



Privacy statement – External complaints handling

External parties are entitled to lodge a complaint concerning matters of legal relevance or instances of maladministration related to administrative acts, practices, policies, strategies and scientific assessments of EFSA.

The handling of these complaints entails the processing of personal data on the complainant as an individual or of the representative of the organisation or legal entity lodging the complaint. In accordance with Article 15 of Regulation (EU) 2018/1725¹ on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies, EFSA informs on the following:

1. Information on the controller and the data protection officer:

The Head of Legal and Assurance Services is the controller of the external complaints handling at EFSA. The controller can be contacted writing to complaints@efsa.europa.eu

EFSA's data protection officer can be contacted writing to DataProtectionOfficer@efsa.europa.eu

2. Purpose of the personal data processing:

The handling process is laid down in a Standard Operating Procedure and detailed on the website (<https://www.efsa.europa.eu/en/contact/complaint>), which ensures that complaints are evaluated and replied timely and that internal and external stakeholders are informed.

3. Legal basis:

The processing is necessary for the performance of a task carried out in the public interest and for the management and functioning of EFSA as mandated by its Founding Regulation (EC) No 178/2002².

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ 21.11.2018, L 295/39.

² Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, OJ L 31, 1.2.2002, p. 1-24 as last amended by Regulation (EU) 2019/1381 on the transparency and sustainability of the EU risk assessment in the food chain and amending *inter alia* Regulation (EC) No 178/2002, OJ L 231, 6.9.2019, p. 1-28.



4. Categories of data subjects:

The data subjects concerned are the individuals lodging a complaint with EFSA or in case the complaint is lodged by an organisation or legal entity, its representatives as far as they are mentioned in the complaint itself.

5. Categories of personal data processed:

Identification & contact data: the complainant's title, first name, last name and contact details and – as applicable - his/her job title, affiliation with full address of the organisation, department, work email & phone number, business mobile phone.

Any other personal data included in the complaint.

6. Recipients of personal data:

The complainant's personal data is accessible only internally at EFSA, namely to:

- ✓ The Head of Unit and staff of the Legal & Assurance Services, in charge of the complaint handling process,
- ✓ EFSA staff in Units and teams concerned by the substance of the complaint,
- ✓ The Executive Director, signing the reply to the complaint,
- ✓ Staff in the Communication, Engagement & Cooperation Department (COMCO), in charge of media relations in case of sensitive complaints that may trigger reaction in the media, and in copy to the reply to the complaint

In addition institutions or bodies having a legitimate purpose of audit, of the exercise of supervisory tasks or in charge of judicial proceedings in relation to EFSA may have access: the Internal Audit Service, the EU Court of Auditors, the EU Ombudsman, OLAF, the EU Court of Justice, the European Data Protection Supervisor.

In certain cases, EFSA may share the reply to a complaint with an external stakeholder, however in such case EFSA will mask on beforehand any personal data contained in the complaint reply.

7. What are your rights as a data subject in relation to data collected and processed on you?

As a data subject, you can exercise your right of access, rectification or erasure of your personal data in the context of the complaints handling, by sending a request by email to the controller at the mailbox indicated above.

You have the possibility to request confidential treatment of your complaint or certain parts thereof by indicating such a requirement in the complaint and by providing supporting reasoning or justification.

8. Retention period of personal data:

The retention period of the EFSA complaints case handling, including personal data contained in the complaints is 10 years after closure of the case.

9. Right to lodge a complaint concerning personal data processing:

Data subjects have the right to lodge a complaint about the processing of their personal data in the context of EFSA's complaints handling with the European Data Protection Supervisor - edps@edps.europa.eu