



## EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Consumer, Environmental and Health Technologies  
Biotechnology and Food Supply Chain  
Head of Unit

Brussels, **16 DEC. 2015**  
GROW/D3/TH/dr(2015) 6492117

Ms Giulia Paravicini  
POLITICO Europe  
Rue de la Loi, 62  
1040 Brussels

***By registered letter with acknowledgment of receipt***

***Advance copy by email:***  
[ask+request-2366-2efffce2@asktheeu.org](mailto:ask+request-2366-2efffce2@asktheeu.org)

**Subject: Your application for access to documents – Ref GestDem No 2015/5598**

Dear Madam,

We refer to your e-mail dated 27/10/2015 in which you make a request for access to documents, registered on 27/10/2015 under the above mentioned reference number.

You request access to

*(1) all documents, correspondence, logs related to the establishment of the Expert group on Corporate Responsibility in the field of Pharmaceuticals*

*(2) all documents produced from the Expert Group up to now*

*(3) the name of the contact person from the EU commission who guides the expert group and his or her qualification (including details of the academic education).*

*(4) all the people rejected to join*

*(5) has there been a personal invitation through email or verbally to inform the current members about the establishment of this expert group. Telling them they should apply? If yes, please provide the documents and who was contacted.*

I consider your request to cover documents held up to the date of your initial application, i.e. the 28/10/2015.

Your application concerns the documents compiled in the Annex GESTDEM 2015\_5598- Document register.

(1) The correspondence (e-mails, invitations) related to the establishment of the expert group are compiled in the annex Gestdem 2015\_5598- Document register

(2) The following DG GROW website link contains the deliverables of the Steering Group and sub groups including the Terms of Reference and the minutes of the Steering Group:

[http://ec.europa.eu/growth/sectors/healthcare/competitiveness/corporate-responsibility/index\\_en.htm](http://ec.europa.eu/growth/sectors/healthcare/competitiveness/corporate-responsibility/index_en.htm)

(3) As regards the names of the contact persons from the EU Commission who guided the expert group, they are: Georgette Lalis, Pedro Ortún and Gwenole Cozigou, Directors. With regard to your request to disclose details on her/his qualification, this constitutes personal data not to be disclosed according to Regulation 45/2001.

(4+5) To our best knowledge all relevant European associations were represented in one or more of the different working groups/Steering Group. Individual participation of companies and national associations was not considered. This message was communicated to a wider audience, in particular in the speech by Vice-President Tajani on 24 September 2010 (see enclosure).

Some of the documents to which you have requested access contain personal data, in particular: names, function, telephone number or e-mail.

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 data<sup>1</sup>.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable<sup>2</sup>.

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

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<sup>1</sup> Official Journal L 8 of 12.1.2001, p. 1

<sup>2</sup> Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.


protection, you are entitled, in accordance with Article 7(2) of Regulation 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-4  
BERL 5/282  
B-1049 Bruxelles

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

  
Christian Siebert