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ASSISTANT SUPERVISOR

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Please use edps@edps.europa.eu
for all correspondence

Subject: Prior-checking notification on the processing operations related to selection and management of interim workers at the European Food Safety Authority

Dear Mr Url,

On 27 September 2013, the European Data Protection Supervisor ("**EDPS**") received a notification for prior checking under Article 27(2) of Regulation (EC) No. 45/2001 (the "**Regulation**") relating to selection and management of interim workers from the Data Protection Officer of the European Food Safety Authority ("**EFSA**").

Since the EDPS has already issued Guidelines on staff selection and recruitment¹, the present Opinion will focus on those aspects where the processing operations diverge from the Guidelines or otherwise need improvement.

As this is an ex-post prior check, the two-month deadline in which the EDPS must deliver his opinion does not apply. This case has been dealt with on a best effort basis.

Legal analysis

Information to data subjects

The privacy statement does not appear to inform the data subjects of any time limits for requests and responses. It is good practice to include information on in which time limit a reaction can be

¹ Available on the EDPS website under Supervision, Thematic Guidelines.

expected (e.g. 3 months for access request, without delay for rectification, etc.). Consequently, we recommend that such a time limit will be added to the privacy statement.

The notification and the privacy statement both mention a number of possible recipients of personal data, such as OLAF and the European Ombudsman. For your information, with regard to Article 2(g) of the Regulation, authorities which would only receive data in the context of specific targeted inquiries are not considered "recipients" and do not *need* to be mentioned in the privacy statement.²

The EDPS expects that EFSA implements the recommendations accordingly and will therefore **close** the case.

Thank you for your cooperation.

Yours sincerely,

(signed)

Giovanni BUTTARELLI

Cc: Mr Claus REUNIS, Data Protection Officer - EFSA

² This is an exception to the information obligations in Article 11 and 12, but not to the rules on transfers in Articles 7 to 9. In practice, this means that authorities such as the OLAF, the European Ombudsman or the EDPS do not need to be mentioned in the privacy statement (unless the processing operation in question involves transfers to these organisations as part of the procedure); however, the applicable rules on transfers will always need to be respected.