



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR RESEARCH & INNOVATION

Directorate J - Common Support Centre
J.1 - Common Legal Support Service
The Head of Unit

Access Info Europe

Cava San Miguel 8 4C

28005 Madrid

Spain

By registered letter with acknowledgment of receipt

Advance copy by email:

[ask+request-2378-
xxxxxxxx@xxxxxxxx.xxx](mailto:ask+request-2378-xxxxxxxx@xxxxxxxx.xxx)

Dear Sir/Madam,

Subject: Your application for access to documents – Ref GestDem No 2015/5802

We refer to your e-mail dated 2/11/2015 in which you make a request for access to documents, registered on 4/11/2015 under the above mentioned reference number.

You request access to *all exchanges between each and every selected Commission official [...] and each and every stakeholder organisations [...] either individually or collectively, and exchanges internal to the Commission relating to these exchanges in relation to biofuels and indirect land-use change (in particular the preparation of the European Commission's 2012 proposal on the issue)* for the time period between 1 July 2012 and 18 October 2012.

The Commission officials that you have selected include:

- Former RTD Commissioner Ms Geoghegan-Quinn;
- All members of her former cabinet;
- DG RTD Director-General and his advisors;
- Relevant DG RTD Director during the time scope of this request and his/her counsellors, secretary and assistants;

- All members of relevant DG RTD units.

The stakeholders organisations that you have selected include:

a) Industry.

- Sofiprotéol and its subsidiaries and affiliated organisations,

Including: Diester Industrie and Diester Industrie International, Société Agro Industrielle de Patrimoine Oléagineux (Saipol) and Société Interoléagineuse d'Assistance et de Développement.

- BP p.l.c (BP) and BP Biofuels.

b) Civil Society Organisations

- Transport & Environment
- Oxfam International
- Friends of the Earth Europe

c) Trade associations and organisations.

- European Farmers (COPA) and European Agri-cooperatives (COGECA).
- European Biodiesel Board (EBB).
- European Producers Union of Renewable Ethanol (ePURE).
- The EU Vegetable Oil and Proteinmeal Industry (FEDIOL).

d) Consultancies and Public Affairs firms

- Hill & Knowlton International Belgium (H+K).
- Fleishman-Hillard.
- G Plus Ltd (gplus brussels).
- FIPRA International Limited (FIPRA).
- The Skill Set

We have retrieved 36 documents falling within the scope of your request. Please find in attachment the list and description of these documents. For your convenience we have split the documents in 17 titles.

Most of the documents are emails exchanged internally in the Commission or externally between the Commission and external stakeholders. Therefore most of the documents contain personal data, in particular the names of EU staff and external stakeholders.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of

individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable².

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data (besides the names of Commission's staff and external stakeholders who are in senior management positions).

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/282
B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

[e-Signed]

Liliane De Wolf

Annex: List and description of documents

¹ Official Journal L 8 of 12.1.2001, p. 1

² Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.