

EUROPEAN COMMISSION
Directorate-General for Trade

The Director General

29 NOV. 2016

Brussels,
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By registered letter with acknowledgment of receipt

Mr Thibault Devoldere
Renaat de Rudderlaan 6
8500 Kortrijk
Belgium

Advance copy by email:
ask+request-3542-b31bab6a@asktheeu.org

Subject: Your application for access to documents – Ref. GestDem No 2016/6180

Dear Mr Devoldere,

I refer your email of 1st November 2016 in which you make a request for access to documents in accordance with Regulation (EC) No 1049/2001¹, registered on 3 November under the above mentioned reference number.

In particular, you would like to receive access to:

"- all correspondence (including emails), agendas, minutes of meetings and any other reports of such meetings between officials of DG Trade (including the Commissioner and his/her Cabinet) and representatives of NGOs, companies, business associations and law firms with whom environmental and food safety standards were discussed in relation to TTIP (The Transatlantic Trade and Investment Partnership). Environmental and food safety standards include, but are not limited to, rules on the use of growth hormones in livestock farming; on pesticide residues; on chlorine-washed chicken; on endocrine disrupting chemicals; on tar sand oil, and on genetic engineering (GMOs).

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 20 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.5.2001, p. 43.

- *all documents held by DG TRADE (including minutes/memos/notes/reports for internal use) and all correspondences (including emails) relating discussions within the World Trade Organization (WTO) on maximum residue levels (MRLs) and/or crop protection product residues in general.*

- *all correspondence (including emails), agendas, minutes of meetings and any other reports of such meetings between officials of DG Trade (including the Commissioner and his/her Cabinet) where maximum residue levels (MRLs) and/or crop protection product residues in general were discussed".*

You mentioned in your email that you are "*requesting all documents within the time frame January 2012 till November 2016*" and that you would prefer to receive the documents "*on a rolling basis, rather than waiting until the full response is ready*".

On 3 November we asked you, by e-mail, to narrow down the scope of your request to a more manageable amount of documents, according to article 6(3) of Regulation 1049/2001. This article provides that in the event of an application relating to a very long document or to very large number of documents, the institution concerned may confer with the applicant informally, with a view to finding a fair solution.

We asked you, in the same e-mail, and according to article 6(2) of Regulation 1049/2001, to clarify the third bullet point of your request, as this point was not sufficiently clear because you did not specify the addressees of this correspondence.

On 9 November you agreed to limit the time frame of the documents that are requested with the first bullet point, but only limited to this bullet point to the period January 2012 until December 2013.

You also specified that, concerning the third bullet point of your email, you are requesting "*all internal communications*" "*between officials of DG TRADE (including the Commissioner and his/her Cabinet)*".

This letter concerns only the first part of your request and covers only documents relating to tar sands oil².

I regret to inform you that no documents were found that would fall under the scope of the mentioned part of your request.

As specified in Article 2(3) of Regulation 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

² DG Trade will provide a reply for the remaining topics of your request in different batches.

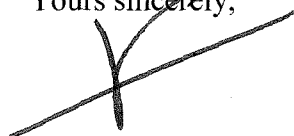
In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the 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 sincerely,

A handwritten signature in black ink, consisting of a stylized 'J' and 'D' connected by a horizontal line.

Jean-Luc DEMARTY