



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

The Director-General

Brussels,
DG/JP/R.6/VA D(2014) 2630498

**Subject: Your applications for access to documents – Ref GestDem
No 2014/2854 and 2014/2860**

Dear Sir,

We refer to your e-mails dated 13/06/2014 and 16/06/2014 in which you make requests for access to documents, registered on 13/06/2014 and 16/06/2014 respectively under the above mentioned reference number.

The documents which you seek to obtain relate to contracts between Rabobank and the Directorate for Agriculture and Rural Development and correspondence between DG AGRI and Rabobank employees.

We have identified 5 documents related to your requests of which a list is attached as well as 4 of the identified documents.

You may reuse the documents disclosed free of charge for non-commercial and commercial purposes provided that the source is acknowledged, 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.

The document mentioned at the point 5 of the list is publicly available at the following link and for this reason does not fall under Regulation (EC) No 1049/2001:

http://ec.europa.eu/agriculture/consultations/advisory-groups/cereals/index_en.htm

Please note that some documents contain personal data that have been removed. 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 Community 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.

Mr Luke Dale-Harris
ask+request-1371-cdf86009@asktheeu.org

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 that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

If you wish to receive these personal data, we invite you to provide us with arguments showing the need for having these personal data transferred to you and the absence of adverse effects to the legitimate rights of the persons whose personal data should be disclosed.

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 (EC) No 1049/2001, to make 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 Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-5
BERL 5/327
B-1049 Bruxelles

or by email to: xxxxxxxxxx@xx.xxxxxx.xx

Yours faithfully,



Jerzy PLEWA

Attachments: 6

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, not yet reported.