



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

**Food and feed safety, innovation**  
**Pesticides and biocides**

SANTE/E4/AS/np

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

Ms Rachel Tansey  
Corporate Europe Observatory  
Rue d'Edimbourg, 26  
B - 1050 Brussels

***Advance copy by email :*** [ask+request-2800-445eeb54@asktheeu.org](mailto:ask+request-2800-445eeb54@asktheeu.org)

Dear Ms Tansey,

**Subject: Your application for access to documents – Ref GestDem No 2016/2149**

We refer to your email dated 20/04/2016 in which you make a request for access to documents, registered on 22/04/2016 under the above mentioned reference number which refers to part of your request.

**1. Scope of your request**

On the basis of Regulation (EC) No 1049/2001, you asked access to *"all communication, including emails, and documents (agenda, minutes, list of participants, etc) relating to:*

- the meeting of Commissioner Vytenis Andriukaitis and Nathalie Chaze with COPA-COGECA, CEFIC, Freshfel and ECPA on 04/04/2016, on the subject of "Endocrine disruptors"*
- the meeting of Nathalie Chaze with the European Chemical Industry Council (Cefic) on 15/03/2016, on the subject of "Endocrine disruptors"*.

**2. Identification and assessment of the concerned documents**

We have identified three documents as falling under the scope of your requests.

Having examined the documents, we have come to the conclusion that full access cannot be granted to any of the documents. Partial access, due to the protection of personal data, can be granted to the documents under numbers 1, 2, and 3.

Please find attached all the documents falling under the scope of your request, as well as a table which specifies the provision of Regulation (EC) No 1049/2001 on the basis of which access was granted partially.

You may reuse Commission documents free of charge for non-commercial and commercial purposes provided that the source is acknowledged, that you do not distort the original

meaning or message of the documents. Documents originating from third parties cannot be re-used without the agreement of the originators.

### 3. Protection of personal data

Some of the requested documents contain personal data, such as names, email addresses and telephone numbers of Commission's non-senior managerial staff and third parties. 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 EU legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001<sup>1</sup>.

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

If you wish to receive these personal data, we invite you to provide us with arguments showing the need for having these personal data transferred to you and the absence of adverse effects to the legitimate rights of the persons whose personal data should be disclosed.

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 faithfully,



Michael Flüh  
Head of Unit

<sup>1</sup> 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 (OJ L 8, 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-06055.