



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate B – Circular Economy & Green Growth
ENV.B.3 - Waste Management & Secondary Materials

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Corporate Europe Observatory
For the attention of Mr Olivier Hoedemann
by e-mail: [ask+request-3961-
acb91ca2@asktheeu.org](mailto:ask+request-3961-acb91ca2@asktheeu.org)

Subject: Your application for access to documents – Ref GestDem 2017/668

Dear Mr Hoedemann,

We refer to your request for access to documents in reference and our letter of 28/02/2017 in which we informed you of the need to consult the third party / author of the documents requested and the extension of the deadline.

We sincerely apologize for the late reply.

No relevant documents from, to or on International Paper and Eamonn Bates Europe Public Affairs could be identified.

We identified the following documents to, from and on Pack2Go as falling within the scope of your request:

- a) relating to the Proposal for a Directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste to reduce the consumption of lightweight plastic carrier bags – COM/2013/0761 final - 2013/0371 (COD) of 4/11/2013
 - Letter + annex of 5/08/2011 from Pack2Go to Commissioner Potočnik (annex 1 + 2)
 - Reply of 6/10/2011 from the Commission to Pack2Go (annex 3)
- b) relating to the Proposal for a Directive of the European Parliament and of the Council amending Directives 2008/98/EC on waste, 94/62/EC on packaging and packaging waste, 1999/31/EC on the landfill of waste, 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment - /* COM/2014/0397 final - 2014/0201 (COD) */ of 2/07/2014:
 - Invitation of 20/10/2015 from Pack2Go to the Commission to speak at Pack2Go conference on 12/11/2015 (+ decline of the invitation by the Commission) (annex 4)
- c) relating to the Proposal for a Directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste - COM/2015/0596 final - 2015/0276 (COD) of 2/12/2015):
 - Invitation of 18/05/2016 from Pack2Go to the Commission to speak at Pack2Go CEO meeting on 9/06/2016 (+ acceptance of the invitation by the Commission) (Annex 5)
 - Ppt-presentation of the intervention by the Commission at the Pack2Go meeting on 9/06/2016 (Annex 6)

Some of these documents 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 data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable².

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 some of 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 some of 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

Yours sincerely,



Julius LANGENDORFF
Acting Head of Unit

¹ Official Journal L 8 of 12.1.2001, p. 1

² 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.