



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate I. Legal, institutional and procedural matters
I.3. Enforcement of legislation, Relations with the European Ombudsman and Access to documents

Brussels
AGRI.DDG3.I.3/KVK/RW D(2020)8525159

Ms Venetia ROXBURGH
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London
United Kingdom

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Dear Madam,

Subject: Your application for access to documents – GESTDEM 2020/7334

We refer to your e-mail of 25/11/2020 in which you make a request for access to documents, registered on 26/11/2020 under the above-mentioned reference number.

You request access to: *All documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to the meeting listed below:*

1. *Between Catherine Geslain Lanéelle, Cabinet member of Janusz Wojciechowski, Jorge Pinto Antunes, Cabinet member of Janusz Wojciechowski and Bayer on the 23rd July 2020*

Your application concerns the following documents:

LIST OF DOCUMENTS IDENTIFIED BY THE the Cabinet of Commissioner Wojciechowski FOR THE REQUEST OF ACCESS TO DOCUMENTS No Gestdem Gestdem 2020/7334

<i>N o</i>	<i>Title/kind (email, note) of document</i>	<i>Author of the document</i>	<i>Ares no and date of the document</i>	<i>AGRI decision</i>	<i>Comment or justification in case of refusal</i>
<i>1</i>	<i>Meeting request Bayer CropScience</i>	<i>Bayer CropScience</i>	<i>Ares(2020)35 47888</i>	<i>Give access</i>	<i>Personal data redacted</i>
<i>2</i>	<i>Minutes_meeting BAYER CropScience</i>	<i>DG AGRI</i>	<i>Ares(2020)41 22298_</i>	<i>Give access</i>	<i>Personal data redacted</i>
<i>3</i>	<i>Transparency register</i>	<i>Bayer CropScience</i>	<i>Ares(2020)71 43310</i>	<i>Give access</i>	<i>Personal data redacted</i>

With regard to the documents listed above, a complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons.

Article 9(1)(b) of the Data Protection Regulation¹ does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

You may reuse the documents numbers 1 and 3 disclosed free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

With regard to the document number 2, it was drawn up for internal use under the responsibility of the relevant services of the Directorate-General for Agriculture and Rural Development. It solely reflects the services' interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit 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 Secretariat-General of the Commission at the following address:

European Commission

Secretariat-General

Unit C.1. 'Transparency, Document Management and Access to Documents'

BERL 7/076

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

B-1049 Brussels,

or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Karl von Kempis
Head of Unit

Enclosure: 3 documents