



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate A - Green Economy
ENV.A.3 - Chemicals

Brussels,
ENV.A.3/NP

By registered letter with acknowledgment of receipt

Ms Joanne Gardner le Gars
93 Rue Marcellin Duval
Brest, 29200
France

Advance copy by email:

XXXXXXXXXXXXXXXXXXXX@XXXXXXXX.XXX

Dear Madame,

Subject: Your application for access to documents - Ref GestDem No 2016 - 838

I refer to your e-mail dated 19/02/2016 and registered under the above mentioned reference number.

In your e-mail you make the following request for access to documents:

"...Re. the Community Strategy for Endocrine Disrupters and pursuant to a report completed by WRC-NSF in November 2002 (Ref. UC6052). A stakeholder consultation on the findings of this report culminated in an informal stakeholder meeting, held in Brussels on the 15-16th October, 2003.

I request documents, emails, internal memos/reports/notes for the period 01/06/2003-01/01/2004 between DG Env and stakeholders involved in the consultation on the WRC-NSF report with respect to the environmental impacts of EE2 (also referred to as ethinyloestradiol and 17 α -ethinyloestradiol) which was one of 12 substances evaluated in the aforementioned WRC-NSF report.

In particular, I request:

-Attendee list (with organisation) for the stakeholder meeting 15/16th Oct, 2003.,

-Agenda for the stakeholder meeting 15/16th Oct, 2003.,

-Minutes of meetings held during the two day discussions on 15/16th Oct, 2003.

-Memos, notes, internal mails, internal reports, documents relating to views of stakeholders (specifically EurEAU and EFPIA) contacted in pre/post the stakeholder meeting in relation to the WRc-NSF conclusions re. potential environmental impacts of EE2."

You will find a list of the identified documents in the annex to this letter.

You may reuse the documents 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.

In addition, some of the documents to which you have requested access, contain personal data which was blanked out following the justification provided below.

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.

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 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.

¹ Official Journal 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, ECR 2010 I-06055.

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: xxxxxxxxxx@xx.xxxxxx.xx

Yours sincerely,

Bjorn Hansen
Head of Unit

Annex: List of Identified Documents GestDem 2016-838