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Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Consumer, Environmental and Health Technologies

Director

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Ms Vicky Cann
Corporate Europe Observatory
Rue d'Edimbourg, 26
BE – 1050 Brussels
Advance copy by email:
ask+request-4909-
8681b28a@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2018/1755

Dear Ms Cann,

We refer to your e-mail of 21/03/2018 in which you make a request for access to documents, registered in our services on 21/03/2018 under the above mentioned reference number.

Your application concerns the following documents:

The minutes of these meetings where endocrine-disrupting chemicals were discussed:

a) 19/05/2017 ECVI / VinylPlus / EUPC

b) 21/11/2017 Mary Key Interel

Having examined your requests under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, we have come to the conclusion that the requested documents may be partially disclosed. Some parts of the documents have been blanked out as these were outside the scope of your request or because their disclosure is prevented by exception to the right of access laid down in Article 4.1(b) of this Regulation.

The parts of the documents which contain personal data, in particular names, functions and contact details of Commission staff and stakeholders' representatives, cannot be disclosed. 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 European Union 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.

¹ OJ L 8 of 12.1.2001, p. 1

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 document requested with these personal data expunged.

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.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position. Such a confirmatory application should be addressed within 15 working days of 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 5/327
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,



Carlo Pettinelli

Encl.: - document register and 2 documents partially disclosed

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.