) and any other additional information or activities that you permit the third party social network to share. We receive your third party social network profile information (or parts of it) every time you download or interact with a *Nestlé* web application on a third party social network such as Facebook, every time you use a social networking feature that is integrated within a *Nestlé* site (such as Facebook Connect) or every time you interact with Us through a third party social network. To learn more about how your information from a third party social network is obtained by *Nestlé*, or to opt-out of sharing such social network information, please visit the website of the relevant third party social network.

**Calls to Consumer Engagement Services.** Communications with a CES can be recorded or listened into, in accordance with applicable laws, for local operational needs (e.g. for quality or training purposes). Payment card details are not recorded. Where required by law, you will be informed about such recording at the beginning of your call.

## **2.2. Sensitive Personal Data:**

**Information about geographic location.** We collect geo-location information to fulfil orders and/or transactions that you and *Nestlé* have agreed.

**Payment and Financial information.** Any information that We need in order to fulfil an order, or that you use to make a purchase, such as your debit or credit card details (cardholder name, card number, expiration date, etc.) or other forms of payment (if such are made available). In any case, We or our payment processing provider(s) handle payment and financial information in a manner compliant with

applicable laws, regulations and security standards such as Payment Card Industry Data Security Standard (PCI DSS).

Please note that we are required by law to obtain your express, voluntary consent in advance for the provision of your sensitive personal data (e.g., for the purpose of performing a transaction that has been agreed between you and Nestlé). If we process your sensitive personal data for another purpose, this will be based on the following legal bases: (i) crime detection and prevention (including fraud prevention) ); and (ii) comply with applicable laws.

### 3. PERSONAL DATA OF CHILDREN

We do not knowingly collect personal data from children under the age of 16. If we discover that we have inadvertently collected personal data from children under the age of 16, we will promptly delete that personal data from our records. However, Nestlé may collect personal data about children under the age of 16 directly from their parents or legal guardians with the express consent of that person, in accordance with applicable laws and regulations.

We do not collect personal data directly from people under the age of 18 for marketing communications purposes.

### 4. COOKIES/SIMILAR TECHNOLOGIES, LOG FILES AND WEB BEACONS

**Cookies/Similar Technologies.** Please see our [Cookie Notice](#) to learn how you can manage your cookie settings and for detailed information on the cookies We use and the purposes for which We use them.

**Log Files.** We collect information in the form of log files that record website activity and gather statistics about your browsing habits. These entries are generated automatically, and help Us to troubleshoot errors, improve performance and maintain the security of our Websites.

**Web Beacons.** Web beacons (also known as “web bugs”) are small strings of code that deliver a graphic image on a web page or in an email for the purpose of transferring data back to Us. The information collected via web beacons will include information such as IP address, as well as information about how you respond to an email campaign (e.g., at what time the email was opened, which links you click on in the email, etc.). We will use web beacons on our Websites or include them in e-mails that We send to you. We use web beacon information for a variety of purposes, including but not limited to, site traffic reporting, unique visitor counts, advertising, email auditing and reporting, and personalisation.

### 5. USES MADE OF YOUR PERSONAL DATA

We process your personal data for our consumer care purpose, including the activities set out in the table below. Please note that not all of the uses below will be relevant to every individual.

<b><u>What We use your Personal Data for</u></b>	<b><u>Our reasons</u></b>	<b><u>Our legitimate interests</u></b>
<b><u>Consumer service.</u></b> We use your Personal Data for consumer service activities, including responding to your enquiries. This typically requires the use of certain personal contact information and information regarding the reason for your inquiry (e.g. order status,	<ul style="list-style-type: none"> <li>• <u>Fulfilling contractual obligations</u></li> <li>• <u>Legal obligations</u></li> </ul>	<ul style="list-style-type: none"> <li>• Improving and developing new products and services</li> </ul>

<p>technical issue, product question/complaint, general question, etc.).</p>	<ul style="list-style-type: none"> <li>• <u>Our legitimate interests</u></li> </ul>	<ul style="list-style-type: none"> <li>• Being more efficient</li> </ul>
<p><b><i>Contests, marketing and other promotions.</i></b> With your consent (where required), We use your Personal Data to provide you with information about goods or services (e.g. marketing communications or campaigns or promotions). This can be done via means such as email, ads, SMS, phone calls and postal mailings to the extent permitted by applicable laws. Accordingly, as our consumer, you may expect to receive our marketing communications on a monthly and/or quarterly basis. Some of our campaigns and promotions are run on third party websites and/or social networks. This use of your Personal Data is voluntary, which means that you can oppose (or withdraw your consent in certain countries) to the processing of your Personal Data for this activity. For detailed information on how to modify your preferences about marketing communication, please see Sections 9 and 10 below. For more information about our contests and other promotions, please see the official rules or details posted with each contest/promotion.</p>	<ul style="list-style-type: none"> <li>• <u>With your consent (where required)</u></li> <li>• <u>Fulfilling contractual obligations</u></li> <li>• <u>Our legitimate interests</u></li> </ul>	<ul style="list-style-type: none"> <li>• Working out which of our products and services may interest you and telling you about them</li> <li>• Defining types of consumers for new products or services</li> </ul>
<p><b><i>Third party social networks:</i></b> We use your Personal Data when you interact with third party social networking features, such as “Like” functions, to serve you with advertisements and engage with you on third party social networks. You can learn more about how these features work, the profile data that We obtain about you, and find out how to opt out by reviewing the privacy notices of the relevant third party social networks. We use your Personal Data to tailor and deliver communications to you, including via social media, based on your interests and your interactions with our products and services.</p>	<ul style="list-style-type: none"> <li>• <u>With your consent (where required)</u></li> <li>• <u>Our legitimate interests</u></li> </ul>	<ul style="list-style-type: none"> <li>• Working out which of our products and services may interest you and telling you about them</li> <li>• Defining types of consumers for new products or services</li> </ul>
<p><b><i>Personalisation (offline and online).</i></b> With your consent (where required), We use your Personal Data (i) to analyse your preferences and habits, (ii) to anticipate your needs based on our analysis of your profile, (iii) to improve and personalise your experience on our Websites and apps; (iv) to ensure that content from our Websites/apps is optimised for you and for your computer or device; (v) to provide you with targeted advertising and content, and (vi) to allow you to participate in interactive features, when you choose to do so. For example, We remember your login ID/email address or screen name so that you can quickly login the next time you visit our site or so that you can easily retrieve the items you previously placed in your shopping cart. Based on this type of information, and</p>		

<p>with your consent (where required), We also show you specific <i>Nestlé</i> content or promotions that are tailored to your interests. The use of your Personal Data is voluntary, which means that you can oppose the processing of your Personal Data for this activity. For detailed information on how to opt-out please refer to Section 10 below.</p>		
<p><b><i>Order fulfilment.</i></b> We use your Personal Data to process and ship your orders, inform you about the status of your orders, correct addresses and conduct identity verification and other fraud detection activities. This involves the use of certain Personal Data and payment information.</p>	<ul style="list-style-type: none"> <li>• <u>Fulfilling contractual obligations</u></li> <li>• <u>With your consent (where required)</u></li> <li>• <u>Legal obligations</u></li> <li>• <u>Our legitimate interests</u></li> </ul>	<ul style="list-style-type: none"> <li>• Improving and developing new products and services</li> <li>• Being more efficient</li> <li>• Protect our systems, networks and staff</li> <li>• Compliance with legal obligations</li> </ul>
<p><b><i>Other general activities (e.g. internal or market research, analytic, security).</i></b> In accordance with applicable laws, We use your Personal Data for other general business activities, such as maintaining your account, conducting internal or market research and measuring the effectiveness of advertising campaigns. We reserve the right, if you have <i>Nestlé</i> accounts, to reconcile those accounts into one single account. We also use your Personal Data for management and operation of our communications, IT and security systems.</p>		
<p><b><i>Legal reasons or merger/acquisition.</i></b> In the event that <i>Nestlé</i> or its assets are acquired by, or merged with, another company including through bankruptcy, we will share your Personal Data with any of our legal successors. We will also disclose your Personal Data to third parties (i) when required by applicable law; (ii) in response to legal proceedings; (iii) in response to a request from a competent law enforcement agency; (iv) to protect our rights, privacy, safety or property, or the public; or (v) to enforce the terms of any agreement or the terms of our Website.</p>	<ul style="list-style-type: none"> <li>• <u>Legal obligations</u></li> <li>• <u>Our legitimate interests</u></li> </ul>	<ul style="list-style-type: none"> <li>• Compliance with legal obligations</li> <li>• Protect our assets and staff</li> </ul>

## 6. DISCLOSURE OF YOUR PERSONAL DATA

In addition to the *Nestlé* entities mentioned in the data controllers & contact section (see Section 12), We share your Personal Data with the following types of third party organisations:

***Service providers.*** These are external companies that We use/authorize to help Us run our business (e.g. order fulfilment, payment processing, carrying out marketing activities, fraud detection and identity verification, website operation, market research companies, support services, promotions, website development, data analysis, Cyclic Redundancy Check (CRC), etc.). Service providers, and their selected staff, are only allowed to access and use your Personal Data on Our behalf for the specific tasks that they have been requested to carry out, based on our instructions, and are required to keep

your Personal Data confidential and secure. Where required by applicable law, you can obtain a list of the providers processing your Personal Data (see Section 12 to contact Us).

**Credit reporting agencies/debt collectors.** To the extent permitted by applicable law, credit reporting agencies and debt collectors are external companies that We use to help Us to verify your creditworthiness (in particular for orders with invoice) or to collect outstanding invoices.

**Third party companies using Personal Data for their own marketing purposes.** Except in situations where you have given your consent, We do not license or sell your Personal Data to third party companies for their own marketing purposes. Their identity will be disclosed at the time your consent is sought.

**Third party recipients using Personal Data for legal reasons or due to merger/acquisition.** We will disclose your Personal Data to third parties for legal reasons or in the context of an acquisition or a merger (see Section 5 for details).

## **7. RETENTION OF YOUR PERSONAL DATA**

In accordance with applicable laws, We will use your Personal Data for as long as necessary to satisfy the purpose for which your Personal Data was collected (as described in Section 5 above) or to comply with applicable legal requirements. Personal data used to provide you with a personalized experience (see Section 5 above for details) will be kept for a duration permitted by applicable laws.

## **8. DISCLOSURE, STORAGE AND/OR TRANSFER OF YOUR PERSONAL DATA**

We use appropriate measures (described below) to keep your Personal Data confidential and secure and minimize the potential risks that such Personal Data is collected and processed unlawfully. Please note, however, that these protections do not apply to information you choose to share in public areas such as third party social networks.

**People who can access your Personal Data.** Your Personal Data will be processed by our authorised staff or agents, on a need to know basis, depending on the specific purposes for which your Personal Data have been collected (e.g. our staff in charge of consumer care matters will have access to your consumer record).

**Measures taken in operating environments.** We store your Personal Data in operating environments that use reasonable security measures to prevent unauthorised access. We follow reasonable standards to protect Personal Data. The transmission of information via the Internet is, unfortunately, not completely secure and although We will do our best to protect your Personal Data, We cannot guarantee the security of the data during transmission through our Websites/apps.

**Measures We expect you to take.** It is important that you also play a role in keeping your Personal Data safe and secure. When signing up for an online account, please be sure to choose an account password that would be difficult for others to guess and never reveal your password to anyone else. You are responsible for keeping this password confidential and for any use of your account. If you use a shared or public computer, never choose to have your login ID/email address or password remembered and make sure to log out of your account every time you leave the computer. You should also make use of any privacy settings or controls We provide you in our Website/app.

**Transfer of your Personal Data.** Because of the international nature of our business, we may need to transfer your personal data within the Nestlé group (including Nestlé Waters), and to third parties as

noted in Section 6 above, in connection with the purposes set out in this Privacy Notice. For this reason, we may transfer your personal data to other countries that may have different laws and data protection compliance requirements to those that apply in the country in which you are located, provided that all the necessary requirements by applicable local laws to transfer Personal Data are met.

## 9. YOUR RIGHTS

- The right to request access to or copy Your Personal Data that has been processed by Nestlé or on behalf of Nestlé;
- The right to request information regarding the origin of Your Personal Data, if such Personal Data was not collected directly from You;
- The right to request the correction of any incorrect information in its Personal Data;
- The right to request information about the existence and explanation of logical relevance to the significance and any foreseen consequences of any automatic Processing of Personal Data that has legal or substantial influence on You;
- The right to request deletion of Your Personal Data or Processing of Your Personal Data will be limited in some certain purposes;
- The right to complain about the Processing of Your Personal Data to competent authorities.
- Other rights in accordance with the applicable laws.

These rights can be exercised by sending Us an e-mail [consumer.services@vn.nestle.com](mailto:consumer.services@vn.nestle.com) or writing to us at 5<sup>th</sup> Floor, HMTC Tower, No. 138 – 142 Hai Ba Trung Street, Da Kao Ward, District 1, Ho Chi Minh City, Vietnam, attaching a copy of your ID or equivalent details (where requested by Us and permitted by law). If the request is submitted by a person other than you, without providing evidence that the request is legitimately made on your behalf, the request will be rejected. Please note that any identification information provided to Us will only be processed in accordance with, and to the extent permitted by applicable laws.

We hope that We can satisfy queries you may have about the way we process your Personal Data.

## 10. YOUR CHOICES ABOUT HOW WE USE AND DISCLOSE YOUR PERSONAL DATA

We strive to provide you with choices regarding the Personal Data that you provide to Us. The following mechanisms give you control over your Personal Data:

**Cookies/Similar Technologies.** You can manage your consent via (i) our consent management solution or (ii) your browser so as to refuse all or some cookies/similar technologies, or to alert you when they are being used. Please see Section 4 above.

**Advertising, marketing and promotions.** You can consent for your Personal Data to be used by Nestlé to promote its products or services through tick-box(es) located on the registration forms or by answering the question(s) presented by our CES representatives. If you decide that you no longer wish



to receive such communications, you can subsequently unsubscribe from receiving marketing-related communications at any time, by following the instructions provided in each such communication. To unsubscribe from marketing communications sent by any medium, including third party social networks, you can opt-out at any time by unsubscribing through links available in our communications, logging into the Websites/apps or third party social networks and adjusting your user preferences in your account profile by unchecking the relevant boxes or by calling our CES. Please note that, even if you opt-out from receiving marketing communications, you will still receive administrative communications from Us, such as order or other transaction confirmations, notifications about your account activities (e.g. account confirmations, password changes, etc.), and other important non marketing related announcements.

***Personalization (offline and online):*** Where required by law, if you wish to have your Personal Data used by Nestlé to provide you with a personalized experience/targeted advertising & content, you can indicate so through the relevant tick-box(es) located on the registration form or by answering the question(s) presented by our CES representatives. If you decide that you no longer wish to benefit from this personalization, you can opt-out at any time by logging into the Websites/apps and adjusting your user preferences in your account profile by unchecking the relevant boxes or by calling our CES.

***Targeted Advertising.*** We partner with ad networks and other ad serving providers (“Advertising Providers”) that serve advertising on behalf of Us and other non-affiliated companies on the Internet. Some of those advertisements are tailored to your interests based on information collected on Nestlé sites or on non-affiliated websites over time. You can visit [www.aboutads.info/choices](http://www.aboutads.info/choices) to learn more about this type of advertising, as well as about how to opt-out of interest-based advertising practices from companies that participate in the Digital Advertising Alliance’s (“DAA”) self-regulatory program. Additionally, you can opt-out of this type of advertising in mobile applications from companies that participate in the DAA’s AppChoices app by downloading the app from the iOS or Android app store. You can also stop the collection of precise location data from a mobile device by accessing your device location service settings.

## 11. CHANGES TO THIS NOTICE

If We change the way We handle your Personal Data, We will update this Notice. We reserve the right to make changes to our practices and this Notice at any time, please check back frequently to see any updates or changes to our Notice.

## 12. DATA CONTROLLER & CONTACT

To ask questions or make comments on this Notice and our privacy practices or to make a complaint about our compliance with applicable privacy laws, please contact Us at: [consumer.services@vn.nestle.com](mailto:consumer.services@vn.nestle.com) or writing to us at 5<sup>th</sup> Floor, HMTC Tower, No. 138 – 142 Hai Ba Trung Street, Da Kao Ward, District 1, Ho Chi Minh City, Vietnam or call our CES on **18006699**.

You can also contact our Data Protection contact via email at: [dataprotectionoffice@nestle.com](mailto:dataprotectionoffice@nestle.com) or post: Nestlé S.A, Avenue Nestlé 55, 1800 Vevey, Switzerland.

We will acknowledge and investigate any complaint about the way We manage Personal Data (including a complaint that We have breached your rights under applicable privacy laws).

Data controller	Responsible for
Nestlé Vietnam Limited	All activities

Address: No. 7 Street 17A, Bien Hoa II Industrial Park, An Binh District, Bien Hoa City, Dong Nai

Representative Office: 5th Floor, HMTC Tower, No. 138 – 142 Hai Ba Trung Street, Da Kao Ward, District 1, Ho Chi Minh City, Vietnam