

# Information on data processing when visiting and using the Merz Ethics Helpline

In the following privacy policy, we inform you about who is responsible for processing your personal data when you visit <https://ethics-merz-com.speakup.report/en-GB/ethicshelpline/home> (the "**website**") and use the website's features.

Merz processes your data in accordance with Regulation (EU) 2016/679 (General Data Protection Regulation; "**GDPR**") and applicable national data protection law.

## 1. Controller

The controller responsible for processing your personal data when you visit the Website and use its features is Merz Pharma GmbH & Co. KGaA, Eckenheimer Landstraße 100, 60318 Frankfurt am Main, Germany ("**Merz**" or "**we**").

The website is technically operated by SpeakUp People Intouch BV, Olympisch Stadion 6, 1076 DE Amsterdam, Netherlands ("**SpeakUP**"). SpeakUP acts on behalf of Merz and is bound by the instructions given by Merz.

## 2. Processing of your personal data

### 2.1 Visiting the website

#### a) Technical usage data

When you visit the website, Merz servers automatically store various data about the system accessing the website. This includes the type of browser used, the type of device, the browser version, the operating system used, the website from which the Merz website is accessed, the subpages of the Merz website accessed, the date and time of access, the Internet Protocol (IP) address, the Internet service provider, your language settings, the files accessed on the website and actions performed, the general geographical location (e.g., country and city), and the search terms used by visitors to reach the website. Merz uses this data to enable access to the website and to identify and resolve any technical problems that may arise. The legal basis for processing personal usage data for this purpose is (6 (1) (f) GDPR, § 25 (2) No. 2 TDDDG).

Merz also uses this data to prevent and, if necessary, combat misuse of the website. The legal basis for this processing of personal usage data is Art. 6 (1) lit. f) GDPR, § 25 (2) No. 2 TDDDG). Our legitimate interest is to protect our website and our systems. In addition, Merz uses this data in anonymized form, i.e., without the possibility of identifying the user, for statistical purposes and to improve the website.

#### b) Cookies

The website uses cookies. Cookies are small text files that are stored on the user's data carrier and exchange certain settings and data with the Merz system via the browser. A cookie usually contains the name of the domain from which the cookie data was sent, information about the age of the cookie, and an alphanumeric identifier. Cookies are technically necessary to operate our website and enable users of to use its functions. The legal basis for the use of such cookies is the provision of the website functions you have requested (6 (1) (f) GDPR, § 25 (2) No. 2 TDDDG).

You can deactivate or restrict the transfer of cookies by changing the settings of your Internet browser. Cookies that have already been saved can be deleted at any time. This function can also be automated. If cookies are deactivated for the Merz websites, it may no longer be possible to use all the functions of the websites to their full extent.



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## 2.2 Ask a question

If you ask a question about a case already reported via the website, you have the option of submitting your request with your name and contact details or anonymously. If you wish to remain anonymous, you can choose whether you want to remain completely anonymous or only anonymous to Merz.

In any case, the information from your request and the personal data you provide in your request will be processed. You will also be asked to indicate whether you are a current or former employee. If you are not and have never been employed by Merz, you will be asked about your relationship to Merz.

If you decide to submit your question completely anonymously, no further personal data will be processed. If you only wish to remain anonymous to Merz or decide to disclose your identity completely, your name, email address, preferred contact method, and, if you choose, your phone number will be recorded. If you choose to remain anonymous to Merz, this data will not be transmitted to Merz, but will only be processed by SpeakUP in accordance with the instructions provided by Merz.

When you submit a question, you will receive a confidential access number that you can use to communicate with Merz, view messages, and check the status of your question. You will also be asked to create a password and a security question and answer.

We process your personal data solely for the purpose of responding to your inquiry (Art. 6 (1) (f) GDPR).

## 2.3 Submitting a report

When you submit a report via the website, you have the option of submitting your report with your name and contact details or anonymously. If you wish to remain anonymous, you can choose whether you want to remain completely anonymous or whether you only want to remain anonymous to Merz.

When you submit a report, the information you disclose in your report, including a description of the reported incident, the company and individuals involved, the date, time, and location of the reported incident, and images or files, if applicable, will be processed in any case. In addition, we will store whether you wish to be notified by email if the matter is updated, and you will be asked to indicate whether or not you are a current or former employee of . If you are not or were not employed by Merz, you will be asked about your relationship to Merz.

If you choose to submit your report completely anonymously, no further personal data will be processed. If you only wish to remain anonymous to Merz or choose to disclose your identity in full, your name and, if you choose, your email address, telephone number, and preferred contact method will be recorded. If you choose to remain anonymous to Merz, this data will not be transmitted to Merz, but will only be processed by SpeakUP in accordance with the instructions provided by Merz.

When you submit a report, you will receive a confidential access number that you can use to communicate with Merz, retrieve messages, and check the status of your report. You will also be asked to create a password and a security question and answer.



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We process your personal data for the purpose of processing your report and investigating the incident you have reported (Art. 6 (1) (c), Art. 6 (2) (f) GDPR in conjunction with Sections 10 of the German Whistleblower Protection Act (Hinweisgeberschutzgesetz) and 43 (1) of the German Limited Liability Companies Act (GmbHG)). In addition, we may process the personal data we have received in connection with your report in order to generally investigate the internal situation in the area to which your report relates and to prevent financial and auditing problems, harassment, theft, drug abuse, and unsafe conditions or other incidents in that particular area. The legal basis for this processing is our legitimate interest in maintaining a healthy and lawful work environment and business operations (Art. 6(1) (f) GDPR).

#### 2.4 Contacting us by phone or text message

You also have the option of submitting a report by telephone or, if you are located in North America, by text message. In this case, your telephone number and any other information you choose to disclose will be processed. Your identity will not be disclosed to Merz unless you consent to this.

We process your personal data for the purpose of responding to your question or processing your report (Art. 6 (1) (c), Art. 6 (1) (f) GDPR in conjunction with Sections 10 of the German Whistleblower Protection Act (Hinweisgeberschutzgesetz) and 43 (1) of the German Limited Liability Companies Act (GmbHG)). If you report an incident to us, we may also process the personal data we have received in connection with your report in order to investigate the internal situation in the area to which your report relates in general and to prevent financial and auditing problems, harassment, theft, drug abuse, and unsafe conditions or other incidents in this area. The legal basis for this processing is our legitimate interest in maintaining a healthy and lawful work environment and business operations (Art. 6(1)(f) GDPR).

### 3. Sharing your personal data

We share your personal data disclosed in inquiries and reports with the Merz compliance officer of the company that is responsible on site or otherwise involved in the inquiry or report. Beyond that, your personal data will not be shared with other companies in the Merz Group. The legal basis for sharing your personal data with companies within the Merz Group is our legitimate interest (Art. 6 (1) (f) GDPR). Our legitimate interest lies in investigating potential incidents within the Merz Group, such as financial and accounting issues, harassment, theft, drug abuse, and unsafe conditions.

In addition, Merz uses specialized technical service providers (processors), including SpeakUP, to provide the website. These service providers are bound to a high level of data protection and may only process personal data on the instructions of Merz. Among other things, Merz uses a service provided by Zscaler, Inc. 120 Holger Way, San Jose, CA 95134, USA. This service is a secure Internet and web gateway that scans and logs Internet traffic for potential security threats. This service is used within the Merz network and also includes Internet traffic via the website when accessed from the Merz network. In this case, the IP address, the URL accessed, and the pseudonymized user name (Merz email address) are recorded, among other things. The legal basis for this processing is our legitimate interest in maintaining the security and integrity of our website and our systems (Art. 6 (1) (f) GDPR).

Furthermore, the following categories of recipients may receive your personal data



- Authorities, courts, parties to a legal dispute, or their representatives, to whom we are required to provide your personal data due to applicable laws, regulations, legal proceedings, or enforceable official orders, e.g., law enforcement agencies, tax and customs authorities, supervisory authorities and their representatives, financial market supervisory authorities, public registers
- auditors or external advisors such as lawyers, tax advisors, insurers, or banks, and
- another company in the event of a change of ownership, merger, acquisition, or sale of assets.

In order to fulfill the aforementioned purpose, we may transfer your personal data to recipients outside Germany. Transfers within the European Economic Area (EEA) are always carried out in accordance with the uniform EU data protection level. Transfers to third countries are always carried out in compliance with the supplementary requirements of Art. 44 ff. GDPR. Your personal data may be transferred to certain third countries for which the EU Commission has issued an adequacy decision, according to which an adequate level of protection in accordance with the uniform EU data protection level exists. The complete list of these countries can be found here (<https://ec.europa.eu/info/law/lawtopic/data-protection/international-dimension-dataprotection/adequacy-decisions>).

For transfers to other third countries, EU standard contractual clauses ("SCC") are generally agreed with the recipient. These have been issued by the EU Commission to secure such international data transfers. Ultimately, personal data may be transferred on the basis of an exception under Article 49 GDPR.

#### **4. How long do we store your personal data?**

Data that is processed exclusively for compliance case management purposes will be anonymized no later than three years after the internal investigation has been completed, in accordance with the applicable legal provisions. If legal claims are asserted or official proceedings are initiated after the investigation, the data will be retained for the duration of these proceedings and deleted after their conclusion – unless further storage is necessary to secure evidence for the assertion, exercise, or defense of legal claims within the statutory limitation periods. In accordance with Sections 195 et seq. of the German Civil Code (BGB), these limitation periods can be up to 30 years, with the standard period being three years. In addition, further limited processing may be necessary to comply with regulations, laws, or other provisions of European or national legislators.



## 5. Your rights with regard to data protection

Under the GDPR, you have the right to obtain information about the personal data stored by Merz and, provided that the relevant legal requirements are met, the right to rectification, erasure, or restriction of processing, as well as a right to receive the personal data you have provided in a structured, commonly used, and machine-readable format and/or to transmit it to another controller or have it transmitted by Merz to such a controller. If you have given us your consent to process your personal data, you can revoke this consent at any time. Revoking your consent does not affect the lawfulness of the processing carried out on the basis of your consent until revocation.

You may also lodge a complaint with a supervisory authority regarding Merz's data processing.

**Insofar as the processing or transfer of your personal data is based on our legitimate interest within the meaning of Art. 6 (1) (f) GDPR, you have the right to object to the processing of your personal data at any time for reasons arising from your particular situation. Merz will then no longer process the personal data unless Merz can demonstrate compelling legitimate grounds for the processing that override your interests, rights, and freedoms, or the processing serves to assert, exercise, or defend legal claims.**

If you wish to exercise your rights under the GDPR, you can contact us as described below.

## 6. Contact

If you have any questions about the processing of your personal data by Merz or wish to exercise your rights as a data subject, you can contact Merz at any time.

Merz Pharma GmbH & Co. KGaA  
Eckenheimer Landstraße 100  
60318 Frankfurt am Main  
Germany

You can also contact Merz's data protection officer using the contact details below:

Merz Pharma GmbH & Co. KGaA  
Attn Data Protection Officer  
Eckenheimer Landstraße 100  
60318 Frankfurt am Main  
Germany

[dataprotection@merz.com](mailto:dataprotection@merz.com)



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If you have any questions about the processing of your personal data by your local Merz company, you can contact the local Merz company. You can find the local Merz branch in your country here: <https://www.merz.com/about-merz/locations/>

## **7. Date and updates to this privacy policy**

The date of this privacy policy is December 2025.

In order to reflect changes in our data processing activities or applicable law, we may need to change this privacy policy in the future. We will inform you here of any significant changes to the content.

