

# ***KnownSources* Confidentiality Policy**

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## **Introduction**

*KnownSources* is an information technology platform, owned and operated by FoodReg Daten AG (referred to here as “FoodReg”) as an online service, that enables participating companies to provide and receive information to and from their trading partners and other stakeholders, including the general public, in particular related to traceability in the supply chain and to sustainability of production sources.

Since *KnownSources* necessarily collects confidential information from its participants in order to fulfil its functions, strict importance is placed on maintaining the confidentiality of such information. Access to participant information, and to data derived from that information, is only enabled for those people or groups that have previously been authorised by the provider of the information.

Furthermore, *KnownSources* collects information about supply chains that could potentially be used anti-competitively if this information were to be made available to the wrong company or group of companies for the wrong reasons or purpose. To avoid this risk, further restrictions are applied to the way in which certain data is grouped and shared to ensure compliance with relevant competition / anti-trust laws.

Wherever reasonably possible, the enforcement of the confidentiality policy is achieved automatically through the manner of operation of the platform. This is supplemented by the rules controlling usage that are specified in the Subscriber Service Agreement that governs access to the service by participants.

## **Governing principles**

The fundamental purpose of *KnownSources* is to provide information about production sources (such as palm oil mills) to companies who are “downstream” in the supply chain and to the general public. However, it is **not** the purpose of *KnownSources* to provide information about the supply chain itself (other than to report on factors such as the level of traceability).

Information will **not** be provided via *KnownSources* that assists companies to:

- Bypass their suppliers to purchase from further “upstream” in the supply chain
- Learn about their suppliers’ products or processes

## **Definition of confidentiality**

All information provided to the platform is considered *de facto* confidential, unless it is public.

Some information is public in one context but confidential in another. In particular, information that is essentially public (such as the names of production sources) is considered confidential when it can be associated with a particular company’s supply base, but not confidential otherwise.

Data derived and aggregated from confidential information, once permission has been given for the information to be re-used, is not considered confidential if no individual information element is visible and if no individual company can be identified.

### **Information ownership and control**

The ownership of information does not change when it is entered or uploaded to *KnownSources*.

However, information ownership, and the associated right to decide if confidential information can be made available to others, is not necessarily determined by who provides the data to *KnownSources*. Information might belong to a third party, and FoodReg will obtain assurance from the party providing the data that it has adequate permission from the original owner of the confidential information or, in the case that the third party is a *KnownSources* participant, will obtain any necessary permission for re-use directly from that third party.

Data collections that are derived and aggregated from information entered or uploaded to *KnownSources* with permission to re-use will belong to FoodReg, who may sell or license such data collections to other participants or third parties, but without limiting the rights of the owner of original data entered. Participants who have, with due permission, received information via *KnownSources*, will have ownership of any reports or derived works of their own.

Participants may revoke at any time the permissions they have given to share information, but this will not apply to any information previously shared.

### **Information provided to *KnownSources***

*KnownSources* is a platform that will continue to evolve to meet the needs of its participants and details of information collected on the platform will change with time – in agreement with the providers of the information.

*KnownSources* does not collect forward-looking information or information related to prices and should services be offered in the future that include the handling of such information it may be necessary to modify this Confidentiality Policy.

Certain information that is provided by participants, termed here “Class A Data”, is subject to the greatest control on use and is never provided to any other participant. This includes:

- Names or other information about suppliers (unless these are production sources, such as oil mills)
- Information on product compositions
- Volumes or other transactional information related to purchases or sales (except when provided to the trading party to the transaction, and therefore already known)

A second group of information, termed here “Class B Data”, is visible to the direct customers of participants, *when they have been given permission to re-use data*. This includes:

- Details of “delivery units” (from which products are sold to customers)
- Details of sustainability credentials (currently only RSPO certification)

A third group of information, termed here “Class C Data”, is visible to direct customers of participants, *when they have been given permission to see this*, and is visible to anyone later in the supply chain or potentially the general public, if the direct customer has permission to re-use data. This includes:

- Details of production sources (currently mills, but might include plantations)
- Sustainability performance of production sources, but limited to public information unless the source has given its permission

### **Derived data provided from *KnownSources***

Every participant on *KnownSources* who receives raw material or other goods from a supplier who is also a participant on *KnownSources* will receive information on traceability and sustainability, *if that supplier has given this customer permission to receive this information*. Very little information (only Class B Data and Class C Data) is provided in the form and at the level of detail of the original information provided, since most data is derived via calculations based on aggregated data from the supplier or from earlier in the supply chain.

The derived information is related to traceability and sustainability statistics, broken down by feedstock (currently palm oil and palm kernel oil). Segregated feedstock (ie, feedstock that is certified sustainable and is kept physically separate from non-certified material) is analysed separately.

Details of the dashboards provided to users are given in the *KnownSources* user manual, that can be viewed at [www.foodreg.com/knownsources/usermanual](http://www.foodreg.com/knownsources/usermanual). The exact form of output is subject to change and new forms of aggregated and statistical data will be developed.

### **Customer compliance department**

Each *KnownSources* participant may have a compliance department, consisting of individuals who have access to information that is not available to other members of their company (or to any third party). Members of a compliance department are bound by special confidentiality restrictions. Please see the *KnownSources* Compliance Rules for a definition of the rules that apply to participants who wish to operate a compliance department in conjunction with *KnownSources*.

The reason for the existence of compliance departments is to allow companies to effectively monitor the compliance of their suppliers to conditions that they lay down (related to traceability and sustainability, in the case of *KnownSources*) and to be able to react if there is a report of non-compliance in their supply chain.

The distinguishing characteristic of members of a compliance department is that they are able to identify which direct supplier is associated with which production sources in their supply base – for example, they can see the list of originating mills that has been provided by a particular supplier.

This information is not made generally available by *KnownSources* to users within participant companies, to avoid the risk that such information could be exploited unfairly in situations such as procurement.

Additional information may later be provided to compliance departments, with the agreement of the participants who are the source of such information.

Participants can control, through permissions given (see below), the ability of any particular customer to operate a compliance department that has privileged access to their information..

### **Permissions**

All participants on *KnownSources* are able to specify which of their direct customers can re-use their data, which can view Class C Data and which can get privileged access for a compliance department.

With the exception of permissions controlled by production sources (that have not yet been implemented), permissions only apply to direct customers. Beyond direct customers, no confidential information is provided to anyone, and all data that is provided is derived and aggregated to the point that no individual company can be identified (apart from potentially production sources).

### **Access of FoodReg personnel to data**

Only qualified personnel at FoodReg may be given access to confidential information on *KnownSources* in order to ensure correct system operation and to provide support to users. The number of such personnel is limited to those necessary to carry out such functions and every such person is a signatory to a confidential agreement at least as strict as FoodReg's confidentiality obligations to *KnownSources* participants. These confidentiality agreements bind the personnel during and after their employment with FoodReg.

### **Access of auditors to data**

The value of *KnownSources* to participants and the industry depends on the credibility of the data that it provides. Therefore, various measures are implemented to ensure that data entered is accurate within reasonable levels of tolerance.

Some measures are pursued automatically through data checking algorithms and through data checking by FoodReg personnel, but these are complemented by auditing procedures carried out by professional third parties.

To successfully carry out such auditing, these professional third parties require access to confidential data entered or uploaded to the platform. All such parties are governed by confidentiality agreements at least as strict as FoodReg's confidentiality obligations to *KnownSources* participants.

### **Concerns or grievances**

Any participant who has concerns about the way in which their confidential information is being handled by FoodReg or any other party should raise the issue by addressing an email to [legal@foodreg.com](mailto:legal@foodreg.com). The issue will be treated seriously and with due process by FoodReg, who will take any steps in its power to correct an identified problem and will report back on its conclusions, and any action taken, to the participant who raised the issue.

### **Updates to the Confidentiality Policy**

This Confidentiality Policy will be updated from time to time by FoodReg, giving at least three months notice to participants (unless a serious issue is identified that must be addressed immediately). No update to the policy will reduce restrictions on the disclosure of confidential information that has already been entered.

All *KnownSources* participants and industry stakeholders are invited to provide their input to this Confidentiality Policy. Please send suggestions to [legal@foodreg.com](mailto:legal@foodreg.com).