



EUROPEAN COMMISSION

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

Consumer, Environmental and Health Technologies
Director

Brussels,
GROW/D2/AS/Ares(2018)
grow.ddg1.d.2(2018)1775891

Peter Teffer
EU Observer
Rue Montoyer 18B
1000 Brussels
Belgium

By registered letter with acknowledgment of receipt

Advance copy by email:
ask+request-5226-7f64cf78@asktheeu.org

Dear Sir,

Subject: Your application for access to documents – Ref GestDem No 2018/1473

We refer to your e-mail dated 07/03/2018 in which you make a request for access to documents, registered on 09/03/2018 under the above mentioned reference number.

Please note that due to the wide scope of your request, covering also areas falling under the responsibility of other Directorates-General, parts of your request have been attributed to other Directorates-General. This reply relates only to the documents held by DG GROW. You will receive the replies from the other respective Directorates-General in due course. You request access to *"all documents related to the 17 April 2015 meeting between Rolf Carsten Bermig, Agnieszka Drzewoska and PlasticsEurope, including but not limited to minutes, verbatim reports, e-mails, and presentations"*.

Your application concerns the four documents listed in Annex. We enclose a copy of the documents requested.

The documents to which you have requested access contain personal data, in particular names of Commission officials.

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.

¹ Official Journal L 8 of 12.1.2001, p. 1

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.

As to handwritten signatures such as in document 2, which are biometric data, there is a risk that their disclosure would prejudice the legitimate interests of the persons concerned, as it would expose them to the risk of forgery and identity theft.

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,

Carlo Pettinelli

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.