



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Food sustainability, international relations
Bilateral International relations

Brussels
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HARMSEN Vincent
Drapeniersdonk 149
7326 AH Apeldoorn
The Netherlands
By email only to:
ask+request-8531-
2d753492@asktheeu.org

Dear Mr Harmsen,

Subject: Your application for access to documents – GESTDEM 2020/5377

We refer to your e-mail of 07 September 2020 in which you make a request for access to documents, registered on 11 September 2020 under the above mentioned reference number.

1. Scope of your request

On the basis of Regulation (EC) No 1049/2001¹, you request access to:
‘-all correspondence (including letters, emails, text messages), agendas, minutes of meetings, minutes of phone calls, reports and (policy) documents in general in relation to the CETA Committee on Sanitary and Phytosanitary Measures (between September 21st 2017 and September 1st 2020).’

2. Identification and assessment of the relevant documents

We identified the following 6 documents falling under the scope of your request:

1. Commission Decision C(2020)3664 – Meeting minutes of the Joint Management Committee on SPS - 26-27/03/2018;
2. Meeting agenda Joint Management Committee on SPS - 26-27/03/2018;
3. Meeting report Joint Management Committee on SPS - 26-27/03/2018;
4. Meeting agenda Joint Management Committee on SPS - 25-27/02/2019;
5. Meeting minutes Joint Management Committee on SPS - 25-27/02/2019;
6. Meeting report Joint Management Committee on SPS - 25-27/02/2019.

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

Having examined the documents on the basis of Regulation (EC) No 1049/2001, we have come to the conclusion that:

- Document 1 can be partially disclosed, as parts of it are covered by the exception laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001;
- Documents 2 to 6 can be fully disclosed, as they are publicly available documents.

We enclose a copy of the documents requested, please note that documents 2 to 6 are publicly available at the following link:

<http://trade.ec.europa.eu/doclib/press/index.cfm?id=1811>

Therefore the PDF copies provided are to be understood as courtesy copies.

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.

The reports and minutes from the meetings were drawn up for internal use under the responsibility of the relevant Commission services. They solely reflect the services' interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer, which was not consulted on their content. They do not reflect the position of the Commission and cannot be quoted as such.

3. Reasons for partial disclosure

Protection of the privacy and integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data - Article 4(1)(b) of Regulation (EC) No 1049/2001

With regard to document No 1, a complete disclosure 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 it contains the following personal data:

- the names of Commission staff members not pertaining to the senior management;
- the names of other natural persons;
- handwritten signatures of Commission staff and of other natural persons;
- other information relating to an identified or identifiable natural person such as roles and function titles.

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 document, 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.

In accordance with the above, partial access is granted to document No 1, which is disclosed after redaction of all personal information.

4. Means of redress

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled 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, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Brussels
or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

(e-signed)

Koen VAN DYCK
Head of Unit

Enclosure: Document No 1 partially disclosed; courtesy copies of documents
No 2 to 6.