



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-6145-
@□□

Dear Madam,

Subject: Your application for access to documents – Ref GestDem No 2018/6318

We refer to your e-mail dated 28/11/2018 in which you make a request for access to documents, registered on 29/11/2018 under the reference numbers GestDem No 2018/6318 in which you request access to *“a list of all lobby meetings held with the tobacco industry on the subject of the Single-Use Plastics proposal since 28 May 2018, to include the name of the official(s), the name(s) of the lobbyist(s) and organisation(s), the date, and the precise topic. I would additionally like to receive any emails, letters, agendas, minutes, and position papers which relate to either these meetings or other contacts between the tobacco industry and DG Environment on the Single-Use Plastics proposal”*.

Please note that a list of all lobby meetings held by DG ENV as requested does not exist. However, according to the Commission's code of good administrative behavior, we compiled such a list. We have identified 2 meetings within the scope of your request, as well as related correspondence for these 2 meetings.

- 1) 14 November 2018 – British American Tobacco – met with DG ENV B1

Ares(2018)6212026 and Ares(2018)5268846 -

- 2) 23 November 2018 – Rhodia Acetow met with Sebastien Paquot (Cabinet Vella) and ENV B1.

Ares(2018)6157887 and Ares(2018)6103666

Please note that some of the documents to which you have requested access contain personal data. This is reason why names of individuals are generally not indicated.

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.

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

Yours sincerely,

Hugo-Maria SCHALLY
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.