



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

**Crisis management in food, animals and plants**

SANTE.DDG1.B.3/IG

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*By email only to: [ask+request-7878-b5afe969@asktheeu.org](mailto:ask+request-7878-b5afe969@asktheeu.org)*

Dear Mr Hoedeman,

**Subject: Your application for access to documents – GESTDEM 2020/2320**

We refer to your e-mail of 22 April 2020 in which you make a request for access to documents, registered on the same date under the above-mentioned reference number.

We also refer to our letter of 12 May 2020 extending the time limit to respond to your request according to Article 7(3) of Regulation (EC) No 1049/2001.

**1. Scope of your request**

Under the right of access to documents in the EU treaties, as developed in Regulation (EC) 1049/2001, you request access to:

- minutes and other reports of meetings between the European Commission's DG SANTE and representatives of the European Union of Private Hospitals (UEHP) between February 2017 and today;

- all correspondence (including emails) between the European Commission's DG SANTE and representatives of the European Union of Private Hospitals (UEHP) between February 2017 and today.

We consider your request to cover documents held up to the date of your initial application, i.e. 22 April 2020.

## **2. Identification and assessment of documents**

We have identified 19 documents that fall within the scope of your request.

You will find attached a table listing the identified documents and summarising the outcome of the assessment carried out on the basis of Regulation (EC) No 1049/2001.

## **3. Reasons for partial disclosure**

With regard to document 1a, 2a, 2b, 3a, 4a, 4b, 5a, 5b, 6a, 6b, 7a, 8a, 8b, 9b and 9c in the attached table, a complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons;
- handwritten signatures/abbreviated signatures of natural persons;
- other information relating to an identified or identifiable natural person contact information/email.

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, we conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

You may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of Commission documents](#). You may reuse the documents disclosed free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and 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.

Please note that documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules

on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

Documents 1a and 7a were drawn up for internal use under the responsibility of the relevant services of the Directorate-General for Health and Food Safety. It solely reflects the services' interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

#### **4. Means of redress**

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit 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 Secretariat-General of the Commission at the following address:

European Commission  
Secretariat-General  
Unit C.1. 'Transparency, Document Management and Access to Documents'  
BERL 7/076  
B-1049 Brussels, or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

(e-signed)

Ioana-Maria GLIGOR  
Head of Unit

Enclosures:           List of documents; documents as mentioned in section 2.