



RECORD OF A PERSONAL DATA PROCESSING ACTIVITY

according to Article 31 of [Regulation \(EU\) 2018/1725](#)

Title
Implementation of Article 36 of Regulation (EC) No 178/2002 by means of a database of organisations eligible for the networking scheme

1) Controller(s) ¹ of data processing activity (Article 31.1(a))
<p>EFSA unit in charge of the processing activity: Engagement & Cooperation Unit (ENCO)</p> <p>EFSA Data Protection Officer (DPO): DataProtectionOfficer@efsa.europa.eu</p> <p>Is EFSA a co-controller? No</p> <p>If yes, indicate who is EFSA's co-controller:</p>

2) Who is actually conducting the processing? (Article 31.1(a))
<p>The data is processed by EFSA itself X</p> <p><i>Indicate the EFSA units or teams involved in the data processing:</i></p> <p>Engagement and Cooperation Unit, Digital Transformation Services Unit, all EFSA staff with read-only access.</p> <p>The processing operation is conducted together with an external party X</p> <p><i>Please provide below details on the external involvement:</i></p> <ul style="list-style-type: none"> - Member State competent organisations according to Article 36 of EFSA's Founding Regulation - Administrative contact persons in the designated organisations - EFSA National Focal Points

3) Purpose of the processing (Article 31.1(b))
<p>The purpose of the personal data processing is to enable EFSA and the Member States to implement Article 36 of Regulation (EC) No 178/2002, more specifically the establishment, updating and management of a list of competent organisations for the networking scheme (hereafter referred to as "the List"). The implementation includes the possibility for a registered user to search for specific contact details with the aim of facilitating the management of the List and networking among organisations on the List, as well as with EFSA, pursuant to Article 36 of Regulation (EC) 178/2002.</p>

4) Legal basis and lawfulness of the processing (Article 5(a)–(d)):

¹ The controller decides on the purposes and means of the data processing. In case of joint controllership (e.g. systems of the European Commission applied by EFSA or jointly with another agency), EFSA is a co-controller.

<i>Processing necessary for:</i>	
(a) a task carried out in the public interest or in the exercise of official authority vested in EFSA	<input checked="" type="checkbox"/>
(b) compliance with a legal obligation to which EFSA is subject	<input checked="" type="checkbox"/>
(c) performance of a contract with the data subject or to prepare such contract	<input type="checkbox"/>
(d) The data subject has given consent (ex ante, explicit, informed)	<input type="checkbox"/>
 <i>Further details on the legal basis:</i>	
<p>The processing operation is necessary for compliance with a legal obligation of EFSA, as laid down in (1) Regulation (EC) No 178/2002, laying down the general principles and requirements of food law, establishing the European Food Safety Authority (EFSA) and laying down procedures in matters of food safety, in particular to Article 36, regarding the Networking of organisations operating in the fields within the Authority's mission; and by (2) Commission Regulation (EC) No 2230/2004 of 23 December 2004 laying down detailed rules for the implementation of European Parliament and Council Regulation (EC) No 178/2002 with regard to the network of organisations operating in the fields within the European Food Safety Authority's mission.</p>	

5) Description of the categories of data subjects (Article 31.1(c))	
<i>Whose personal data are processed?</i>	
EFSA statutory staff	<input checked="" type="checkbox"/>
Other individuals working for EFSA (consultants, trainees, interims, experts)	<input checked="" type="checkbox"/>
Stakeholders of EFSA, including Member State representatives	<input checked="" type="checkbox"/>
Contractors of EFSA providing goods and services	<input type="checkbox"/>
The general public, including visitors, correspondents, enquirers	<input type="checkbox"/>
Relatives of the data subject	<input type="checkbox"/>
Other categories of data subjects (please detail below)	<input type="checkbox"/>
 <i>Further details concerning the data subjects whose data are processed:</i>	
<p>(1) Administrative contact persons of competent organisations in the context of Article 36 of Regulation (EC) 178/2002 and of Article 1, 2 and 3 of Regulation (EC) 2230/2004.</p> <p>(2) Other persons indicated as contacts in the organisations' competence areas, Advisory Forum Members and alternates and the European Commission.</p> <p>(3) Member State representatives, namely EFSA National Focal Points, alternates and individuals indicated by the Focal Point to be involved in facilitating the management of the List at national level .</p> <p>(4) Persons involved in the management of the Art. 36 List and database tool, i.e. EFSA</p>	

administrators and EFSA IT support.

6) Type of personal data processed (Article 31.1(c))

a) General personal data

The personal data concerns:

- | | |
|-----------------------------------------------------------|-------------------------------------|
| Name, contact details and affiliation | <input checked="" type="checkbox"/> |
| Details on education, expertise, profession of the person | <input checked="" type="checkbox"/> |
| Curriculum vitae | <input type="checkbox"/> |
| Financial details | <input type="checkbox"/> |
| Family, lifestyle and social circumstances | <input type="checkbox"/> |
| Goods and services the person provides | <input type="checkbox"/> |
| Other personal data (please detail): | <input type="checkbox"/> |

b) Sensitive personal data (Article 10)

The personal data reveals:

- | | |
|-------------------------------------------------------------------|--------------------------|
| Racial or ethnic origin of the person | <input type="checkbox"/> |
| Political opinions or trade union membership | <input type="checkbox"/> |
| Religious or philosophical beliefs | <input type="checkbox"/> |
| Health data or genetic or biometric data | <input type="checkbox"/> |
| Information regarding the person's sex life or sexual orientation | <input type="checkbox"/> |

Further details concerning the personal data processed:

The data processed concerns contact details, i.e. first and last name, work email address, work phone number, work address and information on affiliations.

7) Recipients of the data (Article 31.1(d))

- | | |
|---------------------------------------------|-------------------------------------|
| Line managers of the data subject | <input type="checkbox"/> |
| Designated EFSA staff members | <input checked="" type="checkbox"/> |
| Other recipients (<i>please specify</i>): | <input checked="" type="checkbox"/> |

In addition to the entities and persons indicated as processors, who are involved in the data processing operation, data might be disclosed upon requests for access under

Regulation (EC) No 1049/2001.

8) Transfers to recipients outside the EEA (Article 31.1 (e))

Data are transferred to third country recipients:

Yes No

If yes, specify to which third country:

If yes, specify under which safeguards:

- | | |
|--------------------------------------------------------|--------------------------|
| Adequacy Decision of the European Commission | <input type="checkbox"/> |
| Standard Contractual Clauses | <input type="checkbox"/> |
| Binding Corporate Rules | <input type="checkbox"/> |
| Memorandum of Understanding between public authorities | <input type="checkbox"/> |

9) Technical and organisational security measures (Article 31.1(g))

How is the data stored?

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| On EFSA's Document Management System (DMS) | <input type="checkbox"/> |
| On a shared EFSA network drive or in an Outlook folder | <input type="checkbox"/> |
| In a paper file | <input type="checkbox"/> |
| Using a cloud computing solution (please detail the service provider and main characteristics of the cloud solution, e.g. public, private) | <input checked="" type="checkbox"/> |
| On servers of an external service provider | <input type="checkbox"/> |
| On servers of the European Commission or of another EU Institution | <input type="checkbox"/> |
| In another way (<i>please specify</i>): | <input type="checkbox"/> |

Please provide some general information on the security measures applied:

The personal data collected is stored electronically in the Article 36 Organisations database, which is embedded in a cloud-based IT system SALESFORCE. A data protection compliance check on the SALESFORCE system has been performed.

Any access to the contact persons' contact details is only possible through a secure web portal requiring username and password.

10) Retention period (Article 4.1 (e))

Personal data will be available for as long as the List is operational, except in case an organisation is withdrawn.

Users whose information is included in the database are informed that at any time they can contact the Database System Administrator to update or modify their inaccurate or incomplete personal data or to ask for the deletion of their data from the profile.

11) Consultation with the Information Security Officer

Was the ISO consulted on the processing operation ?

Yes No

If yes, please provide some details on the consultation with the ISO:

See above point 9

12) Information given to data subjects (Articles 15 and 16)

Has information been provided to data subjects on the way their data is processed including how they can exercise their rights (access, rectification, objection, data portability)? Usually this information is provided in a Privacy Statement, specifying the controller's contact details. As possible, please provide a link to the relevant Privacy Statement or a description.

Information in the privacy statement is provided to data subjects and also available in the database itself (<https://efsa.force.com/competentorganisations/s/terms-of-use>):

- The aim and objectives of the Article 36 organisations database;
- A description of the data processing operation leading to the inclusion / exclusion of organisations into / from the database and corresponding feedback;
- The nature of the commitment associated with the inclusion of organisations into the database;
- The user access rights into the database as concerns their own profile;
- The policy for data renewal and expiry;
- Specification on the internal and external users of the database;
- How users can exercise their rights and lodge a complaint with the European Data Protection Supervisor.

The information is provided to data subjects by means of a Privacy notice and the Terms of Use: i) for acceptance upon first entry to the Database and ii) for continuous access via a hyperlink on the database environment.

Last update of this record: 27/02/2020

Reference: DPO/COM/2