EUROPEAN COMMISSION
Directorate-General for Trade

Directorate D - Sustainable Development; Economic Partnership Agreements - African, Caribbean and Pacific; Agri-food and Fisheries
Agriculture, Fisheries, Sanitary and Phytosanitary Market Access, Biotechnology

Brussels, 11.6.2015
Trade.dga1.d3(2015)

Ms Vicky Cann
CEO
Rue d'Edimbourg, 26
1050 Bruxelles

By registered letter with acknowledgment of receipt

Advance copy by email
ask+request-1995-4a97a9be@asktheeu.org

Dear Ms Cann,

Subject: Your application for access to documents – Ref GestDem No 2699/2015

We refer to your e-mail dated 13 May 2015 in which you make a request for access to documents, registered on 13.5.2015 under the above mentioned reference number.

Your application concerns the following documents:

"all documents (meeting agendas and minutes; emails and correspondence; consultation responses; and any others) which involve Farm Europe and the Transatlantic Trade and Investment Partnership – TTIP since 20 February 2014."

We have identified 4 documents falling under the scope of your request. One document to which you have requested access contains personal data, which we have redacted from the document.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data[1].

[1] OJ L 8 of 12.1.2001, p. 1

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When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable[2].

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, 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
Secretary-General
Transparency unit SG-B-4
BERL 5/327
B-1049 Bruxelles

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

Yours sincerely,

Z. SOMOGYI
Head of Unit

[2] Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.