

## General comments to CBI form\_Docs A-I\_LCA\_MCA\_N1-N5 and CBI form\_Docs LCP and MCP

### Introduction

The assessment of AGG of the justifications is based on implementing regulation ((EU) 844/2012), and this assessment is restricted to the provisions of the main legislation ((EU) 1107/2009).

AGG is of the opinion that in the context of assessing the redactions done for the purpose of EFSA's publication of the summary dossier, AGG can only consider article 63 of Regulation (EU) 1107/2009, whereas it is EFSA's responsibility to assess whether any provisions of the regulation corresponding to GDPR for EU institutions applies ((EU) 1049/2001) in conjunction with Regulations (EU) 2016/679 and (EU) 2018/1725).

### Comments

1.	<p>GRG uses in both Confidential Business Information (CBI) forms (for CA and CP) merely one justification: <i>This information constitutes personal data of natural persons protected under Regulations (EU) 2016/679 and (EU) 2018/1725. Its disclosure would significantly harm their privacy and integrity.</i></p> <p>GRG is requested to refer to Article 63 of Regulation (EC) No 1107/2009 in their justifications for removal of CBI.</p>
2.	<p>GRG correctly used Appendix A1 of the Administrative guidance on peer-review of pesticide active substances to list their requests for sanitization. However, GRG changed the wording of the heading of column four of Appendix A1. This is not acceptable. The correct wording should be used (reference to Article 63 of Regulation (EC) No 1107/2009). GRG is requested to use Appendix A1 with a correct wording in the heading of column four.</p>
3.	<p>AGG can agree to sanitization of names of authors of all studies, unless they are already made public, eg. from the public literature or made public in the disclosure of the last renewal dossier. Justification for this removal lies in Article 63 (1) of Regulation 1107/2009 in conjunction with Article 4 (2) (f) of Directive 2003/4. In addition, the names and addresses of persons involved in testing on vertebrate animals can be kept confidential on the basis of Article 63 (2) (g) of Regulation 1107/2009.</p> <p>GRG is asked to specify in their justification whether removal of names of authors is for a vertebrate study (reference to Article 63 (2) (g) of Regulation 1107/2009) or other study (reference to Article 63 (1) of Regulation 1107/2009 in conjunction with Article 4 (2) (f) of Directive 2003/4).</p>
4.	<p>AGG can agree to sanitization of names of laboratories conducting vertebrate studies and source of animals (reference to Article 63 (2) (g) of Regulation 1107/2009).</p>
5.	<p>AGG can agree to sanitization of (parts of) report numbers/document numbers/batch numbers <b>only</b> when it involves a vertebrate study and <b>only</b> when (parts of) such a number can lead back to a laboratory/source of animals (reference to Article 63 (2) (g) of Regulation 1107/2009). GRG is requested to clearly justify this per item.</p> <p>Please note that (parts of) report numbers/document numbers/batch numbers referring to the owner of a study cannot be sanitized.</p>
6.	<p>AGG can agree to sanitization of sources of the animal feed diets and strain of animals used in vertebrate studies <b>only</b> when this information can lead back to a laboratory/source of animals (reference to Article 63 (2) (g) of Regulation 1107/2009). GRG is requested to clearly justify this per item.</p> <p>. This is not in agreement with Article 63 (2) (g) of Regulation 1107/2009.</p>

7.	AGG cannot agree to sanitization of information considered as not confidential (e.g. locations where field studies were performed, names of water and column used in HPLC...).
8.	Confidentiality is sometimes claimed in Documents M for information on some studies which are not referenced in the documents L. This should be corrected.
9.	Information on some studies are blackened in Documents L, but the same information is not always requested to be sanitised in Documents M (and inversely). This should be harmonized.
10.	Some studies referenced as “vertebrate studies” may not be performed on vertebrate animals. This should be checked and the request for confidentiality should be updated accordingly.
11.	Errors in reference to page numbers have been identified at several places in CBI form. This should be corrected to be in line with the proposed sanitization in the corresponding document.
12.	There is a discrepancy in the pagination between the sanitised and the non-sanitised version of the document M-CA7, from page 160. This should be corrected.
13.	Information on some studies (e.g. names of authors) is proposed to be sanitized in the CBI form, but not blackened in the corresponding document (and inversely). This should be corrected.