



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE AND CONSUMERS

The Director-General

Brussels
JUST.DDG.E.4/PC

Subject: Your application for access to documents – Ref GESTDEM 2022/0581

Dear Ms. Hirst,

We refer to your e-mail in which you make a request for access to documents concerning a meeting between Commissioner Didier Reynders and Amazon Europe Core SARL on 25 November 2021, registered under the above mentioned reference number.

After an inventory, the following relevant documents were identified for your request:

- Briefing for the meeting of Commissioner Reynders with the signatories of the Product Safety Pledge (including Amazon);
- Flash report of this meeting.

With regard to the above documents, a complete disclosure of the identified documents 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 they contain 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 natural persons;

Article 9(1)(b) of the Data Protection Regulation 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 not express any particular interest to have access to these personal data nor do you put forward arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

Ms Naomi Hirst
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Secondly, parts of the above-mentioned briefing have been redacted as their disclosure is prevented by exception to the right of access laid down in Article 4(3) of this Regulation, given that it relates to an ongoing policy discussion. These parts outline preparatory documents linked to the process of discussing the future of the Pledge and signatories and stakeholders confidential positions on these. Disclosure of these parts would seriously undermine the institution's decision-making process linked to the Product Safety Pledge. We have examined whether there could be an overriding public interest in their disclosure, but such an interest has not been identified.

Finally, given the scope of your request, information contained in the documents that concern other companies was also redacted.

These documents were drawn up for internal use under the responsibility of the relevant service of the Directorate-General for Justice and Consumers. They solely reflect the service's interpretation of the interventions made and do not set out any official position of the third parties to which the document refers, which was not consulted on its content. They do 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

According to standard operational procedure, the reply to a request for access to documents is usually sent by registered post. Please note, however, that due to the extraordinary health and security measures currently in force during the COVID-19 pandemic, which include the requirement for all Commission non-critical staff to telework, we are unfortunately not in a position to follow this procedure until further notice.

We would therefore appreciate if you could confirm receipt of the present e-mail by replying to the following email address: JUST-E4@ec.europa.eu

Yours faithfully,

Ana GALLEGO

Contact:

sg-acc-doc@ec.europa.eu
JUST-E4@ec.europa.eu

Enclosure: Annex 1 Flash report

Annex 2 High-level roundtable on product safety_UPDATED briefing