



**emu**

industrias emu s.a.s.

**Soluciones Agro-Industriales**

**DATA TREATMENT POLICY**

## CONTENT

1. **PREAMBLE**
  2. **OBJECTIVE**
  3. **DEFINITIONS**
  4. **REGULATORY FRAMEWORK**
  5. **PRINCIPLES**
  6. **SCOPE OF APPLICATION**
  7. **RECIPIENTS**
  8. **RESPONSIBLE FOR DATA PROCESSING**
  9. **AUTHORIZATION**
    - 9.1. Form of granting authorization for the processing of personal data
    - 9.2. Authorization for the processing of personal data
    - 9.3. Video surveillance systems
    - 9.4. Processing of data concerning minors
  10. **PURPOSE OF PROCESSING PERSONAL DATA**
    - 10.1. Regarding customers or potential customers
    - 10.2. Regarding suppliers or potential suppliers
    - 10.3. Regarding candidates, employees, apprentices, or trainees of INDUSTRIAS or their beneficiaries
  11. **PRIVACY NOTICE**
    - 11.1. Content of the privacy notice
    - 11.2. Means of disseminating the privacy notice
    - 11.3. Conservation of the privacy notice model
  12. **RIGHTS AND DUTIES OF DATA HOLDERS**
    - 12.1. Rights
    - 12.2. Duties
  13. **DUTIES OF INDUSTRIAS EMU S.A.S. AS DATA PROCESSOR**
  14. **DATA PROCESSORS**
  15. **EXERCISE OF THE RIGHTS OF DATA HOLDERS**
    - 15.1. Legitimation
    - 15.2. Right to access and queries by INDUSTRIAS
    - 15.3. Claims
    - 15.4. Revocation of authorization
  16. **PROCEDURAL REQUIREMENT**
  17. **INFORMATION SECURITY**
    - 17.1. Security measures
  18. **FINAL PROVISIONS**
    - 18.1. Responsible for data protection
    - 18.2. Validity of the authorization
  19. **APPROVAL**
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## 1. PREAMBLE

INDUSTRIAS EMU S.A.S. (hereinafter "INDUSTRIAS EMU") is a commercial company dedicated to the manufacture of basic chemicals, wholesale trade of basic chemicals, rubbers and plastics in primary forms, and agricultural chemical products. Its main office is located in the municipality of Itagüí (Antioquia) and has branches in Bogotá and Barranquilla.

In compliance with the Political Constitution, Law 1581 of October 17, 2012, Regulatory Decree 1377 of June 27, 2013, which establishes general provisions for the Protection of Personal Data, partially repealed by Decree 1081 of May 26, 2015, and any future regulations that may amend or repeal them, this policy adopts the guidelines and procedures governing the collection, processing, storage, use, transmission, transfer, circulation, deletion, and other activities related to the management of personal data of customers and other data subjects.

This policy serves as the guideline for INDUSTRIAS EMU as the data controller in the collection of personal data in the course of its business activities, ensuring the protection of personal data and addressing any claims and inquiries arising from the management and administration of this information in its dealings with customers, third parties, referrals, and all others with whom it interacts in the execution of its commercial activities.

## 2. OBJECTIVE

To establish the guidelines through which data subjects whose data is collected by INDUSTRIAS EMU S.A.S. in the course of its commercial activities may know, update, rectify, and delete the information collected in their dealings or potential dealings with INDUSTRIAS EMU.

## 3. DEFINITIONS

- **Authorization:** Prior, express, written, and informed consent of the data subject to process personal data.
- **Privacy notice:** Verbal or written communication generated by the data controller, addressed to the data subject for the processing of their personal data, informing them about the existence of the information processing policies that apply to them, how to access them, and the purposes of the processing intended for the personal data.
- **Database:** Organized set of personal data subject to processing.
- **Personal data:** Any information linked to or that may be associated with one or more identified or identifiable natural persons.
- **Public data:** Data that is not semi-private, private, or sensitive. Public data includes, among others, data concerning the civil status of individuals, their profession or occupation, their status as merchants or public servants. By their nature, public data may be contained, among others, in public records, public

documents, gazettes, official bulletins, and duly executed court judgments not subject to secrecy.

- **Sensitive data:** Data affecting the privacy of the data subject or whose improper use could lead to discrimination, such as data revealing racial or ethnic origin, political orientation, religious or philosophical beliefs, membership in trade unions, social organizations, human rights organizations, or promoting the interests of any political party or ensuring the rights and guarantees of opposition political parties, as well as data concerning health, sexual life, and biometric data.
- **Data processor:** Natural or legal person, public or private, who, acting alone or jointly with others, processes personal data on behalf of the data controller.
- **Data controller:** Natural or legal person, public or private, who, acting alone or jointly with others, decides on the database and/or the processing of data.
- **Video surveillance systems or security cameras:** Mechanisms aimed at ensuring the safety of goods and persons by monitoring and observing activities on premises.
- **Data subject:** Natural person whose personal data is processed.
- **Processing:** Any operation or set of operations on personal data, such as collection, storage, use, circulation, or deletion.
- **Transfer:** The transfer of data occurs when the data controller or processor, located in Colombia, sends information or personal data to a recipient, who in turn is responsible for processing and is located inside or outside the country.
- **Transmission:** Processing of personal data involving the communication of such data within or outside the territory of the Republic of Colombia when the purpose is the processing by the processor on behalf of the controller.

#### 4. REGULATORY FRAMEWORK

- i. Articles 15 and 20 of the Political Constitution.
- ii. Law 1581 of 2012.
- iii. Decree 1377 of 2013.
- iv. Decree 886 of 2014.
- v. Decree 1081 of 2015 (partially repealing Regulatory Decree 1377 of 2013).
- vi. Single Regulatory Decree 1074 of 2015 (Chapter 25 partially regulates Law 1581 of 2012).

#### 5. PRINCIPLES

In accordance with Article 4 of Law 1581 of 2012, the following principles shall serve as the framework for the interpretation and application of the provisions set forth in this manual for the processing of personal data:

- ✓ Principle of legality in the processing of data: The processing referred to in Law 1581 of 2012 is a regulated activity that must comply with the provisions therein and other regulations that develop it.
- ✓ Purpose principle: The processing must serve a legitimate purpose in

accordance with the Constitution and the Law, which must be informed to the data subject.

✓ Freedom principle: Processing can only be carried out with the prior, express, written, and informed consent of the data subject. Personal data cannot be obtained or disclosed without prior authorization, except in the absence of a legal or judicial mandate relieving consent.

✓ Truthfulness or quality principle: Information subject to processing must be truthful, complete, accurate, current, verifiable, and understandable. The processing of partial, incomplete, fragmented, or misleading data is prohibited.

✓ Transparency principle: In the processing of personal data, the data subject's right to obtain information about the existence of data concerning them from the data controller or processor, at any time and without restrictions, must be guaranteed.

✓ Access and restricted circulation principle: Processing is subject to the limits derived from the nature of personal data, the provisions of Law 1581 of 2012, complementary norms, and the Constitution. In this regard, processing may only be carried out by persons authorized by the data subject and/or those provided for in said law. Personal data, except for public information, may not be available on the Internet or other mass communication or dissemination media unless access is technically controllable to provide restricted knowledge only to data subjects or authorized third parties under this law.

✓ Security principle: Information subject to processing by the data controller or processor, as referred to in Law 1581 of 2012, must be handled with technical, human, and administrative measures necessary to provide security to records, preventing their adulteration, loss, consultation, unauthorized or fraudulent use, or access.

✓ Confidentiality principle: All persons involved in the processing of personal data that do not have the nature of public data are obliged to guarantee the confidentiality of the information, even after their relationship with any of the tasks comprising the processing is terminated. The provision or communication of personal data may only be made when it corresponds to the development of activities authorized in this law and under the terms thereof.

## **6. SCOPE OF APPLICATION**

This policy shall apply to all information, data, and databases collected by INDUSTRIAS EMU in the course of its Social Object and in the exercise of its commercial activities, as responsible or processor of the processing, and by any means obtained. This policy is aligned with business objectives, legal requirements, and is transversal to all internal processes.

## **7. RECIPIENTS**

This policy applies to and binds the following persons:

- ✓ Shareholders of INDUSTRIAS EMU.
- ✓ Legal representatives.
- ✓ Internal staff of INDUSTRIAS EMU, especially those who safeguard, process, and/or, in the performance of their duties, have access to personal databases.
- ✓ Contractors, suppliers, and any natural or legal person providing services to INDUSTRIAS EMU under any type of contractual modality, whereby any processing of personal data is carried out. The scope of this internal regulation for this stakeholder group shall be made effective through contractual clauses and/or confidentiality agreements.
- ✓ Allies and other persons with whom there is a statutory, contractual, legal relationship, among others
- ✓ Public and private individuals acting as controllers and/or users of personal data.
- ✓ Other persons established by law or contractually authorized.

## 8. RESPONSIBLE FOR DATA PROCESSING

- a) Data Controller: INDUSTRIAS EMU S.A.S.
- b) Tax ID (NIT): 890.919.414 – 0
- c) Main address: Carrera 41 No. 46 – 132, Itagüí, Antioquia.
- d) Email of the data controller: [notificaciones@industriasemu.com](mailto:notificaciones@industriasemu.com)

## 9. AUTHORIZATION

In accordance with the current regulations on data processing and in compliance with the principles of purpose and freedom, the data processed by INDUSTRIAS EMU Company shall be limited to those that are relevant and appropriate for the purposes described in this policy. Thus, they shall be directed towards promoting the following processes: a) Collection b) Storage c) Use d) Circulation e) Administration f) Deletion

Likewise, when the processing of personal data requires the authorization of the data subject, the company shall: i. Inform the data subject about the purpose of such processing and obtain their prior express written and informed consent. ii. The authorization shall be obtained prior to the processing of personal data and, in any case, no later than at the time of initial collection of this information. iii. The authorization may be given as provided by law, through any means that allows its adequate preservation and subsequent consultation. iv. Implement mechanisms that allow data subjects to have access to information about their personal data, the purposes for which they have been processed, and the processing to which they will be subjected.

### 9.1. METHOD OF GRANTING AUTHORIZATION FOR THE PROCESSING OF PERSONAL DATA

Authorization may be in physical or electronic format, in any form that ensures its subsequent consultation, or through a suitable technical or technological mechanism whereby it can be unequivocally concluded that, had the data subject not acted, the data would never have been captured and stored in the database. The authorization shall be issued by INDUSTRIAS EMU and made available to the data subject prior to the processing of their personal data. Likewise, considering that INDUSTRIAS EMU S.A.S. mostly interacts with data subjects through contracts, these contracts shall additionally contain the authorization in proper and legal form for the processing of personal data and its scope.

## **9.2. AUTHORIZATION FOR THE PROCESSING OF SENSITIVE DATA**

The processing of sensitive data shall be carried out restrictively by INDUSTRIAS EMU, limited to the exceptions expressly indicated in Article 6 of Law 1581 of 2012. Therefore, in authorizations: i. The data subject shall be informed that, since it concerns sensitive data, they are not obligated to authorize its processing. ii. The data subject shall be explicitly and priorly informed, in addition to the general requirements for authorization for the collection of any type of personal data, which of the data to be processed are sensitive, the purpose of the processing, and obtain their prior express written consent.

## **9.3. VIDEO SURVEILLANCE SYSTEMS**

Activities such as capture, recording, transmission, storage, preservation, or real-time or subsequent reproduction are considered as processing of personal data; therefore, INDUSTRIAS EMU shall inform data subjects present in surveillance zones and obtain authorization from those where circumstances permit, through the clause and/or notice of surveillance located visibly in these areas within the Company's facilities located in the Municipality of Itagüí - Antioquia and in other branches where this system is implemented.

In cases where circumstances do not allow obtaining the explicit and written authorization of the data subject, INDUSTRIAS EMU shall use distinctive signals or notices of surveillance zones, which are distributed in different areas of INDUSTRIAS EMU. These mentioned signals or notices must comply with the minimum content of a privacy notice, established in item 11 of this manual.

Video surveillance systems may not be placed where they could affect the image or private and intimate life of individuals. The video surveillance systems shall be located in common areas of INDUSTRIAS EMU's facilities, consisting of video recording devices that temporarily store activity in common areas.

These recordings are used for the following purposes: ✓ To monitor the security of INDUSTRIAS EMU's employees, workers, individuals, goods, and facilities. ✓ To present them as evidence in administrative, judicial, arbitration, friendly settlement, or conciliation hearings, in which the data subject is involved. ✓ For evidentiary

purposes, when judicial authorities require them through the corresponding order. ✓ For evidentiary purposes in internal, disciplinary, or labor processes. ✓ To resolve disputes or matters under the knowledge of any state entity exercising inspection, surveillance, or control functions.

#### **9.4. PROCESSING OF MINOR'S DATA**

In the collection, use, and processing of personal data, respect for the prevailing rights of children and adolescents shall be ensured. The processing of personal data of children and adolescents is prohibited, except for data that is of a public nature. Processing of collected data may only be performed upon authorization by their legal representative or guardian, provided that none of their fundamental rights are violated or endangered, aiming to protect their interests and comprehensive harmonious development. Additionally, in cases where the rights of minors are exercised by a third party, INDUSTRIAS EMU shall verify that said third party is authorized in accordance with Law 1581 of 2012, Regulatory Decree 1377 of 2013, and other applicable current regulations.

#### **10. PURPOSE OF PERSONAL DATA PROCESSING**

INDUSTRIAS EMU will inform data subjects of the purpose of personal data processing in each case, exclusively for the development of its corporate purpose:

##### **10.1. REGARDING CLIENTS OR POTENTIAL CLIENTS**

- Develop the corporate purpose of INDUSTRIAS EMU S.A.S. in accordance with its bylaws and applicable commercial and tax laws.
- Send newsletters and communications.
- Send commercial offers for our services.
- Share personal information with affiliated companies, branches, franchises, subsidiaries, and related entities, upon express written authorization.
- Comply with legal or regulatory duties established.
- Other activities related to the corporate purpose, especially for legal, contractual, and commercial purposes.

##### **10.2. REGARDING SUPPLIERS OR POTENTIAL SUPPLIERS**

- Develop the corporate purpose of INDUSTRIAS EMU S.A.S. in accordance with its bylaws.
- Be contacted to inform about payments, quotes, and to request products or services.
- Share personal information with affiliated companies, branches, franchises, subsidiaries, and related entities, upon prior authorization.
- Comply with legal or regulatory duties established.



- Other activities related to the corporate purpose, especially for legal, contractual, and commercial purposes.

### **10.3. REGARDING CANDIDATES, EMPLOYEES, APPRENTICES OR INTERNS, AND/OR THEIR BENEFICIARIES**

- Develop recruitment, evaluation, and personnel selection processes for current vacancies through the human resources department and/or contractors with whom contractual links are maintained for the development and execution of these processes.
- Validate information as stated in the submitted CV and during job interviews.
- Process and protect contact information (home address, email addresses, social networks, and telephone numbers).
- Request and receive personal, academic, employment, and social security information from educational institutions, public entities, and/or private companies that maintain such information in their databases.
- Collect sensitive data such as fingerprints and photographic and video records for access control, work activities development, and security monitoring.
- Electronically consult certificates of judicial, disciplinary, tax, corrective measures, sexual offenses, and alimony debtors records.
- Conduct interviews, inquiries, and disciplinary proceedings, documenting them in physical or digital media.
- Send messages with institutional content, notifications, payroll information, outstanding dues through payroll deductions, and other corporate information.
- Respond to judicial or administrative requirements and comply with judicial or legal mandates.
- Enroll in the General System of Social Security in health, pension, occupational hazards, and Compensation Fund for Family Welfare of the employee and their beneficiaries.
- Fulfill activities related to occupational health and safety.
- Offer corporate welfare programs and plan business activities for the data subject and their beneficiaries (children, spouse, common-law partner) through channels established by INDUSTRIAS EMU S.A.S.
- Consult and verify information on national and international control lists related to Money Laundering and Terrorism Financing, illicit activities, or situations regulated by the Colombian Penal Code.
- Other activities related to the corporate purpose, especially for legal, contractual, and commercial purposes.

## **11. PRIVACY NOTICE**

The privacy notice is the physical or electronic document through which data subjects are informed about the existence of policies, their objectives, and how to access them.

### **11.1. CONTENT OF THE PRIVACY NOTICE**

- Name or corporate name and contact details of the data controller.
- Processing of data and its purpose.
- Rights granted to the data subject.
- Mechanisms for the data subject to access or consult the information processing policy and substantial changes therein or in the corresponding privacy notice, informing how to access or consult this policy.

## 11.2. DISSEMINATION CHANNELS FOR THE PRIVACY NOTICE

Preferably, the following media will be used for dissemination:

- Website: <https://www.industriasemu.com>
- INDUSTRIAS EMU S.A.S. facilities (main headquarters and other branches)
- Email: [notificaciones@industriasemu.com](mailto:notificaciones@industriasemu.com)
- Other relevant applications or devices for this purpose.

## 11.3. CONSERVATION OF THE PRIVACY NOTICE MODEL

The company will adopt measures to preserve the privacy notice model used to comply with the duty to inform data subjects about information processing policies and how to access them while personal data is processed according to this model and the obligations derived from it. To achieve this, INDUSTRIAS EMU may use computer, electronic means, or other technologies ensuring compliance with Law 527 of 1999.

## 12. RIGHTS AND OBLIGATIONS OF DATA SUBJECTS

### 12.1. RIGHTS

Data subjects treated by INDUSTRIAS EMU have the following rights to ensure their fundamental rights in accordance with the Constitution and the law:

- Right of Access
- Right of Update
- Right of Rectification
- Right of Deletion
- Right to Revoke Consent
- Right of Opposition
- Right to file complaints, claims, or take actions

### 12.2. DATA SUBJECTS' DUTIES

Data subjects have the following duties:

- Provide truthful and accurate information.
- Keep personal information updated.

- Inform INDUSTRIAS EMU of any concerns or suspicions regarding security violations.
- Comply with provisions established by law, contract, or relationship with INDUSTRIAS EMU.

### **13. DUTIES OF INDUSTRIAS EMU AS DATA CONTROLLER**

Data under the custody of the Company shall be the responsibility of INDUSTRIAS EMU, which shall comply with the following duties:

- Ensure data subjects' full and effective exercise of the Habeas Data right at all times.
- Request and keep, under the conditions of this Standard, a copy or support of the respective authorization granted by the data subject.
- Properly inform the data subject about the purpose of collecting their data and the rights granted to them by virtue of the consent granted or legal authorization.
- Preserve information with the necessary security conditions to prevent its alteration, loss, consultation, use, or unauthorized access or use.
- Ensure that the information provided to the data processor is truthful, complete, accurate, updated, verifiable, and understandable.
- Update the information, promptly communicating to the data processor any new developments regarding the data previously provided and taking necessary measures to keep it updated.
- Rectify the information when incorrect and communicate such correction to the data processor.
- Provide the data processor only with data whose processing has been previously authorized under the law.
- Ensure that the data processor complies at all times with the security and confidentiality conditions of the data subject's information.
- Process queries and claims filed by the data subject, according to the terms indicated in this Standard and in the law.
- Adopt policies, rules, procedures, and instructions to ensure adequate compliance with the law, especially in the handling of queries and claims. INDUSTRIAS EMU considers that it fulfills this obligation by adopting the Privacy Policy, this Standard, and other complementary normative instruments.
- Inform the data processor when certain information is disputed by the data subject, once the claim has been submitted and the respective process has not yet been completed.
- Inform, upon request of the data subject, about the use made of their data.
- Inform the data protection authority about security breaches and risks in the management of data subject information, within fifteen (15) calendar days following the Company's knowledge of such situation, as established by law.

- Comply with instructions and requirements issued by the Superintendence of Industry and Commerce.
- Enter into confidentiality agreements or contracts regulating the contractual or legal relationship in accordance with the personal data protection regime.

## **14. DATA PROCESSORS OF PERSONAL DATA**

Data processors of personal data shall be third parties designated by the controller, who must comply with the instructions given by the latter and the duties established in item 13 of this policy.

## **15. EXERCISE OF DATA SUBJECTS' RIGHTS**

### **15.1. LEGITIMACY**

Data subjects of personal data processed by INDUSTRIAS EMU may exercise their Habeas Data rights through the following individuals:

- By the data subject, who must verify their identity with the corresponding identification document.
- By their heirs, who must prove such status through the birth certificate demonstrating their kinship with the data subject.
- By a representative or attorney-in-fact, upon accreditation of their representation or power of attorney granted for this purpose.
- The rights of children or adolescents shall be exercised by the persons authorized to represent them.

### **15.2. RIGHT OF ACCESS AND QUERIES**

INDUSTRIAS EMU makes available to data subjects whose personal data is held by the company the email address: [notificaciones@industriasemu.com](mailto:notificaciones@industriasemu.com), through which they may request information about the data stored in our databases. The requested information will be sent to the same email address used for the request and will contain all data of the data subject stored in our databases. In case a physical certification of the information is required, the shipping costs will be covered by the requester. Queries will be answered within a maximum period of 10 business days from the day following the receipt of the request. In case it is not possible to respond within this period, the reasons for the delay will be communicated to the interested party, indicating the date by which the query will be resolved, which shall not exceed five (5) business days following the expiration of the initial period.

### **15.3. CLAIMS**

The data subject or authorized persons who believe that the information contained in the databases of INDUSTRIAS EMU should be corrected, updated, or deleted, or who observe alleged breaches of the duties established in this manual, Law 1581 of 2012, and its complementary regulations, may file a claim with INDUSTRIAS EMU, which shall be processed under the following rules: I. The claim must be submitted in writing through a request addressed to INDUSTRIAS EMU, in accordance with the procedures established in this document. II. The claim shall contain the identification of the person filing it, the description of the facts that give rise to it, the address, and the accompanying documents. If the claim is incomplete, INDUSTRIAS EMU will require the interested party to remedy the faults within five (5) days of receipt. After two (2) months from the date of the request without the applicant presenting the required information, it will be understood that the claim has been abandoned. III. In the event that the party receiving the claim is not competent to resolve it, it shall refer it to the competent party within a maximum period of two (2) business days, and inform the interested party of the situation. IV. Once the complete claim has been received, it shall be marked as "claim pending" in our databases and it shall be included in a maximum term of fifteen (15) business days. In the case of not being able to attend to the claim in time, the interested party will be informed of the reasons for the delay and the date on which the claim will be resolved, which may not exceed eight (8) business days following the expiration of the first term.

#### **15.4. REVOCATION OF AUTHORIZATION**

Data subjects may communicate at any time and for any reason to INDUSTRIAS EMU the revocation of the authorization granted for the processing of their data, by filing a claim following the procedure described in section 15.3 of this policy.

It is important to distinguish two modalities for the cancellation of consent:

- It can be total, implying that INDUSTRIAS EMU must completely stop processing the data of the data subject.
- It can be partial, limited to certain types of processing, such as advertising or market research.

In the case of partial revocation, previously authorized treatments accepted by the data subject will be maintained. When requesting revocation, the data subject must specify whether it is total or partial and, in the latter case, indicate the specific treatments with which they disagree.

Revocation of authorization shall not proceed when there is a legal or contractual duty that requires maintaining the data in the database.

#### **16. REQUIREMENT OF PROCEDURALITY**

The data subject or successor may only file a complaint with the Superintendence of Industry and Commerce after exhausting the process of consultation or claim before INDUSTRIAS EMU.

## **17. INFORMATION SECURITY**

In accordance with the security principle established in Law 1581 of 2012, INDUSTRIAS EMU will adopt the necessary technical, human, and administrative measures to securely preserve records, preventing their alteration, loss, consultation, use, or unauthorized or fraudulent access.

### **17.1. SECURITY MEASURES**

INDUSTRIAS EMU will not disclose detailed procedures of the security measures adopted, but informs the data subject about the following general measures:

- Employees of INDUSTRIAS EMU who have access to computing equipment have personal usernames and passwords that cannot be used by another person, thus ensuring the individualization of actions taken.
- All email domains used are institutional and subject to constant monitoring.
- INDUSTRIAS EMU employs various security mechanisms to prevent unauthorized access by third parties to its facilities and the theft of physical information.
- All equipment uses backups to support stored information.

## **18. FINAL PROVISIONS**

### **18.1. RESPONSIBLE FOR DATA PROTECTION**

INDUSTRIAS EMU designates the leader of information systems, or whoever performs their duties, as responsible for the protection of personal data. This person will be responsible for managing requests from data subjects for the exercise of their rights of access, consultation, rectification, updating, deletion, and revocation in accordance with Law 1581 of 2012, with the support of the Management of INDUSTRIAS EMU.

### **18.2. VALIDITY OF AUTHORIZATION**

The databases containing personal data will have a validity equal to the time during which the information is kept and used for the purposes described in this policy. Once these purposes are fulfilled and provided there is no legal or contractual obligation to retain the information, the data will be deleted from our databases.

The data subject may revoke their consent for the processing of their data at any time, unless there is a legal or contractual provision to the contrary, or the validity of

products or services derived from the relationship between the data subject and INDUSTRIAS EMU.

## 19. APPROVAL

This Policy for the Processing of Personal Data comes into effect upon its publication.

Date of preparation of the data processing policy: 26/03/2024

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