



RECORD OF A PERSONAL DATA PROCESSING ACTIVITY

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

Title
Newsletter and email alerts service

1) Controller(s) of data processing activity (Article 31.1(a))
<p>EFSA unit in charge of the processing activity: Communication, Engagement and Cooperation Department (COMCO)</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 <input type="checkbox"/></p> <p><i>Indicate the EFSA units or teams involved in the data processing:</i></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> <p>For the registration and management of subscriptions to its newsletter and email alerts, EFSA relies on the service provider www.mailchimp.com, acting as EFSA's processor. Mailchimp is a marketing automation service based in the United States. Mailchimp sends automatic emails to the subscribers' emails accounts according to their opt-in selections.</p>

3) Purpose of the processing (Article 31.1(b))
<p>The purposes of EFSA newsletters and email alerts and the collection and further processing of personal data therein are:</p> <p>(1) For subscribers: to receive periodically via email the EFSA newsletters and email alerts;</p> <p>(2) For EFSA: a means of communicating to the general public on its activities in the field of food and feed safety in accordance with its mandate.</p>

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

Processing necessary for:

- (a) a task carried out in the public interest or in the exercise of official authority vested in EFSA ☒
- (b) compliance with a legal obligation to which EFSA is subject ☐
- (c) performance of a contract with the data subject or to prepare such contract ☐
- (d) The data subject has given consent (ex ante, explicit, informed) ☒

Further details on the legal basis:

The EFSA communication activities form part of the tasks carried out in the public interest and for the management and functioning of EFSA as mandated by its Founding Regulation (EC) No 178/2002, in Article 23 and Article 40 thereof.

The subscription to the EFSA newsletters and email alert services entails the processing of a limited number of personal data based on the data subject's consent in accordance with Article 5(1)(d) of the Data Protection Regulation, with the aim of providing the service. The subscriber can opt-in to the following selections:

- The subscription type,
- The scientific subject areas of interest,
- The type of content of interest,
- The consent for the subscription(s) opted for.

The consent and subscription is registered and confirmed following a two-step process. Instructions on how to unsubscribe are provided in the periodical newsletter/alert email messages through Mailchimp.

5) Description of the categories of data subjects (Article 31.1(c))

Whose personal data are processed?

- EFSA statutory staff ☒
- Other individuals working for EFSA (consultants, trainees, interims, experts) ☐
- Stakeholders of EFSA, including Member State representatives ☐
- Contractors of EFSA providing goods and services ☐
- The general public, including visitors, correspondents, enquirers ☒
- Relatives of the data subject ☐
- Other categories of data subjects (please detail below) ☐

Further details concerning the data subjects whose data are processed:

Any person with a valid email address can subscribe to EFSA newsletters and email alerts services. On the occasion of the subscription, the user is optionally asked to indicate his/her area of professional occupation according to the broad categories in a drop-down list, which allows EFSA to have an idea on the target audiences interested in its activities.

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:

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

Line managers of the data subject	<input checked="" type="checkbox"/>
Designated EFSA staff members	<input type="checkbox"/>
Other recipients (<i>please specify</i>):	<input checked="" type="checkbox"/>
<ul style="list-style-type: none">EFSA staff in charge of the administration of the subscriptions based on the Mailchimp service provision,	

- Mailchimp as EFSA's service provider and its sub-contractors, authorised to use such data for the sole purpose of the performance, management and follow-up of the contract in accordance with applicable data protection laws.

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 checked="" type="checkbox"/>
Binding Corporate Rules	<input type="checkbox"/>
Memorandum of Understanding between public authorities	<input type="checkbox"/>

The provision of the services by Mailchimp entails the transfer of data outside the European Union, to the United States or where Mailchimp, its Affiliates or its Sub-processors process the data. A '[Data Processing Addendum](#)' (DPA) forms part of EFSA's subscription to the Mailchimp service, providing for 'Standard Contractual Clauses' as an Appendix to it. Considering the limited number of non-sensitive personal data processed for allowing subscriptions to the EFSA newsletters & alerts, the Mailchimp DPA with SCC appendix is considered to provide an appropriate safeguard for the data transfers in accordance with Article 48(2)(b) of Regulation (EU) 2018/1725.

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 (*please specify*):

☐

Please provide some general information on the security measures applied:

10) Retention period (Article 4.1 (e))

All personal data is retained for as long as the data subject is subscribed, receiving periodically per email the EFSA newsletters and alerts. A self-service feature contained in each email delivery allows to edit the subscription or to unsubscribe. After unsubscribing, personal data is deleted from the Mailchimp mailing list, except in case of Mailchimp legitimate business needs or obligations.

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:

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.

Privacy statement available on the newsletter subscription webpage -
<https://www.efsa.europa.eu/sites/default/files/documents/legal/privacy-statement-EFSA-newsletters-email-alerts-services.pdf>

Last update of this record: 20/11/2020

Reference: DPO/COM/6