



**EUROPEAN COMMISSION**

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Consumer, Environmental and Health Technologies  
**Chemicals**

Brussels,  
GROW.D.2/AS/ARES(2018)

**Vicky Cann**  
**CEO**  
**Rue d'Edimbourg 26**  
**1050 Bruxelles**

*By registered letter with acknowledgment of receipt*

*Advance copy by email:*  
*ask+request-5108-79e863b4@asktheeu.org*

Dear Madame,

**Subject: Your application for access to documents – Ref GestDem No 2018/0657**

We refer to your e-mail dated 31/01/2018 in which you make a request for access to documents, registered on 31/01/2018 under the above mentioned reference number.

You request access to "*all correspondence (including letter and emails) and documents (position papers etc.) exchanged between Plastics Europe and DG Grow which discussed a possible voluntary commitment by industry, to be included in the Commission's "European Strategy for Plastics in a Circular Economy"*".

We consider your request to cover documents held up to the date of your initial application, i.e. 31/01/2018.

Your application concerns the 10 documents listed in Annex.

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>.

<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.

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 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 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,



Luisa Prista  
Head of Unit