



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate B - Circular Economy
ENV.B.2 – Safe and Sustainable Chemicals

Laura Döring
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By email: ask+request-12133-1bd7ebef@asktheeu.org

Dear Ms Döring,

Subject: Your application for access to documents: Ref EASE No 2022/6555

We refer to your request for access to documents dated 10 November 2022, registered under the above-mentioned reference number, and to our holding reply Ares (2022)8384583. We would like to sincerely apologise for the delay in our reply.

You requested access to the following:

“All documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to the meetings listed below:

- 1. Between European Chemical Industry Council and Florika Fink Hooijer, Director General on 07/09/2021*
- 2. Between European Chemical Industry Council and Florika Fink Hooijer, Director General on 27/01/2021”.*

Your application concerns the following documents:

1. Between Florika Fink-Hooijer (Director-General) and Cefic on 7th September 2021

	Title	Author	Addressee	Date	Reference Ares
1.	E-mail exchange	CEFIC	COM	13/07/2021	Ares(2023)769184
2.	Letter	Cefic	COM	29/07/2021	Ares(2022)7489419
3.	Meeting flash report	DG ENV	DG ENV		Ares(2022)7650552

2. Between Florika Fink-Hooijer (Director-General) and Cefic on 27th January 2021

	Title	Author	Addressee	Date	Reference Ares
4.	Meeting report	DG ENV	DG ENV	29/01/2021	Ares(2022)7847155

A complete disclosure of the documents 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 it contains the following personal data:

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

In your application, you indicate that your address is in the United Kingdom. Transfers of personal data from the Commission to countries that are not members of the European Economic Area (EEA), or to international organisations are regulated under Chapter V of the Data Protection Regulation¹.

According to Article 47(1) of this Regulation, a transfer of personal data to a third country or an international organisation may take place where the Commission has decided that the third country, a territory or one or more specified sectors within that country, or the international organisation in question ensures an adequate level of protection and where the personal data are transferred solely to allow tasks within the competence of the controller to be carried out. Based on the information available, the country of your residence is recognised by the Commission as ensuring an adequate level of protection. However, we would further like to inform you that 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 put forward any 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.

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

Please note that document 2 and the part of document 1 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 originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

Please also note that documents 3 and 4 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 its 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 within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

by asking for a review via your portal² 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

Yours sincerely,

Cristina de Avila
Head of Unit

² <https://www.ec.europa.eu/transparency/documents-request>