

EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Safety of the Food Chain
Innovation and Sustainability

Brussels,
SANTE/E6/GG/aj / (2015)

Ms Mute SCHIMPF
Friends of the Earth Europe
Rue d'Edimbourg 26
1050 Brussels
Belgium

*By registered letter with acknowledgement
of receipt*

Advance copy by email:

ask+request-1865-53f015e8@asktheeu.org
mute.schimpf@foeeurope.org

Dear Ms Schimpf,

Subject: Your application for access to documents – Ref GestDem 2015/1894

We refer to your e-mail dated 27 March 2015 in which you make a request for access to documents, registered on 30 March 2015 under the above-mentioned reference number.

Your application concerns the documents on the topic of cloning/food from cloned animals and their descendants produced between 1 July 2011 and 26 March 2015. You requested all correspondence (including e-mails), the list of meetings with detailed minutes and any other reports of such meetings between DG SANCO/SANTE's Commissioner, cabinet and officials; and representatives of the following organisations: American Chamber of Commerce to the European Union (AmCham EU), Governments of USA, Canada, Argentina, Chile, Mexico, Brazil (incl. USDA and equivalent departments), Chambers of Commerce or similar institutions of USA, Canada, Argentina, Chile, Mexico, Brazil, Breeding companies and associations (from EU and USA), farmer's organisations from EU and USA (as Copa-Cogega, NFU, DBV, IFA), BusinessEurope, Europabio and their members, UK Government, German Government, DG Trade and EFSA.

On 20 May 2015 and 10 June 2015 we had already provided you with a first and second partial reply to your request.

The expunged parts of the correspondence from Compassion in World Farming, International Embryo Transfer Society, the e-mail from the European Livestock and Meat Trades Union, and the e-mail from the Embajada de Argentina ante la UE (identified as documents nos 1, 2, 5 and 6) concern personal data. 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 Union 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 data*¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable. 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/or 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.

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.

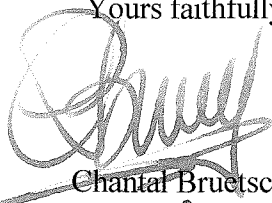
Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission (address further below).

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled 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-4
BERL 5/327
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,



Chantal Bruetschy

Encl.: Table
7 annexes

¹ The legislation of the European Union is available for free in all official languages at <http://eur-lex.europa.eu/homepage.html>.