



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Food and feed safety, innovation
Pesticides and biocides

Brussels,
SANTE/E4/LF/gb (2017)523057

**By registered mail with
acknowledgment of receipt**

Mr Vincent Harmsen
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1030 Schaerbeek (Brussels)
Belgium

Advance copy by email:
ask+request-3669-3ca9a927@asktheeu.org

Dear Mr Harmsen,

Subject: Your application for access to documents – Ref GestDem No 2016/7237

We refer to your email dated 22/12/2016 in which you make a request for access to documents, registered on 23/12/2016 under the above mentioned reference number.

1. Scope of your request

In your request, you asked access on the basis of Regulation (EC) No 1049/2001¹ to *"on the topic of endocrine disruptors (also spelled: disrupters), all emails with in attachment scientific studies, or in general documents containing conclusions drawn by scientists or scientific organisations, sent to officials/representatives of the European Commission (all DGs, including the SG) by third parties*

(between March 15th 2016 and December 22th 2016).

2. Identification of the concerned documents

We have identified 42 documents as falling (partially or entirely) under the scope of your request (see table attached to this reply).

¹ Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

3. Assessment of the documents

Having examined the documents, we have come to the conclusion that:

- i. full access can be granted to the documents that are indicated with "Yes" and "Public" in table 1;
- ii. partial access can be granted to the documents that are indicated with "Partial" in table 1.

Please find attached the documents that are indicated with "Yes", "Public", and "Partial" as well as table 1 containing the assessment carried out on their content on the basis of Regulation (EC) No 1049/2001.

You may reuse Commission 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. Documents originating from third parties cannot be re-used without the agreement of the originators.

4. Protection of personal data

Documents that are indicated with "Partial" in table 1 contain personal data, such as the names of Stockholm University, The Endocrine Society, University of Lancaster, the PA International Foundation staff or Commission's non-managerial staff. 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 45/2001².

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable.³ 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 these documents expunged for personal data.

² 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 (OJ L 8, 12.1.2001, p. 1).

³ 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-6055.

5. Means of redress

May you wish this position to be reconsidered, you should present in writing, within fifteen working days from receipt of this letter, a confirmatory application to the Commission's Secretary-General at the address below. The Secretary-General will inform you of the result of such review within 15 working days from the date of registration of your request. You will either be given access to the documents or your request will be rejected, in which case you will be informed of what further action is open to you.

All correspondence should be sent to 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 faithfully,



Michael Flüh
Head of Unit

Enclosure:.. List of documents falling under the scope of the request