



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Food chain: stakeholder and international relations
Multilateral International relations
Head of Unit

Brussels,
sante.ddg2.d.3/RF/ak(2018)3519197

***By registered mail with
acknowledgment of receipt***

Karl Bär
Umweltinstitut München e.V.
Landwehrstraße 64a D-80336 München
Germany

Advance copy by email:

kb@umweltinstitut.org

Dear Mr Bär,

Subject: Your application for access to documents – Ref GestDem No 2018/2228

We refer to your email dated 19 April 2018 in which you make a request for access to documents, registered on 20 April 2018 under the above-mentioned reference number.

We also refer to our letter of 1 June 2018 extending the time limit for responding to your application, pursuant to Article 7(3) of Regulation (EC) No 1049/2001.

In your request, you asked on the basis of Regulation (EC) No 1049/2001¹ access to:

"the agenda, minutes and list of attendees of the meeting of the CETA SPS Joint Management Committee, which took place the 26th and 27th of March 2018 in Ottawa, and all documents and presentations, which were discussed during this meeting".

We would like to inform you that for what regards the report and the agenda of the CETA joint Committee meeting, they are published under the following link:
<http://trade.ec.europa.eu/doclib/press/index.cfm?id=1811>

Please be aware that the CETA Joint Committee meeting was chaired by the European Commission officials of DG SANTE and the counterpart from the Canadian Food Inspection Agency (CFIA). In addition, on the EU side, other European Commission officials from DG SANTE and DG TRADE participated in the meeting and similar participants of ministries and agencies from Canada.

For what concerns the part of your request related to the list of attendees of the above mentioned meeting, we would like to inform you that this is a document containing

¹ Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

personal data such names, surnames and contact details of European Commission staff member as well as of Canadian authorities representatives.

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 data².

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable³. 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.

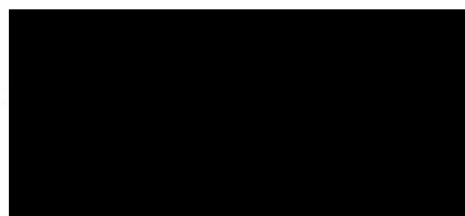
We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, the list of participants to the CETA SPS Joint Management Committee, which took place the 26th and 27th of March 2018 in Ottawa cannot be disclosed.

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
Secretary-General
Transparency unit SG-B-4
BERL 5/288
B-1049 Bruxelles or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,



² Official Journal L 8 of 12.1.2001, p. 1.

³ Judgment of the Court of Justice of the EU of 29 June 2010 in case C-28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.