

MALLINCKRODT PRIVACY NOTICE FOR HEALTHCARE PROFESSIONALS

Last updated: February 15, 2021

At Mallinckrodt, we recognize that the privacy and security of your information is important to you. This Privacy Notice for Healthcare Professionals (“HCPs”) (“**Notice**”) describes how Mallinckrodt Pharmaceuticals Ireland Limited and its affiliates (“Mallinckrodt,” “we,” “us”) collect and use your personal data online and offline and informs you of your rights with respect to your personal data in accordance with applicable data protection and privacy laws.

Mallinckrodt Pharmaceuticals Ireland Limited, or the other Mallinckrodt affiliated entity that you contract with, or that otherwise is the entity with which you have a business relationship, is the controller of your personal data for purposes of applicable data protection and privacy laws.

What is personal data?

Personal data is any information about you that enables you to be identified. As used in this Notice, personal data means data that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with you or your household.

What personal data do we collect about you?

We collect, or may have collected, personal data from you when you attended or registered to attend an event sponsored by us; when you participated in one of our advisory boards or spoke at an event on our behalf; when you requested information from us about our products; when you applied for a grant, donation or sponsorship; when you responded to one of our surveys; or otherwise when you interacted with us. We may have also collected your personal data from patients, other healthcare providers or medical professionals, dispensing entities, and from publicly available sources. We will continue to collect personal data from these same types of sources.

The categories of personal data that we may have collected from these sources, and the categories of personal data that we will continue to collect, include the following:

- **Personal identifiers**, including name, address, contact details such as, telephone number and email address;
- **Characteristics of protected classes and demographic** information, such as military or veteran status, age (over 40);
- **Commercial and financial information**, such as payment information, account information, and details of any financial relationship with us;
- **Professional or employment-related** information, such as academic background, field of expertise, licensing and disbarment status, publications and information about public speeches, and additional personal data you provide in your curriculum vitae or other similar documents or communications;
- **Education information**, such as academic background and credentials;
- **Internet or electronic network information** if you use our website or other online services, including your browser type, operating system, IP address, domain name, click activity, referring website and the date and time of your visit to our website;
- **Inferences drawn from any above data to create profile reflecting** a health care professional’s interests as they relate to the types of products and educational offerings provided by Mallinckrodt.

For what purposes will your personal data be processed or used?

We process your personal data, and may have previously processed your personal data for the following purposes:

- Facilitating your registration and attendance at events we sponsor
- Providing you with promotional information about our products and events
- Providing you with scientific information about our research and products

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- The administration of advisory boards and other committees that we convene
- Coordinating your participation as a speaker at events we sponsor, including any compensation or honorarium
- Responding to your inquiries about our products, policies and programs
- Processing patient requests to participate in programs we offer or administer
- Satisfaction of our reporting obligations under applicable law or by virtue of our membership in industry certification organizations

If you are an HCP in the European Economic Area, the following chart provides additional information about our legal grounds of processing your personal data:

- **Where you register to attend and/or attend a sponsored event:**

| Context | Legal Grounds of Processing |
|--|---|
| The administration and conduct of the relevant event, including to respond to your enquiries and communicate with you about the event. | Where we have a legitimate interest to ensure the effective administration and conduct of the relevant event (Article 6(1)(f), GDPR). |
| To invite you to future events and to send you other promotional information about our products (where permitted by law). If you wish to stop receiving marketing or market research communications from us you can unsubscribe via the link at the bottom of the relevant e-mail or contact us using the <u>contact details below</u> . | If applicable law requires that we receive your consent before we send you certain types of marketing communications, we will only send you those types of communications after receiving your consent (Article 6(1)(a), GDPR). In other instances, we will send marketing communications to you where this is in our legitimate interest (Article 6(1)(f), GDPR). |
| The storage of your personal data in databases for use when sending invites to future events. | Where we have a legitimate interest to manage our business and the conduct of future events (Article 6(1)(f), GDPR). |
| Compliance with and satisfaction of legal obligations and regulatory requirements for purposes of financial reporting / public disclosure obligations in relation to agreements with and/or payments and benefits to healthcare professionals and healthcare organizations. | To comply with a legal obligation (Article 6(1)(c), GDPR and national laws). Where we have a legitimate interest to comply with applicable transparency reporting obligations (including, those in the United States) (Article 6(1)(f), GDPR). |

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- **Where you participate in a Mallinckrodt advisory board:**

| Context | Legal Grounds of Processing |
|--|---|
| The administration and conduct of the relevant advisory board, including to respond to your enquiries and communicate with you about the advisory board. | Where we have a legitimate interest to ensure the effective administration and conduct of the advisory board (Article 6(1)(f), GDPR). |
| The storage of your personal data in databases for use when selecting healthcare professionals for future advisory boards. | Where we have a legitimate interest to manage our business and the conduct of future advisory boards (Article 6(1)(f), GDPR). |
| Compliance with and satisfaction of legal obligations and regulatory requirements in the context of safety data reporting activities, and for purposes of financial reporting / public disclosure obligations in relation to agreements with and/or payments and benefits to healthcare professionals and healthcare organizations | To comply with a legal obligation (Article 6(1)(c), GDPR and national laws). Where we have a legitimate interest to comply with applicable transparency reporting obligations (including, those in the United States) (Article 6(1)(f), GDPR). |

- **Where you are engaged to speak on our behalf:**

| Context | Legal Grounds of Processing |
|---|---|
| The administration and conduct of the relevant event, including to respond to your enquiries and communicate with you about the event. | Where we have a legitimate interest to ensure the effective administration and conduct of the relevant event (Article 6(1)(f), GDPR). |
| Meeting our contractual obligations under the speaker agreement with you. | Where necessary for performance of a contract (Article 6(1)(b), GDPR). |
| The storage of your personal data in databases for use when selecting speakers for future events. | Where we have a legitimate interest to manage our business and the conduct of future events (Article 6(1)(f), GDPR). |
| Compliance with and satisfaction of legal obligations and regulatory requirements for purposes of financial reporting / public disclosure obligations in relation to agreements with and/or payments and benefits to healthcare | To comply with a legal obligation (Article 6(1)(c), GDPR and national laws). Where we have a legitimate interest to comply with applicable transparency reporting obligations (including, those in |

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| professionals and healthcare organizations. | the United States) (Article 6(1)(f), GDPR). |
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- **When you contact us:**

| Context | Legal Grounds of Processing |
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| To respond to your enquiries and communicate with you including, where these relate to, for example, requests for funding, grants, early access programs (“EAPs”). | Where we have a legitimate interest to manage our business, and to process and respond to your communications (Article 6(1)(f), GDPR). |

How long do we keep your personal data?

We will only retain personal data for as long as it is necessary and relevant for our business. The criteria used to determine the retention periods include: (i) how long the personal data is needed to provide / receive the services and operate the business; (ii) the type of personal data collected; and (iii) whether we are subject to a legal, contractual or similar obligations to retain the personal data (e.g., mandatory data retention laws, government orders to preserve data relevant to an investigation or data that must be retained for the purposes of litigation or disputes).

With whom do we share your personal data?

We share, and may have shared, each of the categories of personal data identified above with the following categories of entities:

- **Within the Mallinckrodt family for the purposes** described in this Notice. More information about our business segments is available in our financial disclosures, which can be accessed here: <https://www.mallinckrodt.com/investors/sec-filings/>.
- **Service providers that help us operate our business.** We may share your personal data with third party service providers who we engage to provide services to us. These vary depending on why we have collected your personal data, but may include service providers who provide storage, technology or hosting solutions or assist us with our data processing activities such as, payment processing and market research vendors.
- **Third parties we consult and engage as part of our research and compliance activities,** such as research partners, ethics committees, and professional advisors, and clinical research monitors and research organizations
- **Third parties focused on data security,** including fraud prevention and detection.
- **Regulators and supervisory authorities,** including governmental and non-governmental regulators and ombudsmen and pharmaceutical industry associations as requested.

We may also disclose your personal data when we believe in good faith that disclosure is legally required or otherwise necessary to protect our rights and the property or the rights, property or safety of others, including to law enforcement agencies, and judicial and regulatory authorities. We may also disclose your personal data when we have a legitimate interest in making a disclosure, such as where necessary to protect our rights and property or to comply with a subpoena or similar legal process or government request. We may transfer your personal data to a third party in the event of a merger, acquisition, reorganization of our organization or other restructuring.

We have not sold personal data and we will not sell personal data going forward.

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Where do we store your personal data?

For the purposes listed above, we may transfer some or all of your personal data to other countries outside of your home country where different data protection rules apply and which may not provide the same level of data protection and judicial redress as in your home country. Details of the countries in which the recipients are located are available on request.

If you are located in the EEA/UK, such transfers will be made only to those countries where the European Commission has issued an adequacy decision or, in its absence, in reliance on EU-style data transfer agreements (so called “**Standard Contractual Clauses**”), which may require the recipient to put in place supplementary measures to ensure an essentially equivalent level of protection is provided, as in the EEA/UK. You may obtain further information and a copy of the relevant data transfer mechanisms that we have in place by contacting us.

What are your rights?

EUROPEAN PRIVACY RIGHTS

Depending on where you live, you may have the following data protection rights which are subject to certain limitations:

- The right to be informed about our collection and use of your personal data.
- The right to access the personal data we hold about you.
- The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete.
- The right to be forgotten (erasure), i.e., the right to ask us to delete or otherwise dispose of any of your personal data that we hold.
- The right to restrict (i.e., prevent) the processing of your personal data.
- The right to data portability i.e., if you have provided personal data to us directly, and we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases.
- The right to withdraw your consent to or object to the processing of your personal data.

We will respond to your request in writing, or orally if requested, as soon as practicable and in any event not more than within one month after receipt of your request. In exceptional cases, we may extend this period by two months and we will tell you why. We will request proof of identification to verify your request. For more details in relation to your rights, including how to exercise them, please contact us.

You also have the right to lodge a complaint with the Data Protection Authority in your country regarding the processing of your personal data.

You may have a right to review any collected personal data before we report or publish such personal data for transparency reporting purposes. Information already reported or otherwise disclosed will not be deleted.

CALIFORNIA PRIVACY RIGHTS

If you are a California resident, you may have separate rights regarding your personal data, in accordance with California law.

Shine the Light. California’s “Shine the Light” law, Civil Code section 1798.83, requires certain businesses to respond to requests from California residents asking about the business’ practices

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related to disclosing personal data to third parties for the third parties' direct marketing purposes. We do not disclose personal data to such entities, for such purposes.

California Consumer Privacy Act. The California Consumer Privacy Act (the "CCPA") grants California residents (referred to herein as "consumers") certain rights with respect to their personal data, including, as described below, the right to know about, delete, and if applicable, opt-out of the sale of their personal data. These rights are subject to certain limitations, however, such as that they do not all apply to personal data about employees, applicants, and contractors, or information processed exclusively in the business-to-business context (e.g., information about an individual acting in his or her capacity as a representative of an entity). Where exceptions to the CCPA apply to a request you submit, we will provide you with an explanation.

Right to know. You have the right to know what information we have collected about you, the categories of information we have shared and with whom, in the last 12 months from the date of this policy. Please refer to the sections above for this information.

Right to request disclosure of information we collect or share about you. You can submit a request to us for the following information regarding the personal data we have collected about you in the 12 months prior to our receipt of your request (a "request to know"):

- The categories of personal data we have collected.
- The categories of sources from which we collected the personal data.
- The business or commercial purposes for which we collected the personal data.
- The categories of third parties with which we shared the personal data.
- The categories of personal data we disclosed for a business purpose, and for each category identified, the categories of third parties to whom we disclosed that particular category of personal data.
- The specific pieces of personal data we collected.

Right to request the deletion of personal data we have collected from you. Upon request, we will delete the personal data we have collected about you, except for situations where specific information is necessary for us to provide you with a product or service that you requested; perform a contract we entered into with you; maintain the functionality or security of our systems; or comply with or exercise rights provided or obligations imposed by the law.

The law also permits us to retain specific information for our exclusively internal use, but only in ways that are compatible with the context in which you provided the information to us or that are reasonably aligned with your expectations based on your relationship with us.

How can you make a request to exercise your rights? To submit requests to know or delete, you may contact us at privacy@mnk.com or call 800-822-2075.

How we will handle a request to exercise your rights. For requests to know or delete, we will first acknowledge receipt of the request within 10 business days of receipt of your request. We will provide a substantive response to your request within 45 days from receipt of your request, although we may be allowed to take longer to process your request under certain circumstances. If we expect your request is going to take us longer than normal to fulfil, we will let you know.

When you make a request to know or delete your personal data, we will take steps to verify your identity. These steps may include asking you for personal data, such as your name, address, or other information we maintain about you. If we are unable to verify your identity with the degree of certainty required, we will not be able to respond to the request. We will notify you to explain the basis of the denial.

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You are also entitled to submit a request for personal data that could be associated with a household as defined in the CCPA. To submit a request to know or delete household personal data, such requests must be jointly made by each member of the household, and we will individually verify all of the members of the household using the verification criteria explained above, and separately verify that each household member making the request currently resides in the household. If we are unable to verify the identity of each household member with the degree of certainty required, we will not be able to respond to the request. We will notify you to explain the basis of our denial.

You may also designate an authorized agent to submit requests on your behalf. We will require verification that you provided the authorized agent permission to make a request on your behalf. You must provide us with a copy of the signed permission you have given to the authorized agent to submit the request on your behalf and verify your own identity directly with us. If you are an authorized agent submitting a request on behalf of an individual you must attach a copy of the following information to the request:

1. A completed [Authorized Agent Designation Form](#) indicating that you have authorization to act on the consumer's behalf.
2. If you are a business, proof that you are registered with the Secretary of State to conduct business in California.

If we do not receive the required information, your request may be denied.

We are committed to honouring your rights. If you exercise any of the CCPA rights explained in this Notice, we will continue to treat you fairly and will not discriminate against you.

Please send requests to exercise your California privacy rights to privacy@mnk.com or contact us at 800-822-2075.

How do we protect your personal data?

Mallinckrodt takes the security and privacy of your personal data very seriously. We implement appropriate security measures to protect your personal data from loss, misuse and unauthorised access, disclosure, alteration and destruction. In doing so, we take into account the risks involved in processing and the nature of such personal data and comply with applicable laws and regulations. While we take such measures to safeguard your personal data, we cannot guarantee perfect security, particularly for information transmitted over the Internet.

How do you contact us?

If you reside in the EEA, please contact us at privacy@mnk.com or Mallinckrodt Pharmaceuticals Ireland Limited, College Business & Technology Park, Cruiserath, Blanchardstown, Dublin 15, Ireland.

If you reside in the U.S., please contact us at privacy@mnk.com or call 800-822-2075.

Accessibility

We are committed to ensuring that our communications are accessible to people with disabilities. To make accessibility-related requests or report barriers, please contact us at privacy@mnk.com or call 800-822-2075.

Changes to this Notice

We may change this Notice from time to time. You will be informed about any material changes through a notice on our website.