



EUROPEAN COMMISSION

Secretariat-General

Directorate C – Transparency, Efficiency and Resources
SG.C.1-Transparency, Document Management and Access to Documents

Brussels,
SG.C.1/CNJ/rc -

By registered letter with AR

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

Copy by email:
ask request-8914-740f4363@asktheeu.org

Subject: Your confirmatory application for access to documents under Regulation (EC) No 1049/2001 - GESTDEM 2021/123

Dear Mr Merino,

I refer to your e-mail of 10 March 2021, registered the same day in which you submit a confirmatory application in accordance with Article 7(2) of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents¹ (hereafter ‘Regulation (EC) No 1049/2001’).

Your confirmatory application was submitted in relation to your initial application of 8 January 2021, in which you requested access to, I quote,

‘documents which contain the following information:

- 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.

¹ OJ L 145 of 31.5.2001, p. 43.

- 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’.

You further clarified your request providing us the following details, I quote:

‘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)’.

Your initial request was addressed to the European Commission’s Directorate-General for Health and Food Safety.

As you did not receive a reply from that Directorate-General within the statutory time limits, you submitted a confirmatory application on 10 March 2021, against the tacit refusal of access to the documents requested.

I note that on 23 March 2021 you received a reply from the Directorate-General for Health and Food Safety. In its reply, the Directorate-General for Health and Food Safety informed you that it had identified 58 documents falling under the scope of your request. It granted full access to one document and partial access to 25 documents based on the exception concerning the protection of privacy and the integrity of the individual, provided for under Article 4(1)(b) (EC) No 1049/2001. It also informed you that 32 documents are publicly available and provided you with the relevant links to these documents.

Against this background, the Secretariat-General will close your confirmatory application.

You are entitled to submit a new confirmatory application if you do not agree with the position of the Directorate-General for Health and Food Safety, included in its explicit reply of 23 March 2021.

Yours sincerely,

María Oliván Avilés
Head of Unit