



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Consumer, Environmental and Health Technologies
Director

Brussels,
GROW/D2/AS/(2017)2035384

By registered letter with acknowledgment of receipt

Ms Ronja Heise
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Advanced copy by email

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Subject: Application for access to documents – Ref GestDem No 2017/1793

Dear Mrs Heise,

We refer to your e-mail dated 17/03/2017 in which you make a request for access to documents, registered on 22/03/2017 under the above mentioned reference number.

You request access to *"All correspondence (including e-mails) between the Commissioner for Grow and/or her cabinet and/or officials and representatives of DG Grow on one hand and representatives of fertiliser producers and fertilizer interest groups on the other hand (such as Fertilizer Europe, European Fertilizers Import Association, European Sustainable Phosphorus Platform, European Crop Care Association, Nutrient Platform, YARA S.A, Association for a better European Access to Nutrients, Asociación Nacional de Fabricantes de Fertilizantes (ANFFE), Association des Producteurs Européens de Potasse (APEP), Hellenic Fertilizer Association, CEN Technical Committee 260, European Consortium of the Organic-based Fertilizer Industry (ECOFI), European Organic Fertilizers Manufacturers Association (EUROFEMA), Alliance Européenne des Engrais Phosphatés (AEEP), European Biostimulants Industry Council (EBIC), Agricultural Industries Confederation (AIC), Mosaic, The Fertiliser Institute, International Fertiliser Industry Association, International Plant Nutrition Institute) concerning the issue of the EU Emission trading System and/or natural gas import and production and/or unconventional gas exploitation;*

- *A list of all meetings between the above mentioned actors;*
- *minutes of meetings listed above."*

Please note that, for the purpose of this request, we have considered that the timeframe of your request covers the period between 1 July 2015 and 17 March 2017.

Your application concerns the documents attached in the Annex.

Some of the documents to which you have requested access contain personal data.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable.

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make 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 Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/282
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,



Carlo Pettinelli