



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

The Director-General

Brussels
AGRI/WB/I.3/KVK/AB D(2021)3841709

By registered letter with acknowledgment of receipt

Ms Rachel Cox,
Global Witness,
Rue du Commerce 31,
1000 Brussels,
Belgium

Advance copy by email:

ask+request-9525-2b3aa6f5@asktheeu.org

Subject: Your application for access to documents – GESTDEM 2021/3325

Dear Madam,

We refer to your e-mail dated 19/05/2021 in which you make a request for access to documents, registered on 20/05/2021 under the above mentioned reference number.

You request access to: *all documents—including but not limited to correspondence, emails, minutes (hand written or electronic), notes (hand written or electronic), meeting conclusions, audio or video recordings, verbatim reports, operational conclusions, lines to take, briefings, and presentations—related to the meeting on 7th October 2020 between Magdalena Majerczyk and Janusz Wojciechowski and Food, Drink, Europe.*

We have identified three documents with two annexes falling within the scope of your request. You will find enclosed the lists of the documents identified, as well as redacted copies of the aforementioned three documents with annexes, which are disclosed under (I) or (II) below.

I. Partial access – personal data redacted – all documents identified

With regard to the documents listed above, a complete disclosure of the identified documents 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 details of other natural persons;

- handwritten signatures/abbreviated signatures of natural persons

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.

II. Partial access: Document 3.

Several parts of document number 3 have been redacted as their disclosure is prevented by the exception to the right of access laid down in Article 4 paragraph 1 (a) of this Regulation. The redacted information pertains to sensitive aspects of the Union's international relations, in particular international trade in agri-food products and the negotiations of international agreements.

Disclosure of the redacted parts of the document would undermine the protection of the public interest as regards international relations, as it would complicate or undermine the Union's negotiating position in international negotiations.

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.

Please note that the documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

Additionally, document 3 was drawn up for internal use under the responsibility of the relevant services of DG AGRI. It solely reflects the services' interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

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

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 faithfully,

A handwritten signature in black ink, appearing to read 'Tassos Haniotis', written over a set of horizontal lines.

Tassos HANIOTIS,
Deputy Director General acting in
the absence of
Wolfgang BURTSCHER

Enclosure: List of identified documents and 3 documents + 2 annexes