



EUROPEAN COMMISSION
Secretariat-General

Directorate E - Policy Co-ordination II
SG.E.1-Citizens and Security

Brussels, 19.04.2016
WS/SF/lb

Ms. N. Holland
Corporate Europe Observatory
Rue d'Edimbourg 26
BE-1050 Brussels

By registered letter with acknowledgment of receipt

Advance copy by email: ask+request-2731-17775650@asktheeu.org

Dear Madam,

Subject: Your application for access to documents – Ref GestDem No 2016/1578

We refer to your e-mail dated 25/03/2016 in which you make a request for access to documents, registered on 30/03/2016 under the above mentioned reference number.

You request access to the following documents:

"From the office of the First Vice-President of the European Commission Frans Timmermans (the Vice-President, his team, staff members) documents which contain the following information:

Any documents since January 1st 2015, including briefings, reports, correspondence (email or other), and a list of meetings (also since January 1st 2015) with detailed minutes and any other reports of such meetings, concerning the regulation of new plantbreeding within the EU.

Any documents since January 1st 2015 including briefings, reports, correspondence (email or other), and a list of meetings (also since January 1st 2015) with detailed minutes and any other reports of such meetings, concerning the policy process the European Commission is considering to to determine the regulatory status of new plant breeding techniques in the EU.

Of particular interest are any documents (as listed above) received from and responding to new plant breeding developers and their representatives, including but not limited to: Europabio, the New Breeding Techniques Platform, the US Mission to the EU, the Biotechnology Industry Organisation, the European Plant Science Organisation (EPSO), CropLife, the European Seed Association, lobby consultancies (such as Schuttelaar & Partners) and individual companies and research institutions.

By new plant breeding methods, we mean those techniques that were the subject of the New Techniques Working Group report (2012) and the subject of various reports by the JRC."

Your application concerns an exchange of e-mails between Greenpeace European Unit and the cabinet of the first Vice-President Timmermans (attached).

The documents to which you have requested access contain personal data, in particular name and contact details of individuals.

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.¹

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

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 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

Yours sincerely,



William SLEATH
Head of Unit

Enclosure

¹ Official Journal L 8 of 12.1.2001, p. 1.

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, ECR 2010 I-06055.