



EUROPEAN COMMISSION
Competition DG

The Director General

By registered letter with acknowledgment of receipt

Brussels, **16 MAI 2019**
COMP/FTF/LG/ (2019)/2467

Alberto Andreo
Calle Rueda 4, 2B
28350 Ciempozuelos
Madrid, Spain

Advance reply by email sent to: ask+request-6847-57f78b43@asktheeu.org

Dear Mr Andreo,

Subject: Your application for access to documents – Ref GestDem No 2019/2467

We refer to your e-mail dated 24/04/2019 in which you make a request for access to documents, registered on 24/04/2019 under the above-mentioned reference number. In your application to DG Competition, you request “*a list of lobby meetings held with the tobacco industry and the sanitary industry in the last 2 years, to include the name of the official(s), the name(s) and organisation(s), the date and the precise topic*”.

On 02/05/2019, the Commission sent you a request for clarification concerning what you mean by “*sanitary industry*”, in order to be able to enable the Commission to identify concrete documents that would correspond to your request. As stated in the Commission’s email, the 15 days working days time limit for handling the part of your request concerning the “*sanitary industry*” is suspended until we receive the requested clarification. We have not yet received a reply from you to this email request. If you do not reply to our request for clarification within 10 working days from the date of this letter, we will close this part of your request.

Therefore, this letter only concerns your request regarding the tobacco industry.

We regret to inform you that apart from the public Transparency Register¹ that displays the list of meeting registrants have had with the Commissioners and their closest advisors, the Commission does not hold such a list of meetings that would correspond to the description given in your

¹ Publically accessible at

<http://ec.europa.eu/transparencyregister/public/homePage.do?redir=false&locale=en>

application, because it does not exist. 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 the Commission, the Commission is not in a position to fulfil your request.

Further, the Commission can inform you that no such lobby meetings with the tobacco industry corresponding to the description given in your application took place.

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.C.1)
BERL 7/076
B-1049 Bruxelles or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

A handwritten signature in black ink, appearing to be 'J. Laitenberger', with a stylized flourish at the end.

Director General
Johannes LAITENBERGER