



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate E - Single Market & Connectivity
SG.E.2-Natural Resources, Energy Union & Sustainability

Brussels,
SG.E.2/JM

Vicky Cann
CEO
Rue d'Edimbourg 26
Bruxelles 1050

Advance copy by email:
[ask+request-6578-
7360685b@asktheeu.org](mailto:ask+request-6578-7360685b@asktheeu.org)

Subject: Your application for access to documents – Ref GestDem No 2019/1361

Dear Ms Cann,

We refer to your e-mail dated 08/03/2019 in which you make a request for access to documents, registered on the same day under the above mentioned reference number.

As regards your request we would like to inform you that four documents regarding discussions on titanium dioxide (TiO₂) since 14 June 2018 have been identified. Please find the documents enclosed.

Please note that the document contains some personal data, which have been expunged. 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.

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.

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 the document requested expunged from this personal data.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, 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 5/282
B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,



Jean-Yves MUYLLE
Head of Unit

Enclosure:

1. Industry Statement on the Harmonized Classification of Titanium Dioxide
2. Meeting with CEPE on 18 July 2018 on the CLP classification of titanium dioxide
3. TiO₂ Alliance – Inter-Service Consultation on the 14th ATP to the CLP regulation 1272-2008
4. Closure of the alert procedure regarding the non-registered activities of the entity Titanium Dioxide Manufacturers Association (TDMA), a sector group of CEFIC (European Chemical Industry Council)