



Brussels
AGRI.I.1/CCLRWD(2022)716140

Dear Madam,

Subject: Your application for access to documents – GESTDEM 2022/142

We refer to your e-mail of 5/01/2022 in which you make a request for access to documents, registered on 10/01/2022 under the above-mentioned reference number.

You request access to

All documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to the meetings listed below:

- 1. Between Eurofer and Jorge Pinto Antunes, Cabinet member of Janusz Wojciechowski Maciej Golubiewski, Cabinet member of Janusz Wojciechowski on the 19th October 2021*
- 2. Between Eurofer and Antoine Colombani, Cabinet member of Frans Timmermans on the 7th June 2021*
- 3. Between Eurofer and Gints Freimanis, Cabinet member of Valdis Dombrovskis on the 3rd May 2021*

Please note that this answer only concerns documents authored and possessed by Directorate-General for Agriculture and Rural Development (DG AGRI). Concerning the remaining part of your request, you will receive separate replies from other Directorates-General.¹

We have identified five documents with three annexes falling within the scope of the point 1 of your request. One of these documents was registered at DG AGRI, but it falls under the responsibility of DG COMP, therefore this part of your request will be assessed by DG COMP. You will find enclosed a list of the other four documents identified, as well as copies of these documents, with their annexes attached.

With regard to the documents mentioned 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:

¹ SG Gestdem 2022/141, TRADE Gestdem 2022/143, COMP Gestdem 2022/861

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- 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;

In your application, you indicate that your address is in the United Kingdom. Transfers of personal data from the Commission to countries that are not members of the European Economic Area (EEA), or to international organisations are regulated under Chapter V of the Data Protection Regulation².

According to Article 47(1) of this Regulation, a transfer of personal data to a third country or an international organisation may take place where the Commission has decided that the third country, a territory or one or more specified sectors within that country, or the international organisation in question ensures an adequate level of protection and where the personal data are transferred solely to allow tasks within the competence of the controller to be carried out.

Based on the information available, the country of your residence is recognised by the Commission as ensuring an adequate level of protection. However, we would further like to inform you that 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, I 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.

Please note that 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.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit 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 Secretariat-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 Brussels,

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.

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

Yours faithfully,

Cristina Carrasco Lorente
Head of Unit

Enclosure: List of the identified documents and 7 documents