



EUROPEAN COMMISSION

Secretariat-General

Directorate B – Institutional and Administrative Policies
SG.B.2-Institutional Affairs

Brussels, 16 May 2017
Ares(2017)

PARTIAL ACCESS

Access granted to the documents with **personal data removed** –

EU or EEA recipients

Mr Pascal Durand, MEP

Rue du Viaduc, 84
B - 1050 Bruxelles

By registered letter with acknowledgment of receipt

Advance copy by email: Juliette Leroux [<mailto:ask+request-4114-21fe8cc1@asktheeu.org>]

Dear Madam,
Dear Sir,

Subject: Your application for access to documents – Ref. GestDem No 2017/1941

We refer to your e-mail dated 23/03/2017 in which you make a request for access to documents, registered on 29/03/2017 under the above mentioned reference number.

You request access to:

- list of meetings held between officials/and or members of the European Commission and industry representatives, including the biotechnology, seeds, pesticides, agri-food and pharmaceutical industry, between now and 1 January 2016 on the issue of the review of the comitology regulation – notably on the Proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 182/2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers - 2017/035 (COD);
- minutes or notes of these meetings;
- copies of emails or other correspondence between officials/and or members of the European Commission and industry representatives, including the biotechnology, seeds, pesticides, agri-food and pharmaceutical industry between now and 1 January

2016 on the issue of the review of the comitology regulation – notably on the Proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 182/2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers - 2017/035 (COD).

Our services identified the following 18 documents falling under the scope of your application:

No	Author	Addressee	Date	Title/subject	Comments
1	18 European Associations	European Commission	13.02.2017	Joint Statement: The EU must not change the comitology system to the detriment of innovation and the single market	Full access
2	Eric Cornut/EFPIA	President Juncker FVP Timmermans	14.02.2017	Comitology Reform	Full access
3	Léon Delvaux	Eric Cornut	27.02.2017	Reply to letter	Full access
3bis	Ben Smulders	Eric Cornut	03.05.2017	Reply to letter	Full access
4	Graeme Taylor/ECPA	Ben Smulders	31.01.2017	Better Regulation & Comitology	Full access
5	Mafalda Vasconcelos	Graeme Taylor	02.02.2017	Reply to letter	Full access
6	Thomas N. Sleight James T. Sutter	President Juncker FVP Timmermans Commissioners	10.02.2017	Concerns about the Comitology Reform and Innovation	Full access
7	Léon Delvaux	Thomas N. Sleight James T. Sutter	28.02.2017	Reply to letter	Full access
7bis	Frans Timmermans	Thomas N. Sleight	11.04.2017	Reply to letter	Full access

		James T. Sutter			
8	HollandBio/Annelies Verkamman	FVP Timmermans	31.01.2017	Hervorming Comitologie Verordening	Full access
9	Ben Smulders	Annelies Verkamman	27.02.2017	Reply to letter	Full access
10	GBE Polska	Elzbieta Bienkowska	31.01.2017	Reformy I zmiany procedury Komitologii	Full access
11	15 European Associations	President Juncker FVP Timmermans Commissioners	31.01.2017	Forthcoming Comitology Reform and Innovation	Full access
12	Jorgo Riss	FVP Timmermans Vytenis Andriukaitis	13.02.2017	Improved EU decision-making in the area of health and consumer protection	Full access
13	Léon Delvaux	Jorgo Riss	28.02.2017	Reply to letter	Full access
14	DG SANTE official	DG SANTE officials	14.03.2017	BTO – meeting of ECPA legal advisor expert group	Personal data removed Out of scope
15	SG official	SG officials	17.03.2017	Meeting report – T&E – comitology proposal	Personal data removed
16	SG official	SG officials	15.03.2017	Comitology & EuropaBio	Personal data removed

Some of the documents to which you have requested access contain personal data, in particular names and office addresses.

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/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 this personal data.

Moreover, in document 14, several paragraphs contained information linked to policy files outside the scope of this request. Therefore, they have been redacted.

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,

Henning Klaus
Head of Unit

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.