



## **PROTECTION OF YOUR PERSONAL DATA**

**This privacy statement provides information about the processing and the protection of your personal data.**

**Processing operation: Registers of geographical indications (eAmbrosia) and the web tool Glview (Treatment of applications to register geographical indications and traditional specialities guaranteed and their publication in the EU geographical indications register eAmbrosia and Glview portal)**

### **Data Controller:**

- Directorate-General for Agriculture and Rural Development / unit F.3, Geographical indications, hereafter AGRI F.3
- European Union Intellectual Property Office (EUIPO), delegated controller: Director of the Legal Department

With regard to Glview, DG AGRI and EUIPO act as joint controllers in relation to processing certain personal data in implementation of the Administrative Agreement between DG AGRI and EUIPO of 17 December 2019.

Record reference: DPR-EC-02028

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## 1. INTRODUCTION

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [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 (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

The information in relation to processing operation **“Registers of geographical indications (eAmbrosia) and the web tool Glview” (Treatment of applications to register geographical indications and traditional specialities guaranteed and their publication in the EU geographical indications register eAmbrosia and Glview portal)** undertaken by AGRI F.3 is presented below.

## 2. WHY AND HOW DO WE PROCESS YOUR PERSONAL DATA?

DG Agriculture and Rural Development does not collect any personal data of the users (visitors) of the [eAmbrosia](#) website or [Glview](#) portal. However, it may display personal data of the applicants in relation to geographical indications (in eAmbrosia and subsequently in Glview) and traditional specialities guaranteed (eAmbrosia), if such personal data are included in the original application. Hence, the questions below would concern you only in the case you are an applicant with your personal data included in the original application and displayed in eAmbrosia and subsequently in Glview.

In case of queries sent through the contact form on eAmbrosia website, sharing an email address of a requestor is necessary in case an answer is expected. That personal data will not be kept in the European Commission database. It will only be used in the context of this particular interaction and will be removed afterwards.

### 2.1 Applications related to geographical indications

EU legislation on protected designations of origin (PDO) / protected geographical indications (PGI) / traditional specialities guaranteed (TSG) for agricultural products and foodstuffs was adopted in 1992. However, protection at EU level of PDO/PGI wines produced in specified regions was already instituted in 1973. Similar protection exists for spirit drinks’ and aromatised wine products’ designations since 1989 and 1991 respectively; in both cases designations are protected as geographical indications (GI).

To participate in the above-mentioned system, i.e. to apply for registration or cancellation of a PDO/PGI/GI/TSG, or for the approval of an amendment to the product specification, the applicants have to submit an application. In case that the applicant is from a Member State, the application is submitted to the national authorities who then forward the application to the Commission; an applicant from a third country may send an application to the Commission directly or via the national authorities.

Corresponding application forms are made available in the Annexes to Commission Implementing Regulations, on EUROPA website, and directly in the on-line modules for Member States (IT system called eAmbrosia).

These forms may include the following data: name of the producer group, address, telephone, (if applicable) fax, and e-mail address, depending on the type of application (registration, cancellation, amendment).

EUROPA website with forms:

[https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification/quality-labels/registration-name-quality-product\\_en](https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification/quality-labels/registration-name-quality-product_en)

When the Commission receives an application, the application form might include personal data, if the applicant included them in the form. This might happen when the applicant himself included a personal name, a personal e-mail address, a phone number. However, it is possible for the applicant to avoid providing any personal data. Personal data may need to be processed if the applicant is a sole producer and thus unable to provide the name of an applicant group and corporate contact details. Instead, he provides his personal name and personal contact details.

The processing of personal data in the Commission occurs in the following steps of procedure:

- Registration of the application in ARES and storage;
- Translation of the application;
- Analysis of the application;
- Receipt of a revised version(s) of the application, its registration in ARES and storage;
- Publication of the final version of the application in the OJ C for opposition purposes;
- Publication of the application in the database on EUROPA website (eAmbrosia) and subsequently in Glview.

As regards the analysis of the application, a pre-examination is carried out, based on an administrative agreement, by the European Union Intellectual Property Office (EUIPO). In such case, EUIPO acts as a processor in relation to processing personal data with regard to capacity building in GI applications.

Prior to the Commission receipt, each application is processed by the Member State that during the national procedure is also processing personal data, if provided by the applicant. Member State's authorities have to ensure adequate publicity of an application by publishing it in the official gazette and/or on-line.

DG AGRI and EUIPO, as joint controllers, process personal data to the extent necessary in the web tool Glview that allows users to search all type of GIs protected in the EU and have access both to GI official Registered Data provided by DG AGRI and GI Extended Data provided by Producer Groups or Country Authorities. The combination of Registered and Extended Data will form the GI ID Card.

Data stored and publicly searchable in Glview do, as a rule, not include personal data. By way of exception, if the name of a sole producer using his/her proper name is being processed, appropriate measures will be taken by the controllers to ensure his/her data subject rights in accordance with Regulation (EU) 2018/1725.

DG AGRI ensures and is responsible for the collection and transmission to EUIPO on a one-off basis the contact details (functional or personal mailboxes) provided by the Member States for the purposes of creating Glview accounts for the latter.

More information on how EUIPO and DG AGRI as joint controllers and EUIPO as a sole controller process personal data is available here: <https://www.tmdn.org/giview/gi/privacy>

## **2.2 Competent Authorities and Control Bodies**

Besides the applications described above, the Commission is also processing information submitted by the Member States about their competent authorities and control bodies, which Member States have to submit to the Commission according to EU legislation. Member State's authorities have to fill in forms laid down in the Commission IT tool ISAMM (Record DPR-EC-

00357), which include the name of the Competent Authority / Control Body, address, phone and e-mail address. Although the Member States are advised to not provide any personal data, in exceptional cases the forms might include personal data, if the Member State's authorities included them in a form, for example a personal name, a personal e-mail address, a phone number.

The processing of personal data in the Commission occurs in the following steps of procedure:

- Keeping the data in ISAMM;
- Copying of data in the lists to be published on EUROPA website;
- Publication of data on EUROPA website (the list of Competent Authorities / Control Bodies).

### **2.3 Publication of personal data**

The Commission has made public on EUROPA the application documents, submitted by Member States or applicants / public authorities from third countries for geographical indications that might include personal data, via the IT tool: database eAmbrosia (a current EU geographical indications register) and subsequently in Glview.

These documents are dated from mid-1990s until end 2018 and are around 8.500.

Applications relating to agricultural products and foodstuffs dated after early 2010s and those relating to wine as of 2019 that might contain personal data are no longer made public in the Commission database. They are published with the reference to the corresponding Commission Implementing Decision in OJ C; the internet link to OJ C is made public in the above-mentioned Commission database.

The legislation requires such documents to be made public also in the future. Despite their age, these documents have current validity as they give legal proof of protection of the intellectual property rights and in particular of their priority date (date of validity, vis-à-vis competing rights). The protection of intellectual property rights including geographical indications, is guaranteed by the EU Charter of Fundamental Rights (Article 17.2).

Your personal data will not be used for an automated decision-making including profiling.

### **3. ON WHAT LEGAL GROUND(S) DO WE PROCESS YOUR PERSONAL DATA?**

We process your personal data, because:

- (a) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body;
- (b) processing is necessary for compliance with a legal obligation to which the controller is subject.

Applicable EU legislation on geographical indications and traditional specialties guaranteed:

#### **AGRICULTURAL PRODUCTS AND FOODSTUFFS**

- [Regulation \(EU\) No 1151/2012](#) of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs
- [Commission Delegated Regulation \(EU\) No 664/2014](#) of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialties guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules
- [Commission Implementing Regulation \(EU\) No 668/2014](#) of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs

## WINE

- [Regulation \(EU\) No 1308/2013](#) of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007
- [Commission Delegated Regulation \(EU\) 2019/33](#) of 17 October 2018 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation
- [Commission Implementing Regulation \(EU\) 2019/34](#) of 17 October 2018 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, amendments to product specifications, the register of protected names, cancellation of protection and use of symbols, and of Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards an appropriate system of checks

## SPIRIT DRINKS

- [Regulation \(EU\) 2019/787](#) of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008
- [Commission Delegated Regulation \(EU\) 2021/1235](#) of 12 May 2021 supplementing Regulation (EU) 2019/787 of the European Parliament and of the Council with rules concerning applications for registration of geographical indications of spirit drinks, amendments to product specifications, cancellation of the registration and the register
- [Commission Implementing Regulation \(EU\) 2021/1236](#) of 12 May 2021 laying down rules for the application of Regulation (EU) 2019/787 of the European Parliament and of the Council concerning applications for registration of geographical indications of spirit drinks, the opposition procedure, amendments to product specifications, cancellation of the registration, use of symbol and control

## AROMATISED WINES

- [Regulation \(EU\) No 251/2014](#) of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91

## GIview

- Administrative Agreement between the Directorate-General for Agriculture and Rural Development and the European Union Intellectual Property Office of 17 December 2019.
- Joint controllership and data processing arrangement with regard to processing personal data in implementation of the Administrative Agreement between the Directorate-General for Agriculture and Rural Development and the European Union Intellectual Property Office.

## 4. WHICH PERSONAL DATA DO WE COLLECT AND FURTHER PROCESS?

No specific personal data are requested but the applicants with regard to geographical indications and traditional specialities guaranteed (i.e. private and legal persons), control

bodies, competent authorities, intermediate bodies may include in the applications certain personal data in the form of individual's name and surname, personal address, e-mail address, phone number or fax number.

The provision of personal data is not mandatory.

## **5. HOW LONG DO WE KEEP YOUR PERSONAL DATA?**

AGRI F.3 keeps your personal data for an unlimited period of time, as it is part of the supporting evidence needed for the registration or cancellation of a GI or a TSG or for approval of an amendment to the product specification.

The personal data entered in Giview will be stored for the duration of the Administrative Agreement between the Directorate-General for Agriculture and Rural Development and the European Union Intellectual Property Office of 17 December 2019.

Personal data necessary for the creation of user accounts will be stored until such data are modified, corrected or erased as a result of a request by the data subject, or when the user account is deleted. DG AGRI and EUIPO will not retain or process personal data longer than necessary to carry out the agreed purposes and their obligations. Log files are stored automatically and are kept only for the time needed to achieve the purpose(s) for which they are processed. Log data is stored for a maximum of 6 months. Log files are not archived.

## **6. HOW DO WE PROTECT AND SAFEGUARD YOUR PERSONAL DATA?**

All personal data processed by the Commission in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are accessible only to registered users via proper authentication and stored on the servers of the European Commission. All processing operations are carried out pursuant to [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission.

In order to protect the personal data, the Commission has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

For more information about how personal data is protected in Giview, please see: <https://www.tmdn.org/giview/gi/privacy>

## **7. WHO HAS ACCESS TO YOUR PERSONAL DATA AND TO WHOM IS IT DISCLOSED?**

Access to your personal data is provided to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the "need to know" principle. Such staff abide by statutory and, when required, additional confidentiality agreements. After finalisation of your application, if it includes your personal data, such data are also made available on the public registers and websites of the European Commission and through the Giview web tool.

AGRI F.3 will, in certain cases, have to transfer your personal data to a third country. In the case of the opposition process for PDO/PGI and TSG applications, the transfer of personal data outside the EU may take place when the Commission deals with applications of third countries

that have been opposed. In the case of an admissible opposition, under Article 51 of Regulation (EU) 1151/2012, the Commission shall forward the notice of opposition as well as a reasoned statement to the authority or body that lodged the application for registration. Therefore, in the case of an opposition from any Member State of the EU, the Commission is obliged to transfer the opposition's documents to the applicant in a third country. These documents may contain contact details of a person or persons involved in the submission of opposition.

The controller will transfer your personal data based on derogations; the transfer is necessary for the establishment, exercise or defence of legal claim.

## **8. WHAT ARE YOUR RIGHTS AND HOW CAN YOU EXERCISE THEM?**

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access your personal data and to rectify them in case your personal data are inaccurate or incomplete. Where applicable, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing, and the right to data portability.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

## **9. CONTACT INFORMATION**

### **- The Data Controller**

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controllers, AGRI F.3, AGRI-GEOGRAPHICAL-INDICATIONS@ec.europa.eu or, with regard to Glview, the Director of the Legal Department of EUIPO in the functional mailbox: DPOexternalusers@euipo.europa.eu.

### **- The Data Protection Officer (DPO) of the Commission**

You may contact the Data Protection Officer ([DATA-PROTECTION-OFFICER@ec.europa.eu](mailto:DATA-PROTECTION-OFFICER@ec.europa.eu)) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

You may consult the Data Protection Officer of the EUIPO at: [DataProtectionOfficer@euipo.europa.eu](mailto:DataProtectionOfficer@euipo.europa.eu)

### **- The European Data Protection Supervisor (EDPS)**

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor ([edps@edps.europa.eu](mailto:edps@edps.europa.eu)) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

## **10. WHERE TO FIND MORE DETAILED INFORMATION?**

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following record reference: **DPR-EC-02028**.