

Parma, 31 May 2017
Ref. DD/CR/mm (2017) - out-17750760

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Re: Your request for information of 10 April 2017

Our former ref: PAD 2017/023

Dear Mr Harmsen,

I refer to your request dated 10 April 2017, by means of which you requested access to *'the names of all EFSA staff members -- specifically, but not limited to, members of EFSA's pesticide Unit - and experts from Member States, and possibly also other individuals, involved in the peer review of the pesticide risk assessment of the active substance glyphosate'*.

Please note that conversely to previously acknowledged, this request does not qualify as a request for public access to documents in the sense of Regulation (EC) No 1049/2001 on public access to documents¹ but as a request for information and is therefore processed as such.

1. Request for the names of experts from EU Member States involved in the peer review of the active substance glyphosate

In line with EFSA's commitment to high standards of transparency and engagement in Risk Assessment, we are pleased to provide you herewith enclosed with the list of Member States' Risk Assessment organizations involved in the peer review of the active substance glyphosate under Regulation (EC) No. 1107/2009² concerning the placing of plant protection products on the market.

As concerns your request to receive the names of the experts from EU Member States involved in the peer review, please be informed that in the framework of previous requests received on the same subject, EFSA liaised with the 73 Member State representatives who attended the experts' meetings organised by EFSA on the assessment of glyphosate. We specifically requested for their views under Regulation

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.5.2001, p. 43-48, applicable to EFSA.

² Regulation (EC) No 1107/2009 of the European Parliament and the Council of 21 October 2009 concerning the placing of plant protection products on the market, OJ L 322, 8.12.2010, p. 10-19.

(EC) No 45/2001³ for sharing personal data with the concerned interested parties and with the public, namely the information that they represented their administration at the experts meetings organised by EFSA in the context of the peer review of the assessment of glyphosate. EFSA also liaised with the two external experts invited to attend the meetings in their personal capacity selected on the basis of their expertise regarding the specific items on the agenda.

Therefore, the list only contains the names of the Member States experts', as far as they agreed to the disclosure of their names as Member State representatives and the names of the two external experts.

2. Request for the names of EFSA staff involved in the peer review of the active substance glyphosate

Addressing your specific request for receiving the names of the EFSA staff that have been involved in the glyphosate peer review, we are pleased to highlight to you that EFSA's website includes information on the names and contact details of the senior and middle management levels within the agency, including the Head of the Pesticides Unit⁴ responsible for the peer review of the active substance glyphosate. This publicly available information on EFSA's operational management fully meets the needs and requirements of the public to be able to contact the agency and its staff in an easy manner in the different areas of operation.

On the other hand, as concerns your specific request to receive the names of the EFSA staff that have been involved in the glyphosate peer review which are not publicly available, we regret to inform you that EFSA is not in a position to provide you with this information as it constitutes personal data in the meaning of Regulation (EC) No 45/2001. In accordance with Article 8(b) thereof, personal data can only be transferred if two cumulative conditions are fulfilled, namely (1) *'the recipient establishes the necessity of having the data transferred'* and (2) *'if there is no reason to assume that the data subject's legitimate interests might be prejudiced'*. Having assessed your request, EFSA concludes that at least the first of these conditions has not been fulfilled, since your e-mail request of 10 April 2017 does not in any way substantiate the need for you to receive the names of the staff involved in the Glyphosate peer review.

We are confident that this reply satisfies your query, however we remain at your disposal for any further clarification.

Yours sincerely,


Dirk Detken

Encl.: The list of Member States' Risk Assessment organizations/representatives involved in the peer review of active substances (Annex I)

Cc: J. Tarazona (EFSA)

³ 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, OJ L 8, 12.1.2001, p. 1-22, applicable to EFSA.

⁴ The information on the operational management is available on EFSA's website:
<http://www.efsa.europa.eu/en/people/operationalmanagement>