



## EUROPEAN COMMISSION

DIRECTORATE-GENERAL  
ENVIRONMENT

Directorate B - Circular Economy & Green Growth  
Unit B1 – Sustainable Production, Products and Consumption  
The Head of Unit

***By registered letter with acknowledgment of receipt***

Ms Vicky Cann  
Corporate Europe Observatory  
Rue d'Edimbourg 26  
1050 Bruxelles

***Advance copy by email :***  
[ask+request-5107-24b83649@asktheeu.org](mailto:ask+request-5107-24b83649@asktheeu.org)

Dear Madam,

**Subject: Your application for access to documents – Ref GestDem No 2018/0163, 2018/0165 and 2018/0775**

We refer to

- your e-mails dated 19/12/2017 in which you make a request for access to documents, registered on 09/01/2018 under the reference numbers GestDem No 2018/0163 and 2018/0165;
- your email dated 31/01/2018 in which you make a request for access to documents, registered on 05/02/2018 under the reference number GestDem No 2018/0775.

**Under GestDem No 2018/0163** you request access to “*a list of all lobby meetings held by DG ENV since December 2015 where the Commission’s proposed Plastics Strategy was discussed*”.

**Under GestDem No 2018/0165** you request access to “*the minutes/reports of all lobby meetings held by DG ENV since December 2015 where the proposed Plastics Strategy was discussed with one or more of the following organisations: PlasticsEurope, European Chemical Industry Council (Cefic), Total, Cosmetics Europe, Borealis*”.

The Secretariat General limited the scope of the period and fixed the starting date **at 26 January 2017**.

Please note that a list of all lobby meetings held by DG ENV as requested under Gestdem No 2018/163 does not exist. However, according to the Commission’s code of good administrative behavior, we have compiled it based on existing information. You will find it enclosed in **Annex 1**. This document also identifies relevant meetings and minutes falling under the scope of your request GestDem No 2018/0165 as well as GestDem No 2017/7535.

**Under GestDem No 2018/0775** you request access to “*all correspondence (including letter and emails) and documents (position papers etc.) exchanged between Plastics Europe and DG Environment which discussed a possible voluntary commitment by industry, to be included in the Commission’s “European Strategy for Plastics in a Circular Economy”*”.

I consider your request to cover documents held up to the date of your initial application, i.e. **31/01/2018**. Your application concerns therefore the 4 documents listed in **Annex 2**.

Some of the documents to which you have requested access 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 data<sup>1</sup>.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable<sup>2</sup>.

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.

I consider that, with the information available, the necessity of disclosing 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, I am disclosing a version of the documents requested in which these personal data have been redacted.

In case you would disagree with the assessment that the redacted data are personal data which can only be disclosed if such disclosure is legitimate under the applicable rules on the protection of personal data, 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 5/288  
B-1049 Bruxelles or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

Hugo-Maria SCHALLY

---

<sup>1</sup> Official Journal L 8 of 12.1.2001, p. 1

<sup>2</sup> 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.