



EUROPEAN COMMISSION
ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL

Sustainable Growth and EU 2020
Director

Brussels, **28 OCT. 2014**
ENTR/B4/SPR/as -(2014)

Ms Pauline Liétar
Premières Lignes
10 rue Nicolas Appert
F-75011 Paris

Sent by email to:
[ask+request-1465-
d4d74772@asktheeu.org](mailto:ask+request-1465-d4d74772@asktheeu.org)

Subject: Request for access to documents – GESTDEM No. 2014/3976

Dear Ms Lietar,

Thank you for your e-mail dated 9 September 2014, which was registered at the Secretariat-General of the European Commission on 10 September, requesting access to documents under Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents (OJ L145, 31 May 2001, page 43 and following).

For organizational reasons, your request, addressed to the Secretariat-General, has been divided into three parts, each part registered separately. This reply covers the documents held by DG Enterprise and Industry (GESTDEM No. 2014/3976). You will receive separate replies from DG Environment and DG Health and Consumers (GESTDEM numbers 2014/3974 and 2014/3975 respectively).

1. SCOPE OF YOUR REQUEST

Your original letter requested access to "documents on the topic of diesel (and its regulation, taxation, emissions), all correspondence (including emails), the list of meetings with detailed minutes and any other reports of such meetings between the Chief Scientific Adviser of the European Commission (and her representatives), the DG Environment, the DG Sanco, the DG Entr and the following organisations and/or individuals: The President of the European Commission José Manuel Barroso (and his representatives); ACEA; PSA; Renault; Clarens Consulting and Total SA", between January 2011 and now.

To obtain a more specific scope, Directorate-General for Enterprise and Industry sent you a precision request on 19 September. The reply to this request, received on 29 September, specified that the request covers "documents concerning emissions from diesel when it's

used as a fuel in cars, and also documents regarding the taxation of diesel when it's sold as a fuel for cars."

Following this reply, the scope of the request was set at DG Enterprise and Industry as

- all correspondence (including letters and e-mails) on the topic "emissions from diesel when it's used as a fuel in cars, and taxation of diesel when it's sold as a fuel for cars" between DG Enterprise and Industry and ACEA; PSA; Renault; Clarens Consulting and Total SA;

- a list of meetings between DG Enterprise and Industry and ACEA; PSA; Renault; Clarens Consulting and Total SA where the topic "emissions from diesel when it's used as a fuel in cars, and taxation of diesel when it's sold as a fuel for cars" was addressed and detailed minutes and any other reports of such meetings,

and this for the following time period: 01.01.2011 - now.

2. AVAILABILITY OF INFORMATION FROM OTHER SOURCES

As background information, I would like to state that DG Enterprise and Industry's work on "emissions from diesel when it's used as a fuel in cars" covers a large area of legislative activities. These include emission standards for cars (for nitrogen oxides, particulate matter, CO₂, hydrocarbons and others), as well as testing procedures for pollutant emissions and fuel consumption. Two new testing procedures are currently being developed - Real Driving Emissions (RDE) for measuring regulated pollutants and World Harmonized Light-duty Vehicles Testing Procedure (WLTP) for measuring CO₂ emissions. This work is supported by regular meetings of RDE and WLTP working groups. Along with other stakeholders, ACEA takes part in these meetings and regularly provides contribution documents. A full list of all the meetings and all related meeting documents are available in the DG Enterprise and Industry CIRCABC group "New light duty test procedures: WLTP, MAC,..." (<https://circabc.europa.eu/w/browse/f4243c55-615c-4b70-a4c8-1254b5eebf61>). Access to this group is free to all and does not require any registration or membership. Thus, these documents are already in the public domain and are not listed in the present reply.

3. DESCRIPTION OF DOCUMENTS IDENTIFIED

Further to your request, with reference No. GESTDEM 2014/3976, please find enclosed a list of documents that match the criteria set in your request, as well as a list of meetings where the topic "emissions from diesel when it's used as a fuel in cars" was addressed. We have not identified any meetings where the topic "taxation of diesel when it's sold as a fuel for cars" would have been addressed.

We have identified 12 documents that match the scope of the first part of your request ("documents concerning emissions from diesel when it's used as a fuel in cars"). No documents matching the scope of the second part of your request ("documents regarding the taxation of diesel when it's sold as a fuel for cars") have been identified.

4. DISCLOSURE OF THE REQUESTED DOCUMENTS

Of the 12 documents identified, 10 originate from a third party. I can confirm that DG Enterprise and Industry has consulted according to Article 4, paragraph 4 of Regulation 1049/2001 the third party with a view to assessing whether an exception in paragraph 1 or 2 is applicable, and has obtained their permission to release the documents.

Thus, of the 12 documents identified, 12 documents are disclosed in their entirety. We enclose a copy of the documents requested.

You may reuse the documents requested free of charge for non-commercial and commercial purposes provided that the source is acknowledged, and that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse¹.

Please note that documents 1, 2, 3, 4, 6, 8, 9, 10, 11 and 12 were received by the Commission from ACEA. They are disclosed for information only and cannot be re-used without the agreement of the originators, who hold a copyright on them. They do not reflect the position of the Commission and cannot be quoted as such.

Yours sincerely,



Carlo Pettinelli

Encl.

¹ See the Decision of the Commission of 12 December 2011 (2011/833/EU), OJ L 330/39 of 14 December 2011 for details; this Decision does not apply to documents for which third parties hold the copyrights, Article 2 (2) (b).