



## EUROPEAN COMMISSION

Secretariat-General

Directorate C – Transparency, Efficiency and Resources  
SG.C.1-Transparency, Document Management and Access to Documents

Brussels,

*By registered letter with AR:*

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**Subject: Your e-mail concerning your applications for access to documents under Regulation (EC) No 1049/2001 - GESTDEM 2020/2250**

Dear Mr Fanta,

I refer to your e-mail of 29 June 2020, registered on the same day, in which you submitted a confirmatory application, in accordance with Article 7(2) of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents<sup>1</sup> (hereafter ‘Regulation (EC) No 1049/2001’).

Your confirmatory application was submitted in relation to your initial application of 10 December 2019, addressed to the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs and subsequently handled by the Directorate-General for Agriculture and Rural Development, whereby you requested access to, I quote:

‘- Communication with stakeholders ahead of the adoptions of Commission Regulation (EC) No. 2257/94, also known as the 'bendy bananas law'. The question I would like to answer is who pushed for the regulation in the first place.’

You replied on 17 April 2020 to our request for clarification, whereby you clarified, I quote:

‘- The communications with stakeholders in the process of drafting the Regulation (EC) No 2257/94, including minutes of meetings with company and

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<sup>1</sup> OJ L 145, 31.5.2001, p. 43.

trade association representatives (i.e. lobbyists) as well as letters, position papers and other documents from such persons or groups, such as submissions to stakeholder consultations. The time frame should be from the first public proposal of the law until its adoption.’

On 2 June 2020 the Directorate-General for Agriculture and Rural Development replied to your request granting wide partial access to 29 out of 41 documents.

In your confirmatory application, you inquire about the remaining documents, I quote:

‘I received a partial reply in early June which gave me access to 29 out of 41 documents. The other documents originate from national authorities. I was told that they have been consulted and I would receive a reply as soon as they respond.

First of all, I would like to know whether replies have been sent. If so, I would like to ask for the replies to be passed on. Also, I would like to note that in a reply to a separate request under German law I was told that the Ministry of Agriculture did not receive any request for consultation with the EU Commission (see link to exchange below). I would like to inquire whether the requests for consultation have actually been send in all cases.’

As the Directorate-General for Environment has in the meantime sent you on 16 July 2020 a full reply to your application, the Secretariat-General will close this confirmatory application.

Yours sincerely,

María Oliván Avilés  
Head of Unit