



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

The Director-General

Brussels,  
DG/JP/L.3/KVK/RW D(2019) [5974646](#)

Ms. Klaudia NOWAKOWSKA  
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Poland

*By registered letter with acknowledgment of receipt*

*Advance copy by email : [ask+request-7046-b1319be0@asktheeu.org](mailto:ask+request-7046-b1319be0@asktheeu.org)*

**Subject: Your application for access to documents – Ref GestDem No 2019/4538**

Dear Madam,

We refer to your e-mails dated 4/07/2019 and 8/08/2019 in which you make request for access to documents, registered on 5/08/2019 under the above-mentioned reference number.

Your request access to:

(a) Any document related to meetings or other communications, such as, but not limited to 1) meeting requests, 2) list of participants and parties on whose behalf such meetings were requested or whose interests were represented, 3) any materials submitted before, during or after such meetings, 4) any correspondence related to such meetings or to topics discussed or to be discussed at such meetings, 5) any follow-up documents, such as minutes, conclusions or summaries generated after such meetings, with private parties (including third parties), their representatives, associations, or other collective bodies, held or requested or received between 1 October 2017 and 30 June 2019, of which the topic was, or turned out to be, limits for contaminants in fertilizers, or at which such limits were discussed;

(b) Any document related to meetings or other communications, such as, but not limited to 1) meeting requests, 2) list of participants and parties on whose behalf such meetings were requested or whose interests were represented, 3) any materials submitted before, during or after such meetings, 4) any correspondence related to such meetings or to topics discussed or to be discussed at such meetings, 5) any follow-up documents, such as minutes, conclusions or summaries generated after such meetings, with private parties (including third parties), their representatives, associations, or other collective bodies, held or requested or received between 1 October 2017 and the date of the submission of this request, of which the topic was, or turned out to be, limits for contaminants in fertilizers, or at which such limits were discussed;

(c) Any document, including, but not limited to, 1) internal correspondence of EC officials, as well as with outside parties, relating to limits to be proposed, 2) documents showing why specific numbers (and not other numbers) were proposed and chosen as limits for specific contaminants in the Proposal, 3) different drafts of Proposal related to contaminants and Annex I prior to its finalization, 4) your version of the Proposal, 5) your input during the inter-service consultations on the Proposal with respect to contaminant limits, 6) any opinions of lawyers relevant to contaminant limits, held or requested or received between 1 October 2017 and the date of the submission of this request, related to the adoption of the Proposal in the part relevant to limits on contaminants in fertilizers.

We regret to inform you that the Directorate General for Agriculture and Rural Development (DG AGRI) does not hold any documents that would correspond to the description given in your applications.

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, DG AGRI is not in a position to handle 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

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

Yours faithfully,



Jerzy PLEWA