



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR TRADE

The Director-General

Brussels,
TRADE/SW/D3 (2022) 497610

Mrs Gitte Wolput
Serigiersstraat 20
2020 Antwerpen

By email only: ask+request-10436-cff3de94@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2022/0206

Dear Mrs Wolput,

I refer to your application dated 28/12/2021, in which you make a request for access to documents under Regulation (EC) No 1049/2001¹ ('Regulation 1049/2001'), registered on 28/12/2021 under the above mentioned reference number.

In your request you ask for access to the following documents:

- *all documents containing any reference to the THE INTERNATIONAL CODE OF MARKETING OF BREAST-MILK SUBSTITUTES of the WHO.*
- *all e-mails and any other correspondence from Nestlé, Nutricia or other companies to members of the European Commission, concerning the THE INTERNATIONAL CODE OF MARKETING OF BREAST-MILK SUBSTITUTES of the WHO.*

This request was split amongst DG Sante, DG Grow and DG Trade. Each DG is preparing a separate reply. You subsequently also clarified in your e-mail of 19/01/2022 sent to DG Grow (GROW-ACCES-DOCUMENTS@ec.europa.eu), registered under reference 2022/0207 in DG GROW, that your request relates to the period from 1 January 1981 to 31 December 2000.

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 20 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

We are replying to your request as regards any potential documents held by DG Trade. After having performed searches in all relevant archiving systems, we hereby inform you that DG Trade holds no 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 documents corresponding to the description given in your application, are held by DG Trade, we are not in a position to fulfil your request.

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 Secretariat-General of the Commission at the following address:

Secretary-General
European Commission
Transparency, Document Management & Access to Documents
Rue de la Loi 200/Wetstraat 200
BERL 7/76
1049 Brussels
Belgium

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

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'S. Weyand', with a stylized flourish at the end.

Sabine WEYAND