



Department
for Environment
Food & Rural Affairs

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www.defra.gov.uk

Your ref:
Our ref: RF6298
Date: 9 April 2014

REQUEST FOR INFORMATION: DETAILS OF CONTACTS BETWEEN Defra AND EUROPA BIO SINCE 1 SEPTEMBER 2012

Thank you for your request for information about all communications and meetings between Defra and EuropaBio since 1st September 2012. We received this on 13 February 2014. As you know we are handling it under the Environmental Information Regulations 2004 (EIRs).

I enclose a copy of the information you requested as follows:

Email correspondence between Defra and EuropaBio
EuropaBio workshop programme
Adventitious presence in seeds report
Harmonised post-market monitoring plan
Harmonised insect-resistant maize plan
Farmer questionnaire
EuropaBio letter to Commissioner Borg
Legal briefing paper
Delays in EU approvals of GM products
New strategy on GMOs
Key messages from Seralini study

At various places in some of these documents we have withheld names under regulations 12(3) and 13(1) of the EIRs, as the information constitutes personal data relating to third parties. The information consists of the names of officials and others responsible for or referred to in correspondence between Defra and EuropaBio. Regulations 12(3) and 13(1) of the EIRs provide that personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act 1998 (DPA).

We consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data, in two ways. First, disclosure would not constitute 'fair' processing of the



personal data and, second, disclosure would not satisfy conditions for data processing set out in Schedule 2 to the DPA. Consequently, we believe that Regulations 12(3) and 13(1) of the EIRs exempt the information from disclosure. In applying these exceptions we have had to balance the public interest in withholding the information against the public interest in disclosure.

Taken overall, we have concluded that in the circumstances of this case the relevant information should be withheld.

In keeping with the spirit and effect of the EIRs, and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on www.gov.uk together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I attach Annex A, which explains the copyright that applies to the information being released to you. I also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact me.

Yours sincerely

Annex A

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the Intellectual Property Office's website.

Annex B

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our website.

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF