

# Catalent Pharma Solutions

## EU/Swiss-U.S. Privacy Shield: Consumer Privacy Policy

**Last Updated:** June 10, 2019

Catalent Inc. and its subsidiaries and affiliates, Catalent Pharma Solutions, Inc., Catalent Pharma Solutions, LLC, Catalent CTS (Kansas City), LLC, Catalent CTS, LLC, Catalent Micron Technologies, Inc., Catalent USA Packaging, LLC, Catalent USA Woodstock, Inc., Catalent San Diego, Inc., Catalent Indiana, LLC and Redwood Bioscience, Inc. (collectively, “Catalent”) respect your concerns about privacy. Catalent participates in the EU-U.S. and Swiss-U.S. Privacy Shield frameworks (collectively, the “Privacy Shield”) issued by the U.S. Department of Commerce. Catalent commits to comply with the Privacy Shield Principles with respect to Consumer Personal Data the company receives from the EU, UK and Switzerland in reliance on the Privacy Shield. This Policy describes how Catalent implements the Privacy Shield Principles for Consumer Personal Data.

For purposes of this Policy:

“**Consumer**” means any natural person who is located in the EU, UK or Switzerland, but excludes any individual acting in his or her capacity as an Employee.

“**Controller**” means a person or organization which, alone or jointly with others, determines the purposes and means of the processing of Personal Data.

“**Employee**” means any current, former or prospective employee, temporary worker, intern, contractor or other non-permanent employee of Catalent or any of its affiliates, who is located in the EU, UK or Switzerland.

“**EU**” means the European Union and Iceland, Liechtenstein and Norway.

“**Personal Data**” means any information, including Sensitive Data, that is (i) about an identified or identifiable individual, (ii) received by Catalent in the U.S. from the EU, UK or Switzerland, and (iii) recorded in any form.

“**Privacy Shield Principles**” means the Principles and Supplemental Principles of the Privacy Shield.

“**Processor**” means any natural or legal person, public authority, agency or other body that processes Personal Data on behalf of a Controller.

“**Sensitive Data**” means Personal Data specifying medical or health conditions, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership (including trade union-related views or activities), sex life (including personal sexuality), information on social security measures, the commission or alleged commission of any offense, any proceedings

for any offense committed or alleged to have been committed by the individual or the disposal of such proceedings, or the sentence of any court in such proceedings (including administrative proceedings and criminal sanctions).

“UK” means the United Kingdom.

Catalent’s Privacy Shield certification, along with additional information about the Privacy Shield, can be found at <https://www.privacyshield.gov/>. For more information about Catalent’s processing of Consumer Personal Data, please visit Catalent’s [Privacy Policy](#).

### **Types of Personal Data Catalent Collects**

Catalent collects Personal Data directly from Consumers in various ways. For example, Catalent may collect Personal Data directly from Consumers when Consumers contact Catalent via email, telephone or other means, or when Consumers visit our websites. Catalent also may obtain Personal Data about Consumers from publicly available sources or third parties who provide it to Catalent (such as the Consumer’s employer, or one of Catalent’s customers or suppliers). Catalent obtains, uses, discloses and otherwise processes Consumer Personal Data for the purposes described in the company’s [Privacy Policy](#), including to provide products and services, facilitate operation of Catalent’s websites, manage the company’s IT and communications systems and conduct security audits, ensure the physical security of company premises and other assets, and market Catalent products and services.

The types of Consumer Personal Data Catalent collects include:

- name;
- contact information (such as address, telephone number, fax number and email address);
- employment information (such as industry, role, business activities, names of current and former employers, and work-related biographical information or social media profiles);
- business contact details (such as business address, business telephone number and business email address);
- information obtained by automated means when Consumers visit Catalent’s website, such as IP addresses, cookies, activity logs, online identifiers, unique device identifiers and geolocation data; and
- in limited circumstances and subject to applicable law, information related to a Consumer’s physical or mental health, such as the provision of health care services and information about health status.

Catalent also may obtain and use Consumer Personal Data in other ways for which the company provides specific notice at the time of collection.

In addition, Catalent obtains Personal Data, such as contact information and financial account information, of representatives of vendors and other business partners. Catalent uses this

information to onboard new customers and vendors, manage its relationships with its vendors and business partners, process payments, expenses and reimbursements, and carry out the company's obligations under its contracts with the relevant organizations.

Catalent's privacy practices regarding the processing of Consumer Personal Data comply with the Privacy Shield Principles of Notice; Choice; Accountability for Onward Transfer; Security; Data Integrity and Purpose Limitation; Access; and Recourse, Enforcement and Liability.

## **Notice**

Catalent provides information in this Policy and its [Privacy Policy](#) about its Consumer Personal Data practices, including the types of Personal Data Catalent collects, the types of third parties to which Catalent discloses the Personal Data and the purposes for doing so, the rights and choices Consumers have for limiting the use and disclosure of their Personal Data, and how to contact Catalent about its practices concerning Personal Data.

Relevant information also may be found in notices pertaining to specific data processing activities.

## **Choice**

Catalent generally offers Consumers the opportunity to choose whether their Personal Data may be (i) disclosed to third-party Controllers or (ii) used for a purpose that is materially different from the purposes for which the information was originally collected or subsequently authorized by the relevant Consumer. To the extent required by the Privacy Shield Principles, Catalent obtains opt-in consent for certain uses and disclosures of Sensitive Data. Consumers may contact Catalent as indicated below regarding the company's use or disclosure of their Personal Data. Unless Catalent offers Consumers an appropriate choice, the company uses Personal Data only for purposes that are materially the same as those indicated in this Policy.

### *Sharing of Consumer Personal Data*

Catalent shares Consumer Personal Data with its affiliates and subsidiaries, which may include any entity within the Catalent network of companies, for purposes of operating Catalent's business and providing Catalent products and services. Catalent may also share Consumer Personal Data with third-party Processors the company retains to perform services on its behalf, such as facilitating the operation of Catalent's websites, performance of contracts, managing the company's IT and communications systems and conducting security audits, ensuring the physical security of company premises and other assets, and marketing Catalent products and services. Such third-party Processors may use Consumer Personal Data only on Catalent's behalf and pursuant to Catalent's instructions, for the purpose of providing services to Catalent such as those described above. Catalent may disclose Consumer Personal Data without offering an opportunity to opt out, and may be required to disclose the Personal Data, (i) to third-party Processors the company has retained to perform services on its behalf and pursuant to its instructions, (ii) if it is required to do so by law or legal process, or (iii) in response to lawful requests from public authorities, including to meet national security, public interest or law

enforcement requirements. Catalent also reserves the right to transfer Personal Data in the event of an audit or if the company sells or transfers all or a portion of its business or assets (including in the event of a merger, acquisition, joint venture, reorganization, dissolution or liquidation).

### **Accountability for Onward Transfer of Personal Data**

This Policy and Catalent's [Privacy Policy](#) describe Catalent's sharing of Consumer Personal Data.

Except as permitted or required by applicable law, Catalent provides Consumers with an opportunity to opt out of sharing their Personal Data with third-party Controllers. Catalent requires third-party Controllers to whom it discloses Consumer Personal Data to contractually agree to (i) only process the Personal Data for limited and specified purposes consistent with the consent provided by the relevant Consumer, (ii) provide the same level of protection for Personal Data as is required by the Privacy Shield Principles, and (iii) notify Catalent and cease processing Personal Data (or take other reasonable and appropriate remedial steps) if the third-party Controller determines that it cannot meet its obligation to provide the same level of protection for Personal Data as is required by the Privacy Shield Principles.

With respect to transfers of Consumer Personal Data to third-party Processors, Catalent (i) enters into a contract with each relevant Processor, (ii) transfers Personal Data to each such Processor only for limited and specified purposes, (iii) ascertains that the Processor is obligated to provide the Personal Data with at least the same level of privacy protection as is required by the Privacy Shield Principles, (iv) takes reasonable and appropriate steps to ensure that the Processor effectively processes the Personal Data in a manner consistent with Catalent's obligations under the Privacy Shield Principles, (v) requires the Processor to notify Catalent if the Processor determines that it can no longer meet its obligation to provide the same level of protection as is required by the Privacy Shield Principles, (vi) upon notice, including under (v) above, takes reasonable and appropriate steps to stop and remediate unauthorized processing of the Personal Data by the Processor, and (vii) provides a summary or representative copy of the relevant privacy provisions of the Processor contract to the Department of Commerce, upon request. Catalent remains liable under the Privacy Shield Principles if the company's third-party Processor onward transfer recipients process relevant Personal Data in a manner inconsistent with the Privacy Shield Principles, unless Catalent proves that it is not responsible for the event giving rise to the damage.

### **Security**

Catalent takes reasonable and appropriate measures to protect Consumer Personal Data from loss, misuse and unauthorized access, disclosure, alteration and destruction, taking into account the risks involved in the processing and the nature of the Personal Data.

### **Data Integrity and Purpose Limitation**

Catalent limits the Consumer Personal Data it processes to that which is relevant for the purposes of the particular processing. Catalent does not process Consumer Personal Data in ways that are

incompatible with the purposes for which the information was collected or subsequently authorized by the relevant Consumer. In addition, to the extent necessary for these purposes, Catalent takes reasonable steps to ensure that the Personal Data the company processes is (i) reliable for its intended use, and (ii) accurate, complete and current. In this regard, Catalent relies on its Consumers to update and correct the relevant Personal Data to the extent necessary for the purposes for which the information was collected or subsequently authorized. Consumers may contact Catalent as indicated below to request that Catalent update or correct relevant Personal Data.

Subject to applicable law, Catalent retains Consumer Personal Data in a form that identifies or renders identifiable the relevant Consumer only for as long as it serves a purpose that is compatible with the purposes for which the Personal Data was collected or subsequently authorized by the Consumer.

### **Access**

Consumers generally have the right to access their Personal Data. Accordingly, where appropriate, Catalent provides Consumers with reasonable access to the Personal Data Catalent maintains about them. Catalent also provides a reasonable opportunity for those Consumers to correct, amend or delete the information where it is inaccurate or has been processed in violation of the Privacy Shield Principles, as appropriate. Catalent may limit or deny access to Personal Data where the burden or expense of providing access would be disproportionate to the risks to the Consumer's privacy in the case in question, or where the rights of persons other than the Consumer would be violated. Consumers may request access to their Personal Data by contacting Catalent as indicated below.

### **Recourse, Enforcement and Liability**

Catalent has mechanisms in place designed to help assure compliance with the Privacy Shield Principles. Catalent conducts an annual self-assessment of its Consumer Personal Data practices to verify that the attestations and assertions Catalent makes about its Privacy Shield privacy practices are true and that Catalent's privacy practices have been implemented as represented and in accordance with the Privacy Shield Principles.

Consumers may file a complaint concerning Catalent's processing of their Personal Data. Catalent will take steps to remedy issues arising out of its alleged failure to comply with the Privacy Shield Principles. Consumers may contact Catalent as specified below about complaints regarding Catalent's Consumer Personal Data practices.

If a Consumer's complaint cannot be resolved through Catalent's internal processes, Catalent will cooperate with JAMS pursuant to the JAMS Privacy Shield Program, which is described on the JAMS website at <https://www.jamsadr.com/eu-us-privacy-shield>. JAMS mediation may be commenced as provided for in the JAMS rules. Following the dispute resolution process, the mediator or the Consumer may refer the matter to the U.S. Federal Trade Commission, which has Privacy Shield investigatory and enforcement powers over Catalent. Under certain

circumstances, Consumers also may be able to invoke binding arbitration to address complaints about Catalent's compliance with the Privacy Shield Principles.

### **How to Contact Catalent**

To contact Catalent with questions or concerns about this Policy or Catalent's Consumer Personal Data practices:

Write to:

Catalent Pharma Solutions  
14 Schoolhouse Road  
Somerset, NJ 08873

E-mail: [privacy@catalent.com](mailto:privacy@catalent.com)