

Parma, 27 February 2018
Ref. DD/LV/mm (2018) - out-19123850

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Re: Your request for public access to documents of 16 January 2018

Our ref.: PAD 2018/001

Dear Ms Izuzquiza,

I refer to your request of 16 January 2018, submitted from the website "AskTheEU.org", by means of which you asked for access to *"the travel expenses of EFSA's Director, for the period 1 January 2016 to 31 December 2016 inclusive"*, you indicate that you are *"looking for documents that contain, for each of the trips, the following information:*

- *Place of origin and destination, and the amount spent on travel or transportation;*
- *Exact dates and duration of the trip;*
- *Amount spent on accommodation;*
- *Amount spent on subsistence;*
- *Other information, such as possible miscellaneous costs.*

If the travel was by air taxi and a team of people were travelling, please also provide documents with details on the other travellers (at a minimum, names and job titles)."

Having assessed your application in accordance with Regulation (EC) No 1049/2001¹ on public access to documents (hereinafter *"the PAD Regulation"*), we would like to provide you with a response as follows:

1. Partial disclosure

We are pleased to grant you access to two documents that were identified as containing all the information you wish to obtain, in enclosure to this letter.

- Enclosure 1: Travel expenses of EFSA's Executive Director

In enclosure 1 to this letter, we are providing you with the statement of the travel expenses of the 24 trips of EFSA's Executive Director (ED) in the year 2016. The

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.5.2001, p. 43-48, applicable to EFSA.

document contains all the information to enable the Agency to efficiently process, control and cross check invoices for travel expenses of each mission.

Please note that for certain missions of EFSA's ED, the ceiling costs for accommodation provided for in the Staff Regulations² have been exceeded. However, these additional costs have been paid by the ED himself, as highlighted in the comment section of the document.

Finally, we can also confirm that no air taxis were used during the trips of EFSA's ED in the year 2016.

- Enclosure 2: Persons accompanying EFSA's Executive Director

In enclosure 2 to this letter, we are pleased to provide you with further information on the people accompanying EFSA's ED on his trips in 2016.

In particular, during the ED's trip to Reykjavik from 14 to 15 May 2017 (EFSA's mission reference 159984), EFSA was also represented by three staff members.

Please note that personal data (i.e. names of individuals) present in the document have been masked in accordance with Article 4(1)(b) of the PAD Regulation and Article 8(b) of the Data Protection Regulation (EC) No 45/2001³. According to these provisions, access to a document is refused when disclosure would undermine the privacy and integrity of the individual. In line with the settled case law of the Union Courts⁴, EFSA will only be able to balance the interests at stake and to consider the disclosure of personal data after you have provided an express and legitimate justification and convincing arguments in order to demonstrate the necessity of having personal data transferred to you.

2. Confirmatory Application

We hope you will find the disclosed documents useful. To exercise your right to appeal against this decision of partial disclosure (limited to the masking of the personal data) by a confirmatory application, pursuant to Article 7(2) of the PAD Regulation, you may write to EFSA at the address below. You have fifteen working days from receipt of this letter to appeal. Beyond this deadline, your initial request will be considered as satisfied. In case you submit a confirmatory application, EFSA will inform you of the outcome of this re-examination of your request within fifteen working days of receipt, either by granting you access to the documents or by confirming the refusal. In the latter case, you will also be informed of any further appeal routes available.

² See Article 112(2) and Annex VII, Article 13 of Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (OJ 45, 14.6.1962, p. 1385), as last amended.

³ 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. 1-22.

⁴ Judgement of the C-28/08 P, Commission v Bavarian Lager, ECLI:EU:C:2010:378.

Yours sincerely,

[Signed]

Dirk Detken

Encl.: 2

Cc.: F. Monnart (EFSA)