



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Safety of the Food Chain
E1 – Food composition and information, food waste
Head of Unit

Brussels,
SANTE/E1/mm

By registered letter with acknowledgment of receipt

Dear Ms Klein,

Subject: Your application for access to documents Ref GestDem No 2015/6127

We refer to our letter dated 14 January 2016 (Ref.: Ares(2016)205757) in response to your request for access to documents referenced as GestDem No 2015/6127.

Please note that we are not yet in a position to complete the handling of your applications as we are still consulting third parties from which some documents are originating. Therefore, we have to extend the time limit by 15 working days in accordance with Article 7(3) of Regulation (EC) No 1049/2001 regarding public access to documents. The time limit will expire on 25 February 2016.

Nevertheless, we are pleased to send you here attached a second part of documents concerned by your application, and we would like to make you notice that some of the documents 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 data¹.

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Ms Katharina Klein
c/o Corporate Europe Observatory
rue d'Edimbourg 26
BE-1050 Brussels

Advance copy by email: ask+request-2413-4749b6ff@asktheeu.org

¹ 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 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/or 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.

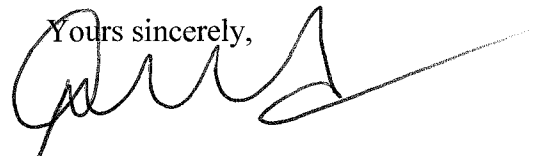
In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to make a confirmatory application 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 5/282
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,



Alexandra Nikolakopoulou

Annexes:

- Table of documents covered by the request
- Annexes 1-2

² Judgment of the Court of Justice of the EU of 29 June 2010 in case C-28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.