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WHY IS A PRIVACY STATEMENT NECESSARY?

This Privacy Statement ("**Privacy statement**") applies to the personal data that Own Funds of the Institute for Agricultural, Fisheries and Food Research ("**ILVO**", "**we**" or "**our**") as a data controller when registering for and using the data collection [DjustConnect platform](#) ("**DjustConnect**") and the [DjustConnect-website](#) ("**Website**"). Please be aware, however, that ILVO only acts as a processor on behalf of Data Providers and Data Receivers for the majority of the processing in the context of DjustConnect, as further explained in Point 1.1.

The registration for and use of DjustConnect is subject to the "**Data Sharing Agreement**" (for Data Providers and Data Receivers and for Agricultural Businesses). More information about the use of cookies and similar technologies used in DjustConnect and on the Website can be found in our [Cookie Statement](#) . Please read these documents together with this Privacy Statement.

DjustConnect is a platform that allows Data Providers and Data Receivers to share Agri-food Data (as these terms are defined in the Data Sharing Agreement). Data Receivers may formulate a data request to obtain access to Agri-Food Data in which the details about the use of this Agri-Food Data by the relevant Data Receiver are described ("**Data Request**"). Via DjustConnect, Data Providers, and if necessary Agricultural Businesses, can then assess and approve or reject a Data Request. This Privacy Statement applies to the processing of personal data of (users of) Data Providers, Data Receivers and Agricultural Businesses ("**Users**").

THIS PRIVACY STATEMENT CONTAINS THE FOLLOWING SECTIONS:

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1. WHO PROCESSES YOUR PERSONAL DATA?

The [General Data Protection Regulation of 27 April 2016](#) ("GDPR") defines who is the "controller" for the processing of your personal data. As this term suggests, this is the person or company responsible for the processing of your personal data. Even if this controller has the processing carried out by another person or company, the person or company that commissioned the processing remains the controller.

1.1 What are the Data Provider and Data Receiver responsible for with regard to DjustConnect?

As the responsibility for the management of personal data in the context of a Data Request remains with the Data Provider and the Data Receiver, the **Data Provider** and the **Data Receiver** respectively are the data controller for the majority of the processing in the context of DjustConnect.

In order to be able to present the Data Request to the appropriate Farms, the Data Receiver identifies the Farms to which a Data Request relates and the Data Provider identifies the businesses whose Agri-Food Data can be offered by their identification numbers. An "**Agricultural Business**" is an agricultural business or company, a horticultural business or company or a shipping company for sea fishing that has entered into a Farmer Agreement with ILVO to make Agri-Food Data available via DjustConnect, but not as a Data Provider. Furthermore, a "**Farmer**" is a User of DjustConnect who is the legal representative of the Farm.

Insofar as Agri-food Data and identification numbers of Farms contain/are personal data, the Data Provider with regard to the provision of Agri-food Data via DjustConnect and the Data Receiver with regard to the receipt of Agri-food Data via DjustConnect and use of Agri-Food Data for the purposes as described in the Data Request, respectively, is the controller. They are also the data controller for the use of the identification numbers of the Farms in the context of the Data Request.

In both cases, ILVO acts as a processor on behalf of the Data Provider and Data Receiver, as specified in the GDPR. ILVO is only a processor that ensures the technical proper functioning of DjustConnect. ILVO can in turn - to a limited extent - engage third parties to help it with this. The Data Provider and Data Receiver choose DjustConnect because of the appropriate safeguards and security measures provided by DjustConnect.

Except in the case of an exchange for compliance with subsidy conditions or a legal obligation, the exchange of personal data of Farmers who may be included in the Agri-Food Data takes place on the basis of the Farmer's consent for a specific Data Request. If the Agri-Food Data contains personal data of persons other than the Farmer, the Data Provider must provide a valid legal basis for the exchange before offering the Agri-Food Data on DjustConnect. An overview of which agri-food data is exchanged, by which companies and for what purpose can be found in your personal DjustConnect dashboard under 'Data Access Requests'. The Data Provider and the Agricultural Company retain control at all times over (I) which Agri-Food Data, (II) with which Data Client and (III) in accordance with which Data Request are shared.

The Data Provider and Data Receiver will inform you via a separate communication about the processing operations for which they are the controller. To this end, the Data Recipient may include a (hyperlink to) a privacy statement in the Data Receiver.

1.2 What is ILVO responsible for regarding DjustConnect and the Website

ILVO only processes your personal data in limited cases on its own initiative, without the instructions of the Data Provider or Data Receiver. **These cases in which ILVO itself is the controller are described in this Privacy Statement.**

This Privacy Statement only contains information about the way in which personal data is processed under the responsibility of ILVO (Eigen Vermogen van het Instituut voor Landbouw-, Visserij- en Voedingsonderzoek), with its registered office at Burgemeester Van Gansberghelaan 92 bus 1, 9820 Merelbeke, Belgium, with company number 0262.172.489.

This Privacy Statement contains, among other things, information about the way in which ILVO collects, uses and processes personal data through DjustConnect and on the Website, and about the rights that data subjects have with regard to their personal data.

2. WHAT PERSONAL DATA DO WE PROCESS, WHY AND WITH WHAT JUSTIFICATION DO WE PROCESS IT?

2.1 Personal data

If you use DjustConnect, we collect personal data at the time of registration as a User and during the use of the account (described as "Platform Data" in the Data Sharing Agreement), in particular:

- **(electronic) identification and contact data**, in particular surname, first name, e-mail, identification number(s) and CBE number of the company for which you are registering. For Belgian Users, logging in to DjustConnect is done electronically with eID via the digital access management (ACM) and digital user management (IDM) of the [Flemish Government](#). For other Users, a login and password are used.
- **usage data**, including transaction data and data regarding approval or rejection of Data Requests (including related log data).
- **technical data**, including the IP address of the Data Receiver, file types, information about the API used, information related to system errors and crashes (including IDs and related log data).

If you register as a User of an Agricultural Business, we will additionally process a number of identification numbers (production unit number, herd number, establishment number and supplier number) that are collected from the Department of Agriculture and Fisheries in order to identify the Agricultural Establishment with sufficient accuracy. An overview of your identification numbers can be found in your personal DjustConnect dashboard under 'Farm Details'.

When you contact ILVO via the [contact form](#) on the Website or by telephone, contact details will be processed, in particular your surname and first name, CBE number, e-mail address, telephone number and any personal data that emerges from your question.

The personal data that we collect from you depends on the applicable purposes as described below.

2.2 Purposes and legal bases

The personal data may be used for the purposes described below. For each purpose, the legal basis on which ILVO processes the personal data is stated.

Why do we process your personal data?	What justification do we have for processing your personal data?
<p><i>Account creation, use, and management</i></p> <p>When creating or using an account that gives you access to DjustConnect, ILVO processes personal data insofar as it is necessary to do so in order to be able to offer your account and the services via DjustConnect. An agreement with ILVO is concluded.</p> <p>Partly in view of the EU Code of Conduct for data sharing in agriculture, ILVO must ensure that the sharing of agri-food data is done in a transparent manner. To this end, each User can consult certain information about their exchanges of Agri-Food Data via the DjustConnect dashboard.</p> <p>In order to identify an agricultural business with sufficient accuracy, ILVO collects a number of identification numbers (production unit number, herd number, establishment number and supplier number) from the Agency for Agriculture and Sea Fisheries. An overview of your identification numbers can be found in your personal DjustConnect dashboard under 'Farm Details'.</p>	<p>The processing for this purpose is necessary for the conclusion or execution of the agreement between ILVO and the User (i.e. Data Sharing Agreement/Farmer's Agreement).</p>
<p><i>To notify Users by email of a new Data Request or informational notifications</i></p> <p>You may receive notifications by email of new Data Requests or informational communications</p>	<p>In the context of DjustConnect, this processing of personal data is necessary for ILVO's legitimate interest in informing and keeping Users informed</p>

<p>regarding the operation of DjustConnect (e.g. if DjustConnect is temporarily unavailable).</p>	<p>of new Data Requests and/or new functionalities of DjustConnect.</p> <p>If you do not want these emails, you can unsubscribe from email notifications by disabling it in the DjustConnect dashboard.</p>
<p><i>To keep Users informed by e-mail of news about DjustConnect and related events.</i></p>	<p>ILVO will ask for your permission in advance to send this type of e-mail.</p> <p>If you do not want this type of e-mail, you can still keep ILVO informed of a new Data Request by e-mail (see purpose above), unless you have disabled those informative notifications in the DjustConnect dashboard.</p> <p>If you do not want these emails, you can unsubscribe from email notifications by disabling it in the DjustConnect dashboard.</p>
<p><i>Customer management</i></p>	<p>Your data will also be processed in accordance with ILVO's legitimate interest in carrying out customer management.</p>
<p><i>To provide or improve certain functionality of the Website</i></p> <p>Certain personal data may be used to improve the user experience on the Website, through additional features, such as additional personalization, playback of videos by means of third-party platforms or interactive components around our Website, in particular through the use of cookies or similar technologies.</p>	<p>We will ask you for your prior consent (via the cookie banner on the Website).</p>
<p><i>Answering and handling questions, communications or requests</i></p> <p>If you contact us for help and/or support in the use of DjustConnect (e.g. with regard to the functioning of DjustConnect or in the event of</p>	<p>In the event of a request to exercise your rights under the GDPR (see Point 4): the processing is necessary for the fulfilment of a Legal obligation imposed on ILVO.</p>

<p>technical problems), personal data may also be processed.</p>	<p>In other cases: the processing for these purposes is necessary for ILVO's legitimate interest to answer questions or requests and to improve our services in this way.</p>
<p><i>Managing, evaluating and improving services and IT systems</i></p> <p>Personal data may also be processed for the purpose of managing, evaluating and improving DjustConnect and ILVO's services, adding new features and optimizing your user experience.</p>	<p>Where required by law, we will obtain your prior consent (e.g., processing through non-essential cookies and tracking technologies).</p> <p>In other cases, the processing is necessary for our legitimate interests in managing, analyzing and improving DjustConnect and ILVO's services.</p>
<p><i>Complaint and dispute management</i></p>	<p>Your data will be processed in accordance with ILVO's legitimate interest to collect personal data for use in resolving any disputes.</p>
<p><i>Combating fraud and crime and defending in court</i></p> <p>Your data may also be used for fraud prevention or detection in order to ensure the proper functioning of DjustConnect and, if necessary, to defend ourselves in court.</p>	<p>These processing operations are necessary for a legal obligation to which ILVO is subject or for the legitimate interest of ILVO to tackle fraud, crimes and infringements or to defend itself in court.</p>
<p><i>In the context of a business transaction</i></p> <p>To evaluate or conduct an acquisition, merger, demerger, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a transfer of all or a portion of the business, or as part of any bankruptcy, liquidation, or similar proceeding, in which personal information in our possession is among the assets transferred.</p>	<p>The processing for these purposes is necessary for the legitimate interest of ILVO in carrying out the said business transactions in order to carry out our business strategies or to grow our business.</p>

When we obtain personal data directly from you, you are generally free to provide ILVO with the personal data or not, unless in the case of a legal obligation. If you do not wish to provide your personal data, it is possible that you will not be able to use DjustConnect or the services offered by ILVO, that

your questions cannot be answered and/or that you will not be able to enter into an agreement with ILVO.

3. WITH WHOM DO WE SHARE YOUR PERSONAL DATA?

The personal data may be passed on to third parties who reasonably need access to this personal data in order to achieve one or more of the purposes mentioned above.

It concerns the following (categories of) third parties:

- Service providers in the context of DjustConnect: companies offering mailing services, IT service providers, hosting providers, external service providers.
- Potential or future buyers of DjustConnect: If ILVO sells or transfers all or part of its business or assets to a third party in the future, ILVO may disclose personal data to a potential or actual buyer if necessary.
- External professional advisors (e.g. lawyers and professional advisors from ILVO).

Where these third parties act as processors, ILVO provides the necessary contractual guarantees.

Some of the parties that receive your personal data may be located in a country outside the European Economic Area (EEA) whose laws do not provide the same level of data protection. We will ensure that your personal data is only transferred to parties that apply an adequate level of data protection (for example, where the European Commission has issued an adequacy decision or by including the so-called EU Standard Contractual Clauses in the contract with the recipient and subject to an appropriate assessment of the transfer). You can contact us to receive a copy of the appropriate safeguards that apply to the transfer of your personal data.

4. WHAT RIGHTS DO YOU HAVE WITH REGARD TO YOUR PERSONAL DATA?

When the relevant legal conditions are met, you have the following rights as a data subject:

- **Withdrawal of your consent:** If ILVO processes your personal data on the basis of your consent, you have the right to withdraw that consent at any time. However, this withdrawal will not affect the lawfulness of the processing of your personal data for the period preceding the time of this withdrawal and processing activities based on another legal basis.
- **Right of access:** You have a right of access to the personal data that ILVO processes about you, as well as the right to obtain a copy of this personal data (subject to certain exceptions). Via the

DjustConnect dashboard (under "Logs"), each User can consult the usage and technical data related to the relevant Requests Data and Agri-Food Data exchanged.

- **Right to rectification:** You have the right to have your data corrected by ILVO free of charge, provided that the legal conditions are met. The DjustConnect dashboard gives you an overview of certain data that we have. As a User, you can report an error via the action button 'report error' in DjustConnect (or contact ILVO via info@DjustConnect.be).
- **Right to be forgotten:** You have the option to have your data corrected or deleted by ILVO free of charge at any time, provided that the legal conditions are met. Exceptions to erasure include those personal data that ILVO still needs to substantiate a legal claim or that ILVO is legally obliged to keep.
- **Restriction of processing:** If the applicable legal provisions are met, you can require ILVO to restrict the processing of your data.
- **Right to data portability:** Under certain conditions, you have the right to data portability of the personal data you have provided.
- **Objection:** You may object to processing for advertising purposes or processing that is based on our legitimate interest. You may even do this without justification for the processing of personal data for direct marketing purposes.
- **Complaint to the competent authority:** You have the right to contact the data protection supervisory authority of your habitual residence, your place of work or, if you believe that a violation of the GDPR has been committed, the place of the infringement, and, if necessary, to file a complaint.

To exercise the above rights, you can contact ILVO as a User via the contact button of DjustConnect. In addition, you can contact ILVO via info@DjustConnect.be. Such an e-mail request must be accompanied by your contact details and a means of verifying your identity (e.g. a copy of the front of your ID card (without national registration number) or driving licence). However, ILVO can reject requests that it deems excessive.

If you wish to exercise your rights in relation to processing for which the Data Provider or Data Receiver is the data controller (see Point 1.1), you must contact the Data Provider or Data Receiver, respectively. In that case, ILVO cannot assist you directly.

5. HOW LONG IS YOUR PERSONAL DATA KEPT?

Your personal data will be kept for as long as necessary for the purpose for which it was collected, for example to answer your question or to perform our contract with you, if you are a User and for the duration of your account.

You can cancel your registration on DjustConnect (and have your account deleted) at any time by sending a simple request to info@DjustConnect.be.

All personal data associated with your personal account as a User will in principle be deleted at that time, except for your email address and certain usage and technical data regarding the approval or rejection of Data Requests and the withdrawal of consent that ILVO needs to be able to demonstrate compliance with the GDPR and the Data Sharing Agreement and/or to be able to defend itself against legal claims. This personal data will be archived (with limited access) and kept for 5 years after the end of the Data Sharing Agreement.

If you are the only User of the Farm, the Data Provider or Data Receiver, deleting your account will not only result in the deletion of your personal data, but also in the withdrawal of all approvals of Data Requests and consequently the automatic termination of all active exchanges of Agri-Food Data.

ILVO may retain your personal data for a longer period of time if required by tax, accounting, or other legal (retention) obligations. In specific circumstances, we will retain your personal data for an extended period of time so that we have an accurate record of your dealings with us in the event of any complaints or disputes, or if we reasonably believe that there is an imminent dispute in relation to your personal data or transactions, for a period based on the applicable statutory statutes of limitations for such complaints, disputes and/or proceedings in accordance with Belgian law.

Please contact us by sending an e-mail to info@DjustConnect.be if you have any questions about the retention period of your personal data.

6. CHANGES TO THIS PRIVACY STATEMENT

ILVO reserves the right to change the Privacy Statement at any time, among other things to adapt it to a changed service or changed legal and/or regulatory requirements. Changes to this Privacy Statement will be effective upon posting. We recommend that you always consult the most recent version. This Privacy Statement was last amended and revised on the date indicated at the top of the Privacy Statement.

7. WHO CAN YOU CONTACT FOR MORE INFORMATION?

7.1 ILVO

If you have any questions regarding the processing of your personal data or the exercise of your rights as a data subject, you can always contact ILVO.

You can reach ILVO via info@DjustConnect.be or by post to the following address: Burgemeester Van Gansberghelaan 92 bus 1, 9820 Merelbeke, Belgium.

7.2 Data Protection Officer

ILVO's data protection officer can be contacted via privacy@ilvo.vlaanderen.be or +32 9 272 26 56.

7.3 Supervisory authority

You can also contact the Data Protection Authority at any time for any questions or complaints:

Data Protection Authority

Rue de la Presse 35, 1000 Brussels

+32 (0)2 274 48 00

+32 (0)2 274 48 35

contact@apd-gba.be or <https://www.dataprotectionauthority.be>

For agencies of the Flemish government, there is also the Flemish Supervisory Commission:

Flemish Supervision Commission
King Albert II Laan 15 box 149, 1210 Brussels
+32 (0)2 553 20 85

contact@toezichtcommissie.be or <https://overheid.vlaanderen.be/vlaamse-toezichtcommissie>