



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Consumer, Environmental and Health Technologies
Chemicals

Brussels,
GROW.D.2/AS/ARES(2018)
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Vicky Cann
CEO
Rue d'Edimbourg 26
1050 Bruxelles

By registered letter with acknowledgment of receipt

Advance copy by email:
ask+request-5108-79e863b4@asktheeu.org

Dear Madam,

Subject: Your application for access to documents – Ref GestDem No 2018/1793

We refer to your e-mail dated 23/03/2018 in which you make a request for access to documents, registered on 26/03/2018 under the above mentioned reference number.

As follow up to the reply to GestDem No 2018/0657, you request access to:

"- document 7 mentions a meeting on 18 December 2017 and a meeting to be held in week commencing 8 January 2018. I have not received those minutes.

- document 4 mentions a "meeting earlier this week" which could be the meeting on 18 December referred to above. It also mentioned a new draft of the voluntary commitments draft which was not included in the set of documents. The list of documents provided mentions an attachment to document 4 but this was not provided".

Attached you will find the requested meeting minutes:

- 1) Meeting between DG GROW/D2 and EuPC, PlasticsEurope, PET Core Europe, VinylPlus, Borealis, Polystyrene initiative, Carpet&Rug association of 18 December 2017 on voluntary commitments regarding the European Plastics Strategy (Ares Ref. (2018)1991728);
- 2) Meeting between DG GROW/D2 and EuPC, PlasticsEurope, PET Core Europe, VinylPlus, PRE, Borealis, Polystyrene initiative, Carpet&Rug association of 8 January 2018 on voluntary commitments regarding the European Plastics Strategy (Ares Ref.(2018)1991477).

Moreover and as regards our reply to GestDem No 2018/0657 (Ares Ref. (2018)1585925 - 22/03/2018), we confirm that the wording in document 4 of a "meeting earlier this week" refers to the meeting held on 18 December 2017. The text in document 4 refers to the draft of the voluntary commitment, which was attached as document 4a in our reply to GestDem No 2018/0657. We attach document 4a for your information (Ares Ref. (2018)1373834).

The documents to which you have requested access contain personal data.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable².

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing a version of the documents requested in which these personal data have been redacted.

In case you would disagree with the assessment that the redacted data are personal data which can only be disclosed if such disclosure is legitimate under the applicable rules on the protection of personal data, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, 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 unit SG-B-4
BERL 5/288
B-1049 Bruxelles or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Luisa Prista
Head of Unit

¹ Official Journal L 8 of 12.1.2001, p. 1

² Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, *Commission/The Bavarian Lager Co. Ltd*, ECR 2010 I-06055.