



## EUROPEAN COMMISSION

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

Director-General

Brussels,  
GROW/R2/ZM

Mr Alexander Fanta  
ask+request-7311-e1d398f5@asktheeu.org

**Subject: Your application for access to documents request - Notification by the Hamburg DPA to the Internal Market Information System**

Ref: Gestdem 2019/5407

Dear Mr Alexander Fanta,

I refer to the request for access to documents, which you have sent via the AsktheEU.org website and which was registered on 20/09/2019 under the above mentioned reference number. You requested access to *"documents which contain the following information: the notification by the Hamburg Data Protection Authority to the Internal Market Information System (IMI) of the European Union regarding Facebook's "be on the lookout" list and all related documents and communication between authorities."*

In response to your request I would like to clarify the following:

- The Internal Market Information System (IMI) is an online application, based on Regulation (EU) No 1024/2012 and supporting administrative cooperation between different IMI actors across the European Economic Area. Notifications are made to specific IMI actors, i.e. to competent authorities and/or to the Commission, other European bodies, offices or agencies, depending on the administrative cooperation procedure concerned.
- Access to content of exchanges in IMI, including documents, is restricted to the actors directly involved in the administrative cooperation as set out in the related legislation.

I can confirm you that, to date, the Directorate General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) was not involved in any IMI exchange initiated by the Hamburg Data Protection Authority. In addition, I can also confirm that, to date, there is no record of any notification in IMI, sent by the Hamburg Data Protection Authority to any other service of the European Commission.

In accordance with Article 2(3) of Regulation (EC) No 1049/2001, the right of access to documents of the institutions applies only to existing documents in the possession of an institution. Based on above, I regret to inform you that DG GROW does not possess any document containing the requested information; therefore, DG GROW is 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 within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

European Commission

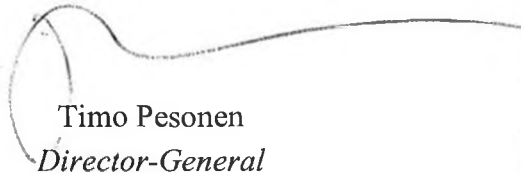
Secretariat-General Unit C.1. 'Transparency, Document Management and Access to Documents'

BERL 7/076

B-1049 Bruxelles,

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

Yours sincerely,



Timo Pesonen  
*Director-General*

*(e-signed)*