



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT

The Director-General

Brussels,
ENV.A.3/JZ/np

Ms Stéphane Horel

By e-mail: ask+request-658-41d96814@asktheeu.org

Dear Ms Horel,

Subject: Your applications for access to documents – Ref GestDem No 2013 – 3664

I refer to your e-mail dated 11/07/2013 in which you make a request for access to documents, registered on 17/07/2013 under the above mentioned reference number, and to our subsequent correspondence.

The initial deadline to respond was extended with two holding replies Ref. Ares (2013)2814666 - 02/08/2013 and Ref. Ares (2013) 3070470 of 17/09/2013 following an agreement with you by telephone conversations. Meanwhile, a number of documents on the correspondence between DG-Environment's officials and several stakeholders on the topic of Endocrine Disruptors has been disclosed to you under Ref. Ares (2013)3180360 of 03/10/2013 (Ref GestDem No 2013 – 3653). I apologise for the further delay in finalising this answer.

Most of the documents identified originate from third parties whose agreement for disclosure we have already received. However, there are still a few documents which can only be sent after the approval from the author. Having examined these documents, I have come to the conclusion that some parts of them have to be blanked out as their disclosure is prevented by the exception to the right of access laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001, which reads that 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.

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

Based on 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, the requested documents are expunged from this personal data.

If you wish to receive these personal data, I invite you to provide 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-4
BERL 5/327
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,


Karl Falkenberg

Annexes: List with meetings
List with the disclosed documents