



EUROPEAN COMMISSION
HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Director General

Brussels,
SANCO/KN/iv

Dear Ms Horel,

Subject: Your application for access to documents – Ref GestDem No 3787/2013

We refer to your e-mail dated 11 July 2013 in which you make a request for access to documents, registered on 17 July 2013 under the above mentioned reference number.

Your request refers to: *"all correspondence (including emails) between Secretariat General officials and...DG SANCO's officials on endocrine disruptors (also spelled: disruptors) between April 2011 and July 2013."* We have identified the following documents, as falling under the scope of your request¹:

- A Note by SG to DG SANCO and DG ENV of 02/07/2013
- An email exchange DG SANCO and SG of 12/03/2013
- An email from the Director General of DG SANCO to Deputy Secretary General of SG of 01/03/2013

Please note that these documents are internal and do not reflect any final position of the Commission. They cannot be reproduced or disseminated for commercial purposes without prior consent given by the Commission.

Please also note that some of the documents listed above 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 data².

¹ Correspondence where DG SANCO officials were in CC (not addressed directly) will be covered by the access to document requests you submitted simultaneously, which are registered under Ref GestDem 3765/2013 and GestDem 3788/2013 and are managed by DG ENV and DG ENTR, respectively. We consider this the most sensible procedure in order to make the best use of public resources and count on your understanding on this issue.

² OJ L 8 of 12.1.2001, p. 1

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable³. 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 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.

If you wish to receive these personal data, we invite you to provide us with arguments showing the need for having these 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 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-5
BERL 5/327
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,


Paola Testori Coggi

For the Director General absent,
Martin SEYCHELL
Deputy Director General

Ms Stéphane Horel
e-mail: ask+request-650-477705f1@asktheeu.org

cc: SG, DG ENTR, DG ENV (functional mailboxes)

³ 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