



EUROPEAN COMMISSION
DIRECTORATE-GENERAL ENVIRONMENT

The Director-General

Brussels,
ENV/B.2

Vicky Cann

By email with acknowledgment of receipt:
ask+request-7298-5d80c9a0@asktheeu.org

Dear Ms Cann,

Subject: Your application for access to documents – Ref GestDem No 2020-1240

We refer to your e-mail dated 10/02/2020, registered under the above-mentioned reference number and our holding reply Ref. Ares(2020)1728959 - 24/03/2020.

You requested: *“In the annex to 2019/5372 there is a Commission reply to a letter from the Chemical Industry of the Czech Republic (doc 17). It references a letter sent to the Commission by this organisation dated 21 February 2019. I do not appear to have this letter although I think it would have been covered by my original request. Please might you send it to me?”.*

Having examined this document under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that it may be partially disclosed. Some parts of the document have been blanked out as their disclosure is prevented by exceptions to the right of access laid down in Article 4 of this Regulation.

In particular some parts are redacted as they contain information of the third party that submitted the document whose disclosure would undermine the protection of its commercial interests protected by Article 4(2) of Regulation (EC) No 1049/2001.

Some other parts are redacted since they contain personal data and are therefore protected 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.

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 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 document, 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 individual concerned would not be prejudiced by disclosure of the personal data concerned.

Please note that this document was received by the Commission from a third party. It is disclosed for information only and cannot be re-used without the agreement of the originator, who holds a copyright on it. It does not reflect the position of the Commission and cannot be quoted as such.

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 Bruxelles

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

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'D. Calleja', with a horizontal line underneath.

Daniel Calleja