



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

The Director-General

Brussels,
DG/JP/R.6/VA D(2015) 2471070

By registered letter with acknowledgment of receipt

Ms Nina Holland

Corporate Europe Observatory

Rue d'Edimbourg 26

1050 Bruxelles

Belgium

Advance copy by email :



Subject: Your application for access to documents – Ref GestDem No 1636/2015

Dear Madam,

We refer to your e-mail dated 12/03/2015 in which you make a request for access to documents, registered on 12/03/2015 under the above mentioned reference number.

We have identified 29 documents, including 25 studies and 4 minutes of meetings which correspond to your request. The list of the documents is attached as well as the links for those that are public.

You may reuse the documents requested free of charge for non-commercial and commercial purposes provided that the source is acknowledged, 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 the studies have been carried out by external experts and do not reflect the position of the Commission. They cannot be quoted as reflecting the Commission's position.

The documents 1, 2a and 2b were received by the Commission from third parties. They are disclosed for information only and cannot be re-used without the agreement of the originator, who may hold a copyright on them. They do not reflect the position of the Commission and cannot be quoted as such.

Having examined the documents 26, 27, 28 and 29 under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that they may be partially disclosed. Some parts of the documents have been blanked as they fall outside the scope of the request and therefore are not relevant.

In addition, other parts of the documents have been blanked out as their disclosure is prevented by exceptions to the right of access laid down in Article 4 of this Regulation. Their disclosure would undermine the protection of the public interest as regards international relations insofar as they include information and opinions on strategic approaches related to the TTIP negotiations with the United States, therefore the exception laid down in Articles 4(1) (a) third indent of Regulation (EC) No 1049/2001 applies.

Other parts of the documents contain personal data which cannot be disclosed due to the exception laid down in Article 4(1) (b) of the same Regulation which are related to privacy and the integrity of the individual and in accordance with Community legislation regarding the protection of personal data.

When access is requested to documents containing personal data, 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 data¹, becomes fully applicable². 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 as regards international relations and also 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: xxxxxxxxxx@xx.xxxxxx.xx

Yours faithfully,



Jerzy PLEWA

[Annexes: 5](#)

¹ OJ L 8 of 12.1.2001, p. 1

² 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