



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
ENVIRONMENT  
The Director-General

Brussels,  
ENV.B.2

Marie-Stella Papeghin  
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France

**By email:** [ask+request-12098-05761d0a@asktheeu.org](mailto:ask+request-12098-05761d0a@asktheeu.org)

Dear Ms Papeghin,

**Subject: Your application for access to documents: Ref EASE No 2022/6838**

We refer to your request for access to documents dated 25/11/2022 and to our holding reply Ares(2022)8761584. We would like to sincerely apologise for the delay in our reply.

You requested access to the following:

*“...On the topic of flame retardants (retardateurs de flamme), all correspondence (including emails), the list of meetings with detailed minutes and any other reports of such meetings between DG Environment officials and representatives of the following organisations for the time period January 2019-Now:*

- Association des brûlés de France (ABF)
- Groupement Technique Français contre l'Incendie (GTFI)
- European Burns Association (EBA)
- European Fire Safety Alliance
- Polystyrène Loop Coöperatief UA
- EUMEPS
- European Flame Retardants Association (EFRA)
- European Brominated Flame Retardant Industry Panel (EBFRIP)
- Flame Retardants Europe
- Phosphorus, Inorganic and Nitrogen Flame Retardants Association (PINFA)
- Bromine Science and Environmental Forum (BSEF)
- LANXESS AG
- Albemarle Europe
- CEFIC
- EBCA (European Burn Casualties Association)
- Fire safety platform
- Burson-Marsteller
- Chemtura
- ICL industrial products
- Tosoh corporation
- Total Petrochemical.”

I consider your request to cover documents held up to the date of your application, i.e. 04/11/2022.

With regard to the list of meetings, we regret to inform you that the Directorate-General for Environment does not hold any documents that would correspond to the description given in your application. As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Given that the list as described in your application is not held by the Directorate-General for Environment, the Directorate-General is not in a position to fulfil your request under the provisions of Regulation (EC) No 1049/2001.

Please note that the meetings of the Director-General of DG ENV with organisations and self-employed individuals are available in the link enclosed below:

<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=ca175ad3-c2c5-457e-8f6d-f17956bdcc4e>

With regard to the remaining parts of your request, the documents identified to fall in the scope of the request are listed in an annex to this letter.

We are pleased to fully disclose document 2.

With regard to documents 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 listed in the annex, a complete disclosure is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons;
- handwritten signatures of natural persons.

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

Please note that the documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originators, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

Finally, please note that the reports of meetings were drawn up for internal use under the responsibility of the relevant officials of the Directorate-General for Environment. They solely reflect the authors' interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer, which were not consulted on their content. They do not reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

**by asking for a review via your portal<sup>1</sup> account** (available only for initial requests submitted via the portal account),

**or by mail:**

European Commission

Secretariat-General

Transparency, Document Management & Access to Documents (SG.C.1)

BERL 7/076

B-1049 Bruxelles

**or by email to:** [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

*e-signed*

Florika FINK-HOOIJER

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<sup>1</sup> <https://www.ec.europa.eu/transparency/documents-request>