



**EUROPEAN COMMISSION**  
**DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY**

Food chain: stakeholder and international relations  
**Bilateral International relations**

Brussels,  
SANTE D3/BK/js(2016) 2664249

***By registered letter with acknowledgment of receipt***

***Advance copy by email:***  
ask+request-2679-eb14de48@asktheeu.org

Dear Ms Tansey,

**Subject: Your application for access to documents – Ref GestDem No 2016/1237**

We refer to your email dated 10/03/2016 in which you make a request for access to documents, registered on 11/03/2016 under the above mentioned reference number.

You request access to “*correspondence, including emails, between DG Sante officials and DG Trade officials concerning chemicals and/or pesticides in TTIP, since 1 November 2014*”.

Your application concerns the following documents:

1. An email on the subject of “DVC olive oil today” registered under the reference number Ares(2015)5503648 – 01/12/2015;
2. A meeting report of the meeting on 14 September 2015 between COM and PAN Europe on endocrine disruptors, chemicals and TTIP to clarify the scope of an access to documents request from PAN (2015/3059) registered under the reference number Ares(2015)3867489 – 18/09/2015.

The documents to which you have requested access contain personal data.

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 data<sup>1</sup>.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable<sup>2</sup>.

Ms Rachel Tansey  
Corporate Europe Observatory (CEO)  
Rue d’Edimbourg 26  
1050 Brussels

<sup>1</sup> Official Journal L 8 of 12.1.2001, p. 1.

<sup>2</sup> Judgment of the Court of Justice of the EU of 29 June 2010 in case C-28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-6055.

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/or 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 these personal data.

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 (EC) No 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](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

A handwritten signature in black ink, consisting of a long horizontal stroke with a vertical line intersecting it near the center, and a small loop at the end.

Koen Van Dyck  
Head of Unit

Enclosure: Two documents: - Ref. Ares(2015)3867489, Ref. Ares(2015)5503648