Subject: Your application for access to documents - Case 2024/1279

Dear Mr Van Kessel,

I refer to your request for access to European Commission documents registered on 06 March 2024 under the above-mentioned reference number.

You request access to documents related to communication between The Netherlands authorities and DG AGRI concerning the implementation and enforcement of the buffer strip measure (Dutch: ‘bufferstroken’) that the European Commission set as a condition for granting derogation to The Netherlands (Commission Implementing Decision (EU) 2022/2069 of 30 September 2022) in the time period from 1 January 2023, until 5 March 2024.

We regret to inform you that DG AGRI 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 no such documents, corresponding to the description given in your application, are held by DG AGRI, we are not in a position to fulfil your request.

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 to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it by mail, to:

European Commission
Secretariat-General

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Yours sincerely,

Wolfgang BURTSCHER