



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Consumer, Environmental and Health Technologies
Director

Brussels,
GROW/D2/AS/as/ARES(2017)

By registered letter with acknowledgment of receipt

Ms Nina Holland
Corporate Europe Observatory
Rue d'Edimbourg 26
1050 Brussels

Advance copy by email:

ask+request-4289-0c2dbf92@asktheeu.org

Dear Ms Holland,

Subject: Your application for access to documents – Ref GestDem No 2017/2881

We refer to your e-mail dated 12/05/2017 in which you make a request for access to documents, registered on 15/05/2017 under the above mentioned reference number.

You request access to "1. Any documents between January 2016 and now [15/05/2017], including briefings, reports, correspondence (email or other), where the active substance glyphosate is concerned or mentioned, between DG GROW (Commissioner, cabinet and officials) and officials/representatives of:

- Monsanto or any other company producing glyphosate
- Glyphosate Task Force
- Hume Brophy or any other firm representing industry with an interest in glyphosate
- European Crop Protection Association (ECPA)
- the German government
- DG Trade (Commissioner, cabinet and officials)
- DG Competition (Commissioner, cabinet and officials)
- First Vice-President Frans Timmermans and cabinet
- Commission President Jean Claude Juncker and cabinet
- the Commission's Secretary-General and Secretariat-General officials

2. A list of meetings, as well as agendas and minutes or any other reports of such meetings, also between January 2016 and now, where the active substance glyphosate is concerned or mentioned, between DG GROW (Commissioner, cabinet and officials) and officials/representatives of the entities mentioned in the list under 1."

Your application concerns three documents listed in the Annex.

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 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.

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,



Carlo Pettinelli

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.