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Subject: Reply to your request for access to documents - ATD/54/2017

Dear Members of the European Parliament,

Thank you for your request of 21 June 2017, registered under reference ATD/54/2017, seeking access to documents. Your request falls under Regulation (EC) No 1049/2001 (the "ATD Regulation") which governs the access to documents held by the European Chemicals Agency¹.

Your request concerns access to:

- Correspondence, including emails, sent or received by officials working on the assessment of glyphosate which mention Monsanto or the Glyphosate Task Force during the year 2016. This includes inter-institutional correspondence, correspondence with Member States' authorities and their Permanent Representations as well as correspondence with third parties.
- Agendas or minutes of meetings which mention Monsanto, the Glyphosate Task Force, the USA Environmental Protection Agency (EPA) or the International Agency for Research on Cancer (IARC).
- Correspondence, including emails, between officials working on the assessment of glyphosate and Monsanto or the Glyphosate Task Force during the year 2016.

The following documents were identified as falling within the scope of this request:

1. Email of 02/09/2016
2. Email of 21/11/2016
3. Email of 25/11/2016
4. Email of 04/11/2016 (relating presentation to this email is published on the ECHA website:
https://echa.europa.eu/documents/10162/22863068/glyphosate_gtf_en.pdf/94bd6bf8-b3cb-822e-cb40-d26160b6f541)
5. Email of 11/09/2016
6. Email of 04/09/2016
7. Email of 20/04/2016
8. Email of 21/09/2016

¹ According to Article 118(1) of the REACH Regulation ((EC) No 1907/2006), Regulation (EC) No 1049/2001 applies to documents held by ECHA.

9. Email of 04/07/2016
10. Email of 03/07/2016
11. Letter of 11/07/2016
12. Letter of 22/07/2016
13. Email of 18/07/2016
14. Attachment to email no. 13. List of messages sent by Avaaz members from every EU country to ECHA. Also published on the ECHA website as part of the attachments received during the public consultation: <https://echa.europa.eu/harmonised-classification-and-labelling-previous-consultations/-/substance-rev/13838/term>
15. Email of 06/09/2016
16. Letter of 20/07/2016
17. Email of 24/11/2016
18. Letter 1 attached to email no. 17
19. Letter 2 attached to email no. 17
20. Email of 27/03/2016
21. Email of 10/06/2016
22. Email of 12/06/2016
23. Email of 27/06/2016
24. Email of 05/07/2016
25. Email of 12/07/2016
26. Email of 18/07/2016
27. Email of 29/08/2016
28. Email of 07/11/2016
29. Declaration attached to email no. 28
30. Mission report relating to 24/05/2016
31. Mission report relating to 06/06/2016
32. Mission report relating to 03-08/09/2016

33. Presentation given at the RAC-39 meeting
34. Exponent_Glyphosate Epidemiology Review_2015
35. Final version of the Intertek Glyphosate Expert Panel Manuscript
36. Exchange of emails in November 2016
37. Email of 29/09/2016
38. Exchange of emails of 07/11/2016 and 25/11/2016
39. Exchange of emails in May 2016
40. Email of 13/04/2016

Decision

Based on Article 7(1) of the ATD Regulation

ECHA has decided to:

- **grant you full access to the documents 14 and 33-35 listed above;**
- **grant you partial access to documents 1-13, 15-32 and 36-40 listed above.**

Reasons

Documents to be partially disclosed

Following a concrete and individual assessment of the documents requested under the provisions of the ATD Regulation, ECHA has concluded that for the documents 1-13, 15-32 and 36-40, the disclosure is partly prevented by exceptions to the right of access laid down in Article 4 of this regulation.

The explanations set out below describe why specific redactions in the documents indicated above have been performed.

Personal data

All personal data (e.g. names, addresses, emails, indication of country of origin, and phone numbers) potentially allowing the identification of individuals has been redacted from the requested documents as the exception provided by Article 4(1)(b) of the ATD Regulation on the protection of personal data was found to apply.

References to the studies

The names of authors of unpublished studies have been redacted as the exception provided by Article 4(1)(b) of the ATD Regulation on the protection of personal data or by Article 4(2) first indent of the ATD Regulation on the protection of commercial interests was found to apply.

Please note that for all the items listed above no overriding public interest in disclosure was found to exist since the remaining information enables you to have a detailed overview of the context of the opinion making process.

Advice and further observations

You are reminded that following Article 16 of the ATD Regulation, the documents attached are subject to copyright protection.

Appeal/legal redress

You are entitled to make a confirmatory application requesting ECHA to review this position by writing to the Executive Director of ECHA (P.O Box 400, 00121 Helsinki, Finland or executive-director@echa.europa.eu). This needs to be done within 15 working days of receiving this letter.

The Executive Director will inform you of the result of the review within 15 working days from the registration of your subsequent request.

Yours sincerely,



Jack de Bruijn

Director of Risk Management

Encl: Non-confidential versions of the following documents as numbered above:

Documents 1-40