



INFORMATION ON DATA PROCESSING

relating to processing of personal data by the National Food Chain Safety Office

I. Controller

Your personal data shall be processed by the National Food Chain Safety Office (hereinafter: NFCSO):

registered seat: 1024 Budapest, Keleti Károly u. 24.
postal address: 1525 Budapest, Pf.: 30.
telephone: +36 1 336-9000
email: ugyfelszolgalat@nebih.gov.hu
website: www.portal.nebih.gov.hu

representative of NÉBIH: dr. Márton Oravecz, president
email: elnok@nebih.gov.hu

email of NÉBIH's data protection officer: adatvedelem@nebih.gov.hu

II. Legislation relevant to NÉBIH

Provisions of the following legal regulations are relevant to data processing performed by NÉBIH:

- General Data Protection Regulation (EU regulation 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC),
- Act CXII of 2011 on the right to informational self-determination and on the freedom of information,
- Act C of 2000 on Accounting,
- Act LXVI of 1995 on Public Records, Public Archives, and the Protection of Private Archives,
- Act CL of 2016 on General. Public Administration Procedures,
- Act CCXXII of 2015 on the General Rules of Electronic Administration and Trust Services,
- Act CLXV of 2013 on Complaints and Public Interest Disclosures,
- Act XLVI of 2008 on the food chain and the magisterial controlling of the food chain,
- Act CII of 2013 on Fish Farming and the Conservation of Fish,
- Act CCXIX of 2012 on Wine Communities,
- Act CLXVIII of 2011 on the weather and other natural hazards affecting the management of agricultural production,
- Act CXVII of 2010 on the promotion of the use of RES for transport purposes and on the reduction of greenhouse gas emissions from energy used in transport,

- Act LXXVI of 2009 on the general rules of commencement and pursuit of service activities,
- Act XXXVII of 2009 on Forests, the Protection of Forests and Forest Management,
- Act LXXIII of 2008 on Pálinka, Grape Marc Pálinka and Pálinka National Council,
- Act CXXIX of 2007 on Protection of Agricultural Lands,
- Act XVIII of 2004 on Vine-Growing and Winery,
- Act LII of 2003 on the official acceptance of plant varieties as well as production and marketing of seeds and reproductive materials,
- Act XXVIII of 1998 on the Protection and Humane Treatment of Animals,
- Act LV of 1996, on the Protection of Wildlife, Gamekeeping and Hunting,
- Act CXVII of 1995 on Personal Income Tax,
- Act CXIV of 1993 on Animal Breeding,
- Government decree 335/2005. (XII. 29.) on the common provisions of the document management in public administrative bodies,
- Government decree 383/2016. (XII. 2.) on the nomination of agricultural control bodies and control authorities.

III. Scope of processed data and the purpose of data processing

III.1. Information System for Food Chain Control (FELIR)

NÉBIH shall operate the Information System for Food Chain Control (hereinafter FELIR) in compliance with Paragraph 1 of Section 38/A of Act XLVI of 2008 on the food chain and the magisterial controlling of the food chain (hereinafter Éltv.).

personal data	purpose of data processing
natural personal identity data	Point a) Paragraph 3 Section 38/A of Éltv.
address, contact details (email, phone number, fax number, postal address)	Point a) Paragraph 3 Section 38/A of Éltv.
tax identification number, bank account number	Point a) Paragraph 3 Section 38/A of Éltv.
customer identification number at the Hungarian State Treasury	Point a) Paragraph 3 Section 38/A of Éltv.

III.2. Electronic Administration (E-administration)

NÉBIH, a public administration body providing electronic administration under Act CCXXII of 2015 on the General Rules of Electronic Administration and Trust Services (Paragraph 17a of Section 1) shall ensure the possibility of electronic administration. This electronic administration shall require customer identification.

personal data	purpose of data processing
identification data required for administration	Paragraphs 5-6 Section 18 Act CCXXII



III. 3. Lodging applications, submissions, complaints

NÉBIH shall take administrative action on the basis of Act CL of 2016 on General. Public Administration Procedures, it shall handle, investigate reportings, complaints – including those submitted by phone to NÉBIH’s customer service or toll free number, and those submitted via the NÉBIH Navigator application – in compliance with the content of Act CLXV of 2013 on Complaints and Public Interest Disclosures.

personal data	purpose of data processing
natural personal identity data	Paragraph 1 Section 27 Act CL of 2016 Paragraph 3 Section 3 Act CLXV of 2013
address, contact details (e-mail, phone number, fax number, postal address)	Paragraph 1 Section 27 Act CL of 2016 Paragraph 3 Section 3 Act CLXV of 2013

If you fail to submit your name and your contact details when lodging a reporting, complaint then NÉBIH may refuse the investigation, or it may not be able to provide you with information on the outcome of the investigation.

III.4. Treatment of documents

NÉBIH, as a public administrative body, shall treat documents in compliance with the content of Act LXVI of 1995 on Public Records, Public Archives, and the Protection of Private Archives, it shall keep records of documents and data of documents it receives during its operation in compliance with Government decree 335/2005 (XII. 29.) on the common provisions of document management in public administrative bodies.

personal data	purpose of data processing
name of natural person	Paragraph 1 Section 9 Act LXVI of 1995 Paragraph 2 Section 39 Government decree 335/2005
address, contact details (email, phone number, fax number, postal address)	Paragraph 1 Section 9 Act LXVI of 1995 Paragraph 2 Section 39 Government decree 335/2005

III.5. Registration on the website

In addition to its official website (<http://portal.nebih.gov.hu>), unrelated to its official control activities, NÉBIH operates, handles several separate websites, micro sites and web 2.0 platforms, where access to certain services is subject to registration.

personal data	purpose of data processing
user name	identification
contact details (address, email address, phone number)	communication
password	safe entry



Neither your user name nor your email address require you to reveal your name or personal data. It is at your discretion to submit a user name or email address which may reveal your identity.

III.6. Participation in NÉBIH's surveys, polls, prize-winning games

During its operation and as part of its activities, NÉBIH undertakes surveys, conducts polls among a broad community of citizens. In addition, during its awareness raising activities, NÉBIH organises prize-winning games (during events or in publications).

personal data	purpose of data processing
name of natural person	identification
address, contact details (email, phone number, fax number, postal address)	communication

If you fail to submit your contact details, NÉBIH shall not be able to provide you with information on the findings of the surveys or polls, or the outcome of the draws.

III. 7. Contracting

In order to comply with the content of Act C of 2000 on Accounting and the stipulations of tax regulations, NÉBIH shall keep records of contractual data relating to contracting parties.

personal data	purpose of data processing
natural personal identity data	contracting, invoicing
address, contact details (email, phone number, postal address)	communication
bank account number	fulfilment of contractual payment obligations

NÉBIH can provide you with services only on the basis of a contract (order), which pre-requires you to supply your personal data. If you fail to supply this information, NÉBIH shall not be able to provide you with the requested services.

III.8. Voice recordings

NÉBIH records all customer calls to its customer service units (General Customer Service, ENAR, Supervisory fee, Horse Passports Office, Toll-free number). NÉBIH, at all times, notifies the callers of the voice recordings prior to the start of the conversation.

You shall give your consent to the voice recording by continuing the call after listening to the notification.

IV. Cookies

NÉBIH's website uses cookies to improve user experience:



- indispensable, session cookies ensure proper operation of the website, and they expire when the user logs out,
- user-centric cookies allow the website to memorise user preferences, to improve user experience in order to make the website more convenient to use,
- user interface customization cookies, google analytics collect information on how visitors use NÉBIH's website but they cannot personally identify the visitors,
- user-input cookies store device/browser identification data and are used for the duration of the session ,
- third party cookies are cookies used by Facebook.

In connection with an online session, your personal data may be processed by NÉBIH as technical data (cookies) relating to your computer device, browser, IP address, visited websites shall be automatically generated in our IT system.

You can turn off cookies in your browser, however, if you do so, you can miss out on several features and functions that are necessary for the proper use of the website. You can find further information on cookies on www.aboutcookies.org, which also has comprehensive and independent information on disabling cookies in your browser, and deleting cookies from your computer.

V. Legal basis of data processing

NÉBIH shall process data to operate FELIR and perform its tasks of public administration (handling electronic administration, applications, complaints, written submissions, documents) on the basis of legal mandate, for a legitimate purpose, within a legal framework. In the case of contracts with NÉBIH, data processing shall be necessary to perform the contracts. In other cases, the legal basis of data processing by NÉBIH shall be constituted by your explicit consent.

Please note that if you submit someone else's personal data, it shall be your responsibility to obtain consent from the affected party.

VI. Duration of the processing

NÉBIH shall retain the data obtained in connection with FELIR for ten years after deletion of the FELIR identification number. Subsequently, the data shall be deleted.

While performing its public administration tasks NÉBIH shall retain your personal data in compliance with archive regulations and for a time period established by the Documentation Plan of the National Archives of Hungary. Upon expiry of the retention period, documents containing your personal data shall be destroyed or transferred to the National Archives of Hungary.

NÉBIH shall retain contractual data for a period of 8 years, in compliance with Section 169 of Act C of 2000 on Accounting.



NÉBIH shall process your personal data you submitted outside the scope of NÉBIH's public administration or control activities until withdrawal of your consent. In the case of surveys, opinion polls, NÉBIH shall process your personal data until the findings are announced. In the case of prize-winning games, NÉBIH shall process your personal data for a period of one year after the draw. If you have an account on an unofficial website operated by NÉBIH, you can delete your registration at any time, which shall, simultaneously, mean withdrawal of your consent. Withdrawal of your consent shall not affect legitimacy of prior data processing performed on the basis of your prior consent.

NÉBIH shall retain voice recordings of your calls to its customer service units (General Customer Service, ENAR, Supervisory fee, Horse Passports Office, Toll-free number) until withdrawal of your consent, or in the absence thereof, for a period of 5 years. Withdrawal of your consent shall not affect legitimacy of prior data processing performed on the basis of your consent.

VII. Rights related to data processing

Regarding your request for information on your rights related to data processing, NÉBIH shall notify you of action taken on your request without undue delay and in any event within one month of receipt of your request.

VII.1. Rights of access

Your personal data can be accessed by government officials of NÉBIH, or in the case of personal data processed by FELIR, by state officials of territorial government offices in the counties and districts of Hungary.

For certain data processing functions NÉBIH shall hire contracted data processors. NÉBIH shall hire only those data processors that comply with data processing rules and regulations and take appropriate technical and organisational measures to protect the rights of the affected parties. The data processor shall perform personal data processing exclusively on the basis of NÉBIH's instructions.

NÉBIH shall transfer personal data to third parties (other government bodies, authorities) only on the basis of legal authorisation, to the extent established therein.

NÉBIH shall store your personal data on servers located in its offices at 1024 Budapest, Kitaibel Pál u. 4, and it shall not make use of storing services of other providers. NÉBIH shall implement appropriate measures to protect your personal data, especially in order to avoid unauthorised access or alteration.

Upon request, when performing its tasks, NÉBIH shall access data from the following official public registers:

- records of individual entrepreneurs,
- Vineyard registry,



- register of protected natural areas,
- Records of the National Support Monitoring System,
- recognised organic farming registry operated by inspection and certification bodies,
- company registry,
- National Fisheries Inventory,
- National Gamekeeping Inventory,
- records of the body granting support for agriculture and rural development,
- legally required national control registers of entrepreneurs, places of business and economic activities.

From records of personal data and addresses, NÉBIH shall have access to personal identification data, addresses and data relating to overseas residence and death of natural persons registered in FELIR.

NÉBIH shall start processing personal data as of the following dates and times

- application for your registration with FELIR, determination of your FELIR identification number,
- commencement of public control administration instigated by you,
- submission or complaint lodged by you,
- your registration on the website
- commencement of your conversation based on your call to the customer service.

You can request information on the processing of your personal data with regards to the following content:

- purpose of data processing,
- scope and categories of personal data,
- those recipients to whom the personal data have been or will be communicated,
- duration of data processing, data storing, aspects of determination of duration,
- rectification or erasure of your personal data or, in certain cases, restriction of processing, and may object to the processing of personal data,
- the right to file a complaint with the supervisory authority,
- source of personal data that derive from someone different than you,
- decision based on automated data processing, including profiling (the logic involved in any automatic personal data processing and the related intelligible information, the significance of such data processing and the likely consequences thereof).

You also have the right to receive a copy of your personal data; in the case of a request filed electronically, NÉBIH shall provide the requested information electronically, unless otherwise noted.

VII.2. right to rectification

You can, at any time, request the rectification of your inaccurate personal data. Taking into account the purposes of the processing, you can have the incomplete personal data concerning you completed.



VII.3. right to erasure

You can request the erasure of your personal data if

- the personal data are no longer necessary in relation to the purposes for which they were collected or processed,
- you withdraw your consent on which the processing is based and there is no other legal ground for the processing,
- you object to the processing pursuant and there are no overriding legitimate grounds for the processing,
- your personal data have been unlawfully processed,
- your personal data have to be erased for compliance with a legal obligation in EU or Member State law to which NÉBIH is subject.

Erasure cannot be applied in case data processing is necessary:

- for exercising the right of freedom of expression and information,
- for compliance with a legal obligation which requires processing by EU or Member State law to which NÉBIH is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in NÉBIH,
- for public archiving purposes, for scientific, historical research or statistical reasons, if erasure would likely seriously risk or make it is impossible,
- for the establishment, exercise or defence of legal claims.

NÉBIH shall provide the affected controllers with information on the necessity of erasure of your publicly available personal data, and it shall take all reasonably expected measures.

VII.4. Right to restriction of processing

You can obtain restriction of processing where one of the following applies:

- the accuracy of the personal data is contested by you, in such case the restriction applies for the period that enables NÉBIH to verify the accuracy of the personal data,
- the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead,
- the personal data are no longer need for the purposes of the processing indicated, but they are required by you for the establishment, exercise or defence of legal claims;
- you objected to data processing, however, our legitimate interest may also substantiate the data processing; in which case, pending the verification whether NEBIH's legitimate grounds override your legitimate grounds, data processing is to be restricted.

Where processing falls under restriction, such personal data shall, with the exception of storage, only be processed with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the EU or of a Member State.

VII.5. right to data portability

You can receive the personal data concerning you, which you have provided to NÉBIH, in a structured, commonly used and machine-readable format and you have the right to transmit



those data to another controller if the processing is based on your consent and the processing is carried out by automated means.

The exercise of the right to data portability shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in NÉBIH.

VII.6. right to object

You can object, on grounds relating to your particular situation, at any time to processing of personal data concerning you. NÉBIH shall no longer process the personal data unless it demonstrates compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

VII.7. automated decision making

You shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you, except if the decision:

- is necessary for entering into, or performance of, a contract between you and NÉBIH,
- is authorised by EU or Member State law to which NÉBIH is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests,
- is based on your explicit consent.

In order to enter into or perform a contract, or in the case of a decision based in your explicit consent, you shall have the right to obtain human intervention on the part of NÉBIH, to express your point of view and to contest the decision.

VII.8. right to notification of data protection breach

As soon as NÉBIH becomes aware that a data protection breach has occurred, and if it is likely to result in a risk to your rights and freedoms, NÉBIH shall provide you with information on the data protection breach. The provided information shall include following:

- the nature of the data protection breach,
- the name and contact details of the data protection officer,
- the likely consequences of a data protection breach,
- measures taken or planned to remedy or mitigate the data protection breach.

NÉBIH shall not provide you with information on the data protection breach if

- it has implemented appropriate technical and organisational protection measures, and those measures were applied to the personal data affected by the data protection breach, in particular those that render the personal data unintelligible to any person who is not authorised to access it, such as encryption,
- has taken subsequent measures which ensure that the high risk to the rights and freedoms of data subjects is no longer likely to materialise,;



- it would involve disproportionate effort. In such a case, there shall instead be a public communication or similar measure whereby you are informed in an equally effective manner.

VIII. Complaints lodged against the processing of data

You have the right to lodge a complaint against unlawful processing of data with Hungarian National Authority for Data Protection and Freedom of Information (Address: 1125 Budapest, Szilágyi Erzsébet fasor 22/c., Postal address: 1530 Budapest, Pf.: 5).

In the event of unlawful processing of your data, you can bring a civil action against NÉBIH as controller. You can bring the action before the courts where you reside or where you are (temporarily) staying.