



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

The Director-General

Brussels,
DG/JP/L.3/VA D(2017) 415002

Ms. Myriam Douo
Friends of the Earth Europe
Mundo B Building Rue
D'Edimbourg 26 1050 Brussels

By registered letter with acknowledgment of receipt

Advance copy by email:
ask+request-3628-b77529ba@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2016/7156

Dear Madam,

We refer to your e-mail dated 20/12/2016 in which you make a request for access to documents, registered on 20/12/2016 under the above mentioned reference number.

You request access to all types of document (email, letters, minutes, date and attendees list of meetings) constituting bilateral or multilateral interactions between DG Agri and Dow Chemicals, Dupont, Syngenta, Bayer and Monsanto during the past year.

We have identified 6 documents related to your request of which a list is attached as well as the documents identified.

You may reuse the documents requested 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.

Having examined the phrase in page 1, paragraph 4 of the document 6, under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I regret to inform you that it cannot be granted, as disclosure is prevented by exception to the right of access laid down in Article 4 of this Regulation.

This part of the document which you seek to obtain contains commercially sensitive business information of the company that submitted it; Its disclosure would undermine the protection of the commercial interests of the company that submitted it, as putting this information in the public domain would affect its competitive position on the market. Therefore the exception laid down in Article 4(2) first indent of Regulation (EC) No 1049/2001 applies to this document.

The exception laid down in Article 4(2) of Regulation 1049/2001 apply unless there is an overriding public interest in disclosure of the document which is not demonstrated in this

case. Moreover, the last paragraph of the document no 6 is out of scope and for this reason it was redacted.

The documents to which you have requested access contain 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 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. 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 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 accordance with Article 7(2) of Regulation 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 5/282
B-1049 Bruxelles

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

Yours faithfully,



Pour le Directeur Général empêché
Rudolf MOEGELE
Directeur Général Adjoint

Jerzy PLEWA

[Encl. 6 doc. + 1 list](#)

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.