

**PRIVACY NOTICE FOR MICROBIOME PROJECTS**  
**ACCORDING TO ART. 13 / 14 OF UE REGULATION 2016/679 (GDPR)**

**1. Data Controller and DPO**

Data Controller is NEC Laboratories Europe GmbH, Kurfürsten-Anlage (NLE) 36, D-69115 Heidelberg e-mail: [privacy@neclab.eu](mailto:privacy@neclab.eu).

The Controller appointed a Data Protection officer that can be contacted at this e-mail address: [dsb@neclab.eu](mailto:dsb@neclab.eu)

**2. Information on data processing**

Data are collected from public available sources (see below) and NLE is not able to identify (data are relatively anonymous to us) or contact any of the data subjects.

Categories of Personal Data and source	Purposes of processing	Legal basis of data processing	Data retention
<p>Health Data. For data limitation purposes genetic data are not downloaded.</p> <p>The datasets can be extracted from scientific publication and include metagenomes (set of microbial genomes), metabolome (set of chemicals produced by microbes) of microbial communities living in human and related metadata.</p> <p>Sources: (1) NCBI. (2) European Nucleotide Archive.</p>	<p>Scientific research with ML.</p> <p>1) NLE will download the metagenomic sequencing data from public repositories.</p> <p>2) Then all metadata will be removed except country of origin, age and the diagnosis labels of the microbiome host and do pre-processing of microbe metagenomes (when needed) in a secured data container.</p> <p>3) NLE will expose the data to machine learning algorithm and train it to predict the diagnosis (Case / Control Group in respect of a known disease).</p> <p>Performance of the algorithm will be evaluated and reported in scientific papers in an aggregated form.</p> <p>Results do not enlarge the knowledge about any of the data subjects.</p>	<p>1) Consent. Article 6 (1) (a) &amp; 9 (2) (a)</p> <p>2) Art. 9 para. 2 lit. j. GDPR. Privilege for scientific research</p>	<p>Raw (downloaded) data are deleted within 5 years.</p> <p>Processed Data may be published following publisher's policy.</p>

**3. Processing procedures**

The Controller through its own authorized personnel carries out data processing. Most of data processing in this project will be performed with synthetic datasets. Anonymization, data minimization and access limitations with reference to original data during data processing at NEC are in place, moreover technical and organizational measures are in place. For reproducibility of the experiment, researchers in accordance with publisher's policy may as well publish the processed data that are further minimized, pseudonymized and / or anonymized in respect to the public available raw (downloaded) data.

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#### **4. Data transfers outside the European Economic Area (“EEA”)**

No data transfer is envisaged, however it could be required by the publisher. If personal data are required to be transferred outside the European Economic Area ("EEA") the Controller will put in place appropriate safeguards to ensure that personal data are adequately protected at the recipient location by ensuring that the data are transferred to a country that provides a level of protection equivalent to that provided by the GDPR.

#### **5. Data Subject Rights**

Data subject may exercise his/her rights at any time, and in particular:

- confirmation of whether or not personal data concerning him/her are being processed and to obtain access to the data and the following information: purpose of processing; categories of personal data; recipients; storage period; existence of the right to rectification, cancellation and limitation; origin of data not collected from the data subject;
- the cancellation or rectification of inaccurate personal data concerning him/her and/or the integration of incomplete personal data if he/she so wishes, also by providing a supplementary declaration;
- the limitation of processing consisting in the blocking of data processing for the period necessary for the required verifications in the hypotheses foreseen by the regulations in force;
- the portability of the data provided to the Controller including the direct transmission of the data to another data controller, the Controller shall deliver the personal data available on electronic format for common use to allow migration to other media;
- opposition at any time to processing based on the legitimate interest of the Controller;
- revocation of consent, where the processing is based on such legal basis.

#### **6. Exercise of data subject's rights and complaints**

Data subject may exercise his/her rights at any time by contacting the Controller by sending an email to the Controller without any formality or payment of any additional cost: [privacy@neclab.eu](mailto:privacy@neclab.eu). Every request received by the Controller will be taken into consideration after verifying the identity of the person entitled and safeguarding the rights of third parties. Requests will be satisfied as soon as possible and in any case within thirty days, except in the case of objective difficulties which will be communicated in writing within this period. In case of dissatisfaction on the modalities of processing and complaints and for any clarification data subject may write to the Controller, without prejudice to his right to apply to the Authority responsible for the protection of personal data: Der Landesbeauftragte für den Datenschutz und die Informationsfreiheit Baden-Württemberg.

25.03.2023

The Controller - NEC Laboratories Europe GmbH