



EUROPEAN COMMISSION  
ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL

Director-General

Brussels,  
ENTR/F4/HJ/dr (2013) 2053709

Dear Mr. Sanchez,

**Subject: Your application for access to documents – Ref GestDem No 2360/2013**

We refer to your e-mail dated 2 May 2013 in which you make a request for access to documents, registered on 3 May 2013 and extended on 29 May 2013 under the above mentioned reference number.

Your application concerns the following documents:

- all correspondence (including emails) between DG Enterprise and Industry officials and/or representatives (including the Commissioner and the Cabinet) and representatives of EuropaBio related to public-private partnerships in life sciences research and innovation under Horizon 2020 between January 2012 and today.

We enclose the available correspondence with the organisation mentioned in the request.

Please note that the document to which you have requested access contains 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 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 that it cannot be assumed

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<sup>1</sup> OJ 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, not yet reported

that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested with this personal data removed.

If you wish to receive this personal data, we invite you to provide us with arguments showing the need for having this personal data transferred to you and the absence of adverse effects to the legitimate rights of the persons whose personal data should be disclosed.

In case you would disagree with the assessment that the removed data is 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-5  
BERL 5/327  
B-1049 Bruxelles

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

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'D. Calleja', with a horizontal line underneath.

Daniel Calleja