



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Director-General

Brussels,
ENV/B.2

Tim Luimes and Tomas Vanheste
Journalists - The Investigative Desk
Gaasterlandstraat 3-5
1079 RH Amsterdam
The Netherlands

By email:
ask+request-8969-26df676c@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2021/503

Dear Mr Luimes and Mr Vanheste,

We refer to your access to documents request dated 26/01/2021 to Directorate-General Health and Food Safety that was split between different Commission services, including DG Environment. As regards DG ENV, your request was registered under the above-mentioned reference number. We would like to apologise for the delay in replying and for any inconvenience this may have caused.

You requested access to “*documents - including but not limited to emails, presentations, agendas, attendance lists and minutes of meetings - concerning the following subject:*

All emergency authorisations since 29 May 2018 for the three substances thiamethoxam, imidacloprid and clothianidin, of which the use was restricted by the regulations 2018/783, 2018/784 and 2018/785 of 29 May 2018.

What we are looking for are all the documents concerning these emergency authorisations that were prepared inside and/or exchanged between one of the following organisations:

* *DG Health and Food Safety*

* *DG Environment*

* *DG Agriculture*

* *DG Trade*

* *The Standing Committee on Plants, Animals, Food and Feed (SCoPAFF)*

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** The European Food and Safety Authority (EFSA)*

** The companies Bayer, BASF, Syngenta en Corteva that use one of the three substances in their plant protection products*

** Tereos, Royal Cosun, SESVanderHave and other sugarbeet companies*

** The European Crop Protection Association (ECPA), COPA-COGECA and other lobby organisations ”.*

We regret to inform you that DG ENV does not hold any documents that would correspond to the description given in your application. The European Commission does not grant such emergency authorisations, they are granted by each individual Member State for a specific use and limited time. The Member States are required to notify the Commission such emergency authorisations. As specified in Article 2(3) of Regulation (EC) No 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 ENV, DG ENV is not in a position to fulfil your request.

In accordance with Article 7(2) of Regulation (EC) No 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 Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Brussels

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

Yours sincerely,

eSigned
Florika FINK-HOOIJER
Director-General