



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP
AND SMES

The Director-General

Brussels
GROW.B.1/

Mrs Laura DÖRING
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LONDON

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Subject: Your application for access to documents – EASE 2023/1399

Dear Mrs Döring,

We refer to your e-mail of 1st of March 2023 in which you make a request for access to documents, registered on the 2nd of March 2023 under the above-mentioned reference number.

You requested access to the following documents:

“All documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to the meetings listed below:

- 1. Between European Chemical Industry Council and Joan Canton, Cabinet member of Thierry Breton on 28/11/2022.*
- 2. Between European Chemical Industry Council and Joan Canton, Cabinet member of Thierry Breton on 14/12/2022.*
- 3. Between BASF SE and Joan Canton, Cabinet member of Thierry Breton on 14/11/2022.*
- 4. Between BASF SE and Kerstin Jorna, Director-General on 16/11/2022.*
- 5. Between BASF SE and Kerstin Jorna, Director-General on 24/11/2022”.*

We have identified the enclosed three documents falling within the scope of points 4 and 5 of your request:

1. Flashnote report meeting of DG Kerstin Jorna with BASF, 16 November 2022
2. Flashnote meeting BASF 24 November 2022
3. Annex PWP presentation

No other documents have been identified.

Protection of personal data for this identified documents

A complete disclosure of the identified document is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials, contact information and functions of Commission staff members not pertaining to the senior management;
- the names/initials, contact details and functions of other natural persons.

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested document, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

The minutes were drawn up for internal use under the responsibility of the relevant services of DG GROW. They solely reflect the author's interpretation of the interventions made and do not set out any official position of the third parties to which the document refers, which were not consulted on its content. They do not reflect the position of the Commission and cannot be quoted as such.

Please note that the documents originating from third party are disclosed to you based on Regulation (EC) No 1049/2001, following the third-party consultation. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on it. The European Commission does not assume any responsibility from its reuse.

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 in one of the following ways:

by asking for a review via your portal¹ account (available only for initial requests submitted via the portal account),

or by mail:

European Commission

¹ <https://www.ec.europa.eu/transparency/documents-request>

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

Yours faithfully,

Kerstin JORNA
Director-General
(e-signed)

Enclosures: 3