



## LEGAL AND ASSURANCE SERVICES

Parma, 05 May 2021  
Ref. DD/MH/mm (2020) - out-24756028

Álvaro Merino

E-mail: [ask+request-8979-9a93dfcf@asktheeu.org](mailto:ask+request-8979-9a93dfcf@asktheeu.org)

**Re.: Your application for public access to documents of 05 February 2021**  
*Ref. PAD 2021/012*

Dear Mr Merino,

I refer to your application for public access to documents (hereinafter "*PAD application*") of 29 January 2021, submitted via the Ask EU website, by means of which you requested access to:

- i. *"Meeting records (emails, minutes, reports, briefing papers, drafts, memos...) involving officials and/or people representing the interests of the European agrocooperatives (COGECA), Coordinadora de Organizaciones de Agricultores y Ganaderos - Iniciativa Rural (COAG), Cooperativas Agro-alimentarias de España, and/or Organización Interprofesional Agroalimentaria del Porcino de Capa Blanca (ANPRO-GAPOR)", and*
- ii. *"Correspondence within your personnel and/or the European institutions".*

In a further communication dated 05 February 2021 via the Ask EU website you clarified that the temporal scope of your PAD application can be limited to "*documents originating from 2018 onwards*".

Your PAD application, as clarified on 05 February 2021, is being processed in accordance with [Regulation \(EC\) No 1049/2001](#) (hereinafter "*the PAD Regulation*"). Having regard to our e-mail of 19 March 2021 your PAD application is handled in successive stages, allowing for the identification and a detailed assessment on the accessibility of the documents falling within the scope of your PAD application in accordance with Article 6(3) of the PAD Regulation. By means of this e-mail we are pleased to provide you with a reply as concerns the accessibility of a **second batch of documents** within the scope of your PAD application as detailed in the subsequent paragraphs. EFSA commits to revert to you with a complementary reply by **28 May 2021 at the latest**.

We are pleased to provide you with partial access to a second batch of documents consisting of unpublished documents, including e-mails, briefing notes and agendas, concerning meetings involving representatives of COPA COGECA in the context of EFSA's various stakeholder engagement models that were introduced to you in our e-mail of 19 March 2021. The documents disclosed to you correspond to point i. of your PAD application.

Partial access implies that certain personal data (i.e. names, contact details and other information allowing the direct and/or indirect identification of certain data subjects)

contained in the documents disclosed to you have been considered to fall under the exception to disclosure set out in Article 4(1)(b) of the PAD Regulation. As follows from settled case law of the Court of Justice of the European Union, Article 4(1)(b) of the PAD Regulation must be construed as referring to the European Data Protection Regulation (EU) 2018/1725 which applies in its entirety. If you wish to obtain access to these personal data, we invite you to provide us with arguments demonstrating the need to disclose these data to you and the absence of adverse effects on the legitimate privacy interests of the persons concerned.

We should further point out that personal data contained in these documents were masked manually and EFSA cannot fully exclude the possibility that certain personal data are inadvertently disclosed to you. Should this be the case, we urge you to treat any such residual personal data in accordance with your responsibilities as data controller under the General Data Protection Regulation (EU) 2016/679 thereby applying utmost discretion in order to avoid any prejudice to the privacy interests of the individual(s) concerned.

To exercise your right to appeal against this decision by a confirmatory application, you may write to EFSA at the address below. You have fifteen working days from receipt of this e-mail to appeal. Please note that you can also exercise your right to appeal against this decision after your request for public access to documents has been fully addressed, i.e. after the final reply to your pending request has been sent to you. In case you submit a confirmatory application, EFSA will inform you of the outcome of the re-examination of your request within fifteen working days of receipt. In case the re-examination results in a confirmation of the present partial disclosure, you will also be informed of any further appeal routes available.

Your confirmatory application must be sent to:

EFSA – Dirk Detken, Head of Legal and Assurance Services  
Via Carlo Magno, 1/A  
IT- 43126 Parma  
Italy  
E-mail: [dirk.detken@efsa.europa.eu](mailto:dirk.detken@efsa.europa.eu)

Yours sincerely,

Luisa Venier  
EFSA Public access to documents team

Cc: V. Villamar (EFSA)  
Encl.: 16