



## EUROPEAN COMMISSION

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

Consumer, Environmental and Health Technologies  
Director

Brussels,  
GROW.D.2/AS/ARES(2018)  
grow.ddgl.d.2(2018)958595

Vicky Cann  
CEO  
Rue d'Edimbourg 26  
1050 Bruxelles  
*By registered letter with acknowledgment of receipt*

*Advance copy by email:*  
vicky@corporateeurope.org

Dear Madam,

**Subject: Your application for access to documents – Ref GestDem No 2018/0083 and GestDem No 2018/0150**

We refer to your e-mails dated 5 January 2018 and 8 January 2018 in which you make a request for access to documents, registered respectively on 5 January 2018 and 8 January 2018 under the above mentioned reference numbers.

Under GestDem No 2018/0083 you request access to *"a list of all lobby meetings held by DG GROW since December 2015 where the Commission's proposed Plastics Strategy was discussed"*.

Under GestDem No 2018/0150 you request access to *"the minutes/ reports of all lobby meetings held by DG GROW since December 2015 where the proposed Plastics Strategy was discussed with one or more of the following organisations: PlasticsEurope, European Chemical Industry Council (Cefic), Total, Cosmetics Europe, Borealis"*.

We consider your request to cover documents held up to the date of your initial application, i.e. 8 January 2018.

Please note that a list of all lobby meetings held by DG GROW as requested under Gestdem No 2018/0083 does not exist. However, according to the Commission's code of good administrative behavior, you will find enclosed in Annex 1 the list requested. Further and as a reply to GestDem No 2018/0150, your application concerns some of the documents listed in Annex 1. These 4 documents falling under the scope of your request GestDem No 2018/0150 are enclosed in Annex 2.

Three of the four documents to which you have requested access under GestDem No 2018/0150 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<sup>1</sup>.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable<sup>2</sup>.

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](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,



Carlo Pettinelli

Encl.            Annex 1: Meeting list (GestDem No 2018/0083 and GestDem No 2018/0150)

Annex 2: 4 Documents (Gest Dem No 2018/0150)

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<sup>1</sup> Official Journal L 8 of 12.1.2001, p. 1

<sup>2</sup> Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.