



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Directorate D - Twin Transition, Economic & Social Affairs  
SG.D.1 - Digital Transition, Industry & Single Market

Brussels  
SG.D.1/WSW

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Dear Madam,

**Subject: Your application for access to documents – GESTDEM 2022/0195**

We refer to your request for access to documents on 7 January 2022, registered under the above-mentioned reference number.

You request access to “*any research, briefings, impact assessments that analyse the impact or contribution of behavioural advertising on small and medium sized enterprises. I am particularly interested in any evidence used to substantiate Executive Vice-President Vestager's comments at the European Parliament hearing on the 6th of September 2021*”.

We have identified the following documents responsive to your request:

1. Ares(2021)5665914 - Briefing document used for the meeting of the 6<sup>th</sup> of September 2021
2. Impact assessment accompanying the Digital Services Act proposal, available at <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52020SC0348>
3. Impact assessment accompanying the Digital Markets Act proposal, available at <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A52020SC0363>

With regard to document 1, a complete disclosure of the identified document 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 it contains 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 institutions or natural persons.

Article 9(1)(b) of the Data Protection Regulation (Regulation 2018/1725) 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 neither express any particular interest to have access to these personal data, nor put forward arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

This document was drawn up for internal use under the responsibility of the relevant services of the European Commission. It solely reflects the author's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which were not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit 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  
Unit C.1. 'Transparency, Document Management and Access to Documents'  
BERL 7/076  
B-1049 Brussels, or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

Electronically signed

Olivier GIRARD  
Head of Unit

Enclosure: disclosed document