



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

**Food and feed safety, innovation
Pesticides and biocides**

Brussels,
SANTE/E4/DI/gb(2021)1937274

Álvaro Merino,
Calle Jesús Goldero 19, Planta 1
El Orden Mundial
28045 Madrid

Only by email:

ask+request-8914-
740f4363@asktheeu.org

Dear Mr Merino,

Subject: Your application for access to documents – Ref GestDem No 2021/0123

We refer to your email dated 8 January 2021 in which you make a request for access to documents on the basis of Regulation (EC) No 1049/2001¹ (or ‘the Regulation’), registered on 11 January 2021 under the above-mentioned reference number. We refer also to our e-mail of 1 February 2021, extending the deadline for handling the application.

1. Scope of your request

In your request, you asked access to

“— *Documentation of meetings (minutes, drafts, memoranda, invitations, cancellations, etc.) involving any person or institution representing the*

Spanish Government, in particular the Ministry of Agriculture, but not excluding Autonomous Communities and municipalities, and which is linked to plant protection products since January 2018.

— *Correspondence (guidance documents, reports, official letters, emails, attachments, etc.) exchanged with any person or institution representing*

the Spanish Government, in particular the Ministry of Agriculture, but not excluding Autonomous Communities and municipalities, and which is linked to plant protection products since January 2018.

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

I would like to clarify that I refer to any meeting in which representatives of the Spanish Government participated, either exclusively or with more people. On the level of government representation, you can limit the search to representatives of the national government only (including, therefore, ministries)."

2. Assessment of the documents

We have identified 58 documents falling under the scope of your request.

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

- full access can be given to 1 document, numbered 44 ;
- partial access can be granted to 25 documents (documents numbered 32 to 43, 45 and from 47 to 58) as their full disclosure is prevented by one of the exceptions to the right of access laid down in Article 4 of Regulation (EC) No 1049/2001;
- 32 documents (numbered 1-31 and 46) are publicly available on the Europa websites and you can access them by clicking to the following links:

Document 1 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20180125_pppl_sum.pdf

Document 2 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20180227_pppl_sum.pdf

Document 3 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20180322_pppl_sum.pdf

Document 4 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20180427_ppl_sum.pdf

Document 5 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20180524_ppl_sum.pdf

Document 6 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20180614_ppl_sum.pdf

Document 7 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20180719_ppl_sum.pdf

Document 8 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20181023_ppl_sum.pdf

Document 9 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20181127_ppl_sum.pdf

Document 10 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20181212_ppl_sum.pdf

Document 11 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20190124_ppl_sum.pdf

Document 12 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20190321_ppl_sum.pdf

Document 13 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20190520_ppl_sum.pdf

Document 14 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20190716_ppl_sum.pdf

Document 15 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20191021_ppl_sum.pdf

Document 16 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20200323_ppl_sum.pdf

Document 17 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20200518_ppl_sum.pdf

Document 18 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20190716_ppl_sum.pdf

Document 19 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20200929_ppl_sum.pdf

Document 20 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20191021_ppl_sum.pdf

Document 21 :

https://ec.europa.eu/food/sites/food/files/plant/docs/sc_phyto_20191205_ppl_sum.pdf

Document 22 :

<https://circabc.europa.eu/d/a/workspace/SpacesStore/5f9ce473-85a8-4bf0-ab55-21f1a04fb971/Sanitized%20Minutes%20PAI%202019-03.pdf>

Document 23 :

https://circabc.europa.eu/d/a/workspace/SpacesStore/b366c8bb-1f8b-4939-bbd4-79024687469b/Final%20minutes%20PAI%20%202019-06_blackened.pdf

Document 24 :

https://circabc.europa.eu/d/a/workspace/SpacesStore/c634e158-ba12-4c61-a50e-bcef45102a94/Sanitized%20minutes%20PAI%202019-09_rev.1.pdf

Document 25 :

<https://circabc.europa.eu/d/a/workspace/SpacesStore/4c837374-f6c6-471e-9f3b-83082c499aa5/Sanitized%20minutes%20PAI%202019-12.pdf>

Document 26 :

https://circabc.europa.eu/d/a/workspace/SpacesStore/6069ad7f-a97a-45ac-8c60-2af8a66ca7a3/Final%20minutes%20PAI%202020-03-03_rev.%205_blackened.pdf

Document 27 :

https://circabc.europa.eu/d/a/workspace/SpacesStore/32a757ba-9fcf-4c0d-a11b-2326fe2eaf56/2020-09%20PAI%20Item%20001c%20draft%20minutes%20PAI%202020-06-09_rev.3%20public%20version.pdf

Document 28 :

https://circabc.europa.eu/d/a/workspace/SpacesStore/3120559f-bb2b-4acb-b001-e9dacbcce036/Final%20Minutes%20PAI%202020-09-22_rev.4_public%20version.pdf

Document 29 :

<https://circabc.europa.eu/d/a/workspace/SpacesStore/db894f99-8329-4bfe-be6a-628baef49b4d/Sanitized%20minutes%20IZSC%202020-03.pdf>

Document 30 :

[https://circabc.europa.eu/d/a/workspace/SpacesStore/912abc92-4705-4c0f-925f-245cb1442084/2020-09%20IZSC%20Item%2001c%20draft%20Minutes%20IZSC%202020-06-10%20rev.%203%20public%20version%20\(2\).pdf](https://circabc.europa.eu/d/a/workspace/SpacesStore/912abc92-4705-4c0f-925f-245cb1442084/2020-09%20IZSC%20Item%2001c%20draft%20Minutes%20IZSC%202020-06-10%20rev.%203%20public%20version%20(2).pdf)

Document 31 :

[https://circabc.europa.eu/d/a/workspace/SpacesStore/d46d1337-d8c3-4d0b-9a48-6041778c89c6/Final%20Minutes%20IZSC%202020-09-23_rev.4_public%20version%20\(1\).pdf](https://circabc.europa.eu/d/a/workspace/SpacesStore/d46d1337-d8c3-4d0b-9a48-6041778c89c6/Final%20Minutes%20IZSC%202020-09-23_rev.4_public%20version%20(1).pdf)

Document 46 :

https://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=3933

The documents that can be fully or partially released and the list of documents containing the result of the assessment carried out on their content on the basis of Regulation (EC) No 1049/2001 are published on the following Commission webpage:

<https://webgate.ec.europa.eu/dyna/extdoc>

You can view these documents by entering the GestDem reference of your request ("2021/0123") in the search box at the top of the page.

Alternatively, you can click on "view documents per request" and search on the left column for the GestDem reference of your request ("2021/0123").

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.

3. Protection of personal data

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 documents No 32 to 43, 45 and 47 to 58, 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 they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact information of Member States' representatives;
- the names/initials and contact details of other natural persons.

Article 9(1)(b) of the Data Protection Regulation² 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 documents, 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.

Therefore the above-listed documents are disclosed redacted of the parts containing personal data.

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
Secretariat-General
Unit C.1. 'Transparency, Document Management and Access to Documents'
BERL 7/076
B-1049 Bruxelles,

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Klaus BEREND

² Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.