Subject: Your application for access to documents 2023/3655

Dear Sir,

We refer to your request for access to European Commission documents registered on 27 June 2023 under the above-mentioned reference number.

Please note that due to the wide scope of your request, covering also areas falling under the responsibility of other Directorates-General, parts of your request have been attributed to other Directorates-General (1). This reply relates only to the documents held by the Joint Research Centre. You will receive the replies from the other respective Directorates-General in due course.

You request access to “all reports whether in draft form or finalised of the studies conducted by contractors or the JRC in relation to the REACH revision, including but not limited to the studies listed in the link: https://ec.europa.eu/environment/pdf/che... In this context, we expressly request access to the (draft) study to support the impact assessment for potential amendments of the REACH Regulation to extend the use of the generic risk management approach to further hazard classes and uses, and to reform REACH authorisation and restriction (done by VVA)”. You also mention a list of studies that are not the object of the present request as you already have access to them.

JRC was leading an action under the Chemicals Strategy for Sustainability to develop options for revising the Standard Information Requirements under REACH to inform the Impact Assessment. The strategy was to set up a frame spanning over a range of possibilities considering additional testing for extended information requirements on critical hazards, including Endocrine Disruption (ED), and on the other hand including additional New Approach Methods (NAMs) to replace animal testing, and also trying to reduce certain current animal testing rarely used to balance additional animal testing included for the newly

(1) Case 2023/3653 (DG ENV) and 2023/3654 (DG GROW)

The survey results are summarised in two presentations of the JRC Survey on NAMs, both identified as falling under the scope of your request:

- Document 1: Presentation of the JRC Survey on NAMs at the EPAA, 23 November 2021, reference Ares(2023)4790990;
- Document 2: Presentation by the JRC on the Revised hazard information requirement Options for the REACH Impact Assessment at the 43d Meeting of Competent Authorities for REACH and CLP, 27 January 2022, reference Ares(2023)4791037

With regard to document 2, a complete disclosure 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 names of Commission staff members not pertaining to the senior management.

Article 9(1)(b) of the Data Protection Regulation 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.

The JRC does not hold other documents falling under you request as JRC studies are commonly published and available for download on internet. Taking into account the references in your request, you may also be interested in the following technical reports from the JRC:

  https://publications.jrc.ec.europa.eu/repository/handle/JRC59476
You may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf based on the Commission Decision on the reuse of Commission documents. You may reuse the documents 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.

In case you would disagree with the exception applied to document 2, 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 to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it

**by mail, to:**

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles

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

Yours faithfully,

Qualified electronic signature by:
MAURICE PATRICK WHELAN
Date: 2023-07-20 11:57:45 +02:00

Maurice WHELAN
Head of Unit

Enclosures: Two documents