



EUROPEAN COMMISSION

Brussels,

Mr Olivier Hoedeman  
Corporate Europe Observatory  
Rue d'Edinbourg 26  
1050 Brussels

**DECISION OF THE EUROPEAN COMMISSION PURSUANT TO ARTICLE 4 OF THE  
IMPLEMENTING RULES TO REGULATION (EC) No 1049/2001<sup>1</sup>**

**Subject: Your confirmatory application for access to documents under  
Regulation (EC) No 1049/2001 – GESTDEM 2019/7297**

Dear Sir,

I refer to your letter of 9 March 2020, registered on the same day, in which you submitted a confirmatory application in accordance with Article 7(2) of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents<sup>2</sup> (hereafter 'Regulation (EC) No 1049/2001').

In your initial application of 19 December 2019, addressed to the Directorate-General for Trade, you requested access to the following documents:

- 'All reports and (other notes) from meetings between the European Commission and representatives of the tobacco industry (producers, distributors, importers, etc., as well as organisations and individuals that are funded by and/or work to further the interests of the tobacco industry) during 2019;
- All correspondence (including emails) between the European Commission and representatives of the tobacco industry (producers, distributors, importers, etc., as well as organisations and individuals that are funded by and/or work to further the interests of the tobacco industry) during 2019;
- A list of all the above-mentioned documents (including dates, names of participants/senders/recipients and their affiliation, subject of meeting/correspondence)'.

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<sup>1</sup> OJ L 345, 29.12.2001, p. 94.

<sup>2</sup> OJ L 145, 31.5.2001, p. 43.

You have asked to exclude all documents that you have already received as a result of your previous access-to-documents request submitted on 11 December 2018 (registered under reference GESTDEM 2018/6666).

As you did not receive any initial reply from the Directorate-General for Trade within the statutory deadlines, you submitted a confirmatory application on 9 March 2020, against the tacit refusal of access to the documents requested.

On 11 March 2020, the Directorate-General for Trade sent you an initial reply to your application:

- Providing access to documents 1b, 1c, 2c and 2d;
- Granting wide partial access to documents 1a, 2a, 2b, 3 and 4, subject only to the redaction of personal data on the basis of the exception of Article 4(1)(b) of Regulation (EC) No 1049/2001 (protection of the privacy and integrity of the individual).

The reason for your confirmatory application was the absence of any initial reply. As the Directorate-General for Trade has in the meantime replied to your application, the Secretariat-General will close your confirmatory application.

Yours sincerely,

María Oliván Avilés  
Head of Unit