



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
The Director-General

Brussels
ENV.B.1/env.b.1(2022)9860576

Mr Moritz Neujeffski
Heidebrinker Straße 10
13357 Berlin

ask+request-12106-
ca33362b@asktheeu.org

Subject: Your application for access to documents GestDem 2022/6369

Dear Mr Neujeffski,

We refer to your request for access to European Commission documents registered on 9 November under the above-mentioned reference number.

You request access to documents concerning the following information:

1. Any letters of formal notice or draft letters of formal notification by the European Commission regarding the French ruling on the ban on plastic cups, cutlery and plates from 2016, which is described in this newspaper article ([https://urldefense.com/v3/_https://edition.cnn.com/2016/09/19/europe/france-bans-plastic-cups-plates/index.html*:text=Story*20highlights&text=France*20has*20become*20the*20first,home*20by*20January*20of*202020_!34!JSUIJSUIJSU!!DOxrgLBm!G_gQSbVJEaryd5_iHuBUsPMSXzfdLg9upLtufFdZP2ivVNcgOFr2IrUq6d!Ohn7vj4nSwhHRI8HrY-8Jni4qJlNB27jApNWUvaC2mGvmwQ\\$](https://urldefense.com/v3/_https://edition.cnn.com/2016/09/19/europe/france-bans-plastic-cups-plates/index.html*:text=Story*20highlights&text=France*20has*20become*20the*20first,home*20by*20January*20of*202020_!34!JSUIJSUIJSU!!DOxrgLBm!G_gQSbVJEaryd5_iHuBUsPMSXzfdLg9upLtufFdZP2ivVNcgOFr2IrUq6d!Ohn7vj4nSwhHRI8HrY-8Jni4qJlNB27jApNWUvaC2mGvmwQ$))
2. All documents regarding meetings and communications between the European Commission and Plastic2Go, PlasticsEurope or any other trade association representing the polymer producers in Europe, concerning the French ruling on the ban on plastic cups, cutlery and plates from 2016.

Documents as described under point 1 fall under the responsibility of DG GROW which replied to you as a reply to your request GestDem 2022/5108. We regret to inform you that Directorate General Environment does not hold any documents that would correspond to the description given in your application.

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 Environment, DG Environment is not in a position to fulfil your request.

Concerning the description given under point 2, DG Environment has identified the 6 documents enumerated in the “List of identified documents” attached to this reply.

A complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons;
- handwritten signatures/abbreviated signatures of natural persons;

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

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 in the following ways:

by asking for a review via your portal1 account (available only for initial requests submitted via the portal account)

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 faithfully,

Electronically signed

Florika FINK-HOOIJER