Subject: Your application for access to documents – Ref. GestDem No 2018/6666

Dear Mr. Hoedeman,

We refer to your e-mail dated 11/12/2018 in which you are asking for:

- all reports (and other notes) from meetings between the European Commission and representatives of the tobacco industry (producers, distributors, importers etc, as well as organisations and individuals that are funded by and/or work to further the interests of the tobacco industry), during 2018.

- all correspondence (including emails) between the European Commission and representatives of the tobacco industry (producers, distributors, importers etc. as well as organisations and individuals that are funded by and/or work to further the interests of the tobacco industry), during 2018.

- a list of all the above-mentioned documents (including dates, names of participants/senders/recipients and their affiliation, subject of meeting/correspondence).

You have also asked to exclude all documents which you have already received as a result of your earlier request tabled at the beginning of 2018 (GestDem 2018/2850).

Please note that your request has been qualified as a wide-scope request that potentially could fall under the responsibility of different DGs. Therefore, the request has been split as follows:

- GestDem 2018/6660: DG SANTE
- GestDem 2018/6662: DG GROW
This reply concerns only GestDem 2018/6666 assigned to DG TRADE, the others will be answered by the appropriate DGs.

After a detailed search, we have identified two documents – with the Ares registration numbers (2018)4014499 and (2018)2628494 – which have already been disclosed to you as part of DG TRADE’s reply to your previous request GestDem 2018/2850. As you have asked us to exclude those documents from our reply to this current request, we regret to inform you that the Commission does not hold any further documents that would correspond to the description given in your application.

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.

Given that no such documents, corresponding to the description given in your application, are held by DG TRADE, DG TRADE is not in a position to fulfil your request.

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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, Document Management & Access to Documents (SG-C1)
BERL 7/076
1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Jean-Luc DEMARTY
p.o. Sandra GALLINA