

Veterinary Public Health Inspection Service – June 2020

GDPR Privacy Notice

The General Data Protection Regulation (Regulation (EU) 2016/679) came into effect on 25 May 2018; prior to that, the Data Protection legislation in Ireland is the Data Protection Act 1998, as amended by the 2003 Data Protection Act.

Data Protection information for the Department of Agriculture, Food and the Marine (DAFM) can be viewed at <https://www.agriculture.gov.ie/dataprotection/>

1. Data collected by DAFM will be held only as long as there is a business need to do so in line with the purposes for which it was collected. After this time it will be marked for destruction, and it will be destroyed in line with internal guidelines, or guidelines for destruction received from the National Archives Office, or associated permissions received from them.
2. Veterinary Public Health Inspection Service (VPHIS) is fully committed to keeping all personal data submitted by its customers fully safe and secure during administrative processes. All necessary technical measures have been put in place to ensure the safety and security of the systems which hold this data. DAFM staff members are also considered as customers of the Department from a Data Protection perspective and may exercise their data protection rights in the same way. Transparency and openness in the use of personal data held is important to VPHIS and therefore we aim to fully inform all our customers about the purpose(s) for which their data will be used and why, where it may be shared elsewhere and why and how long their data may be held by the Department.
3. Legal Basis: The relevant legislation associated with the data collected is set out in the following legislation (not exhaustive) in ANNEX 1.
4. Retention period: The data collected by DAFM will be held only as long as there is a business need to do so in line with the purposes for which it was collected. After this time it will be marked for destruction, and it will be destroyed in line with internal guidelines, or guidelines for destruction received from the National Archives Office, or associated permissions received from them.
5. Food Chain Information: This information, which contains personal data, assists the official veterinarian to determine the required inspection procedures. Regulations (EC) No.s 852/2004, 853/2004, 2074/2005, 2017/625 and Implementing Regulation (EC) No. 2019/627 are applicable to these functions. When the Official Veterinarian uses this personal data, the Minister is the Data Controller for the purposes of data protection law. The information gathered will be made available for audits, official controls and inspections carried out by regulatory authorities within the European Union, required by the above regulations. It may also be used to feed information back from the slaughterhouse to the holding of provenance of the animals, and to the farm veterinarian, as laid out in the above regulations. DAFM has elected to enable such feedback by combining information held on its AMPM and other relevant IT systems with data held by ICBF, based on an agreement between the two bodies.

6. **Sharing of Personal Data:** DAFM is committed to sharing personal data only where there is a valid legislative basis to do so or where the data subject has provided consent to allow for specific personal information to be shared. The information gathered may be made available as appropriate within the Department (DAFM) and for audits, official controls and inspections carried out by regulatory authorities within the European Union, required by the regulations listed in point 5. Personal data may be shared with external organisations where there is a legislative basis or where consent to the transfer of this data has been given by the data subject. Personal data will only be used in accordance with the Data Protection legislation in force.
7. **Rights of the Data Subject:** Where you provide personal data to DAFM, you have certain rights available to you in relation to that data. These rights can be exercised by contacting the Data Protection Officer, indicating which right(s) you wish to exercise. Where personal data is obtained from a third party or by an external organisation acting as a data processor on behalf of the Department and such organisations will be subject to the rules governing data protection and you are entitled to exercise your rights in relation to the data.

Currently DAFM customers have the following rights (up to 24 May 2018):

- Access to their data
- Rectification of their data
- Erasure of their data
- Right to lodge a complaint with the Supervisory Authority

From 25 May 2018 onwards all Department customers will also have the following additional rights:

- Restriction of processing
- Data portability
- Objection to processing
- Withdraw consent if they previously gave it in relation to processing of their personal data relating to automated decision making, including profiling.

8. **Automated Decision Making:** There is no automated decision making taking place in VPHIS with this personal information.
9. **Transfers outside the EU:** VPHIS do not transfer any personal data outside of the EU.
10. **The Data Protection Officer can be contacted as follows:** Data Protection Officer, Data Protection Unit, Corporate Affairs, Department of Agriculture, Food and the Marine, Grattan Business Park, Dublin Road, Portlaoise, Co Laois. Email: dataprotectionofficer@agriculture.gov.ie
11. **Technical Information on data collected:** Technical information on the cookies used on the DAFM website is available at the following link: <https://www.agriculture.gov.ie/legalnotices/privacy/>

ANNEX 1 – Legislation

General Hygiene Package
SI 22 of 2020 European Union (Food and Feed Hygiene) Regulations 2020.
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 as amended.
Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products.
Regulation (EC) No 852/2004 of The European Parliament and of The Council of 29 April 2004 on the hygiene of foodstuffs (Hygiene 1) as amended.
Regulation (EC) No 853/2004 of The European Parliament and of The Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (Hygiene 2) as amended.
Commission Delegated Regulation (EU) 2019/624 concerning specific rules for the performance of official controls on the production of meat and for production and relaying areas of live bivalve molluscs in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council.
Commission Delegated Regulation (EU) 2019/625 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption.
Commission Implementing Regulation (EU) 2019/626 of 5 March 2019 concerning lists of third countries or regions thereof authorised for the entry into the European Union of certain animals and goods intended for human consumption, amending Implementing Regulation (EU) 2016/759 as regards these lists.
Commission Implementing Regulation (EU) 2019/627 of 15 March 2019 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council and amending Commission Regulation (EC) No 2074/2005 as regards official controls.
Commission Implementing Regulation (EU) 2019/628 of 8 April 2019 concerning model official certificates for certain animals and goods and amending Regulation (EC) No 2074/2005 and Implementing Regulation (EU) 2016/759 as regards these model certificates.
Regulation (EU) 2016/429 of the European Parliament and of the Council on transmissible animal diseases and amending and repealing certain acts in the area of animal health ("Animal Health Law").
Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption (Hygiene 4).
Directive 2004/41/EC of The European Parliament and of The Council of 21 April 2004 repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council

Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC (Hygiene 5).
Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs as amended.
Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 624/2019 of the European Parliament and of the Council and Regulation (EC) No 625/2017 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) 624/2019.
Commission Implementing Regulation (EU) 2015/1375 laying down specific rules on official controls for Trichinella in meat.
Commission Regulation (EC) No 1162/2009 of 30 November 2009 laying down transitional measures for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council (Text with EEA relevance).
TSE/Animal By-products
Regulation (EC) No 999/2001 of The European Parliament and of The Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies as amended.
Regulation (EC) No 1069/2009 of The European Parliament and of The Council of 21 October 2009 Laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation 1774/2002 (animal by-products Regulation).
Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive.
SI No 532 of 2015 European Union (Transmissible Spongiform Encephalopathies and Animal By Products) Regulations 20078
SI No 187 of 2014 European Union (Animal By-Products) Regulations 2014.
Animal welfare and Transport
Council Regulation (EC) No 1/2005 of 22 nd December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) no. 1255/97.
SI No 675 of 2006 European Communities (animal transport and control post) Regulations 2006.
Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing on the protection of animals at the Time of killing as amended.
Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat

production.
SI No 292 of 2013 European Union (protection of animals at the time of killing) Regulations 2013 as amended.
SI No 311 of 2010 European communities (Welfare of farmed animals) Regulations 2010 as amended.
No. 15 of 2013 Animal Health and Welfare Act 2013.
SI No 112 of 2014 European Union (Animal Health) (Adaptation) Regulations 2014 as amended.
Water
Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption as amended.
SI No 122 of 2014 European Union (drinking water) Regulations 2014 as amended.
Food labelling, additives and packaging
Beef labelling
Regulation (EC) No 1760/2000 of The European Parliament and of The Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 as amended.
SI No 435 of 2000 European Communities (Labelling of Beef and Beef Products) Regulations, 2000 as amended.
SI No 77/2009 European Communities (Identification of Bovines) Regulations 2009.
Poultry Labelling
Regulation (EU) No. 1308/2013 of the European Parliament and of the Council 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.
SI No 328 of 2010 European Communities (Labelling and Marketing Standards for Poultrymeat) Regulations, 2010.
Commission Implementing Regulation (EU) No 1337/2013 of 13 th December 2013 laying down rules for the application of Regulation (EU) No 1169/2011 of the European Parliament and of the Council as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry.
Labelling of foodstuffs
Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 as amended.
SI No 556 of 2014

European Union (provision of Food Information to Consumers) Regulations 2014 as amended.
SI No 113 of 2015 European Union (Origin Labelling of Meat) Regulations 2015 as amended.
Food Additives, Food Enzymes, Food Flavourings, Food Supplements
Regulation (EC) No 1331/2008 of the European Parliament and of The Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings as amended.
Regulation (EC) No 1332/2008 of the European Parliament and of The Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 as amended.
Regulation (EC) No 1333/2008 of the European Parliament and of The Council of 16 December 2008 on food additives as amended.
Regulation (EC) No 1334/2008 of the European Parliament and of The Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC as amended.
Regulation (EC) No 1321/2013 Commission Implementing Regulation of 10 December 2013 establishing the Union list of authorised smoke flavouring primary products for use as such in or on foods and/or for the production of derived smoke flavourings.
SI No 330 of 2015 European Union (Food Additives) Regulations 2015 as amended.
SI No 506 of 2007 European Communities (Food supplements) Regulations 2007 as amended.
Nitrates & Nitrites
Directive 2006/52 EC of 5 July 2006 amending Directive 95/2/EC on food additives other than colours and sweeteners and Directive 94/35/EC on sweeteners for use in foodstuffs.
SI No 40 of 2008 European Communities (food additives other than colours and sweeteners) (Amendment) Regulations 2008.
Packaging / Food Contact Materials
Regulation (EC) No 1935/2004 of The European Parliament and of The Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC as amended.
Commission Regulation (EU) No 10/2011 of 14 January 2011 on plastic materials and articles intended to come into contact with food as amended.
SI No 49 of 2017 European Communities (Plastics and other materials) (Contact with Food) Regulations 2017.

Zoonoses
<p>Directive 2003/99/EC of The European Parliament and of The Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC Directive 2003/99/EC of The European Parliament and of The Council of 17 November 2003 on the monitoring of zoonoses and zoonotic age.</p>
<p>Regulation (EC) No 2160/2003 of The European Parliament and of The Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents as amended.</p>
<p>SI No 154 of 2004 European Communities (Monitoring of Zoonoses) Regulations 2004.</p>
Residues, Pesticides, Food Contaminants
<p>Regulation (EC) No. 470/2009 of the European Parliament and of the Council laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No. 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No. 726/2004 of the European Parliament and of the Council.</p>
<p>Council Directive 96/23 of 29th April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC.</p>
<p>Regulation (EU) 2019/6 of the European Parliament and of the Council on veterinary medicinal products and repealing Directive 2001/82/EC</p>
<p>Commission Regulation (EC) No 1950/2006 establishing, in accordance with Directive 2001/82/EC of the European Parliament and of the Council on the Community code relating to veterinary medicinal products, a list of substances essential for the treatment of equidae and of substances bringing added clinical benefit as amended.</p>
<p>Commission Regulation (EU) 122 of 2013 amending Regulation (EC) No 1950/2006 establishing, in accordance with Directive 2001/82/EC of the European Parliament and of the Council on the Community code relating to veterinary medicinal products, a list of substances essential for the treatment of equidae.</p>
<p>Regulation (EC) No 396/2005 of The European Parliament and of The Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC.</p>
<p>Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs as amended.</p>
<p>SI No 183 of 2009 European Communities (Control of Animal Remedies and their Residues) Regulations, 2009.</p>
<p>SI 786 of 2007 The European Communities (Animal Remedies) (No 2) Regulations 2007 as amended.</p>

SI No 565 of 2008 European Communities (Pesticide Residues) Regulations 2008 as amended.
SI No 218 of 2010 European Communities (Certain contaminants in foodstuffs) Regulations, 2010 as amended.
Transport of product
Act No 20 of 1987 International Carriage of Perishable Foodstuffs Act, 1987.
SI No 188 of 1993 International Carriage of Perishable Foodstuffs (Consolidation) Regulations, 1993
Veterinary checks
Council Directive 89/662/EEC of 11 December 1989 laying down the checks to be conducted on product in intra-community trade as amended.
SI No 289 of 1994 European Communities (Trade in animals and animal products) Regulations 1994.
SI No 292 of 2002 European Communities (Veterinary Checks on products imported from third countries) Regulations 2000 as amended.
Equine Identification
Commission Implementing Regulation (EU) 2015/262 of 17 February 2015 laying down rules pursuant to Council Directives 90/427/EEC and 2009/156/EC as regards the methods for the identification of equidae (Equine Passport Regulation) Effective from 1 January 2016.
Commission Delegated Regulation (EU) 2019/2035 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for establishments keeping terrestrial animals and hatcheries, and the traceability of certain kept terrestrial animals and hatching eggs.
SI 62 of 2016 European Union (Identification of Equidae) Regulations 2016 as amended.
Sheep Identification
Regulation (EU) 2016/429 of the European Parliament and of the Council on transmissible animal diseases and amending and repealing certain acts in the area of animal health ("Animal Health Law").
SI No 309/2011 European Communities (Sheep Identification) Regulations 2011 as amended.
Pig Identification
Council Directive 2008/71/EC on the identification and registration of pigs.
S.I. No. 341/2002 Diseases of Animals Act 1966 (National Pig Identification and Tracing System) Order 2002 as amended.
Carcase Classification and Price Reporting
S.I. No. 254/2019 European Union (Carcase Classification and Price Reporting) Regulations 2019.