



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate B - Circular Economy & Green Growth
ENV.B.2 - Sustainable Chemicals

Brussels,
ENV/B.2

Marie Milet,
1 Long Lane,
London
United Kingdom
SE1 4PG

Sent by email with acknowledgement of receipt:

ask+request-10312-3e914f93@asktheeu.org

Dear Ms Milet

Subject: Your application for access to documents – Ref GestDem No 2021-7504

We refer to your e-mail dated 1 December 2021 in which you make a request for access to documents, registered under the above-mentioned reference number. We would like to sincerely apologise for the delay in our reply.

You requested access to: *“documents which contain the following information:*

All documentation, including but not limited to attendance lists, agendas, background papers, minutes/notes and email correspondence about or summarising, the following:

1. Meeting titled “Chemical recycling and mass balance” between the representatives of CEFIC and the DG of Environment (ENV) representative Florika Fink-Hoojier on 07/09/2021.

2. Meeting titled “REACH” between CEFIC representatives and DG of Environment (ENV) representative Daniel Calleja, on 04/02/2020.”.

With regard to your request, please see enclosed a copy of the document identified as falling within its scope:

- Briefing Note referring to the meeting of Director-General Florika Fink-Hoojier with CEFIC representatives on 07/09/2021 on the issue of chemical recycling and mass balance, with two annexes: a letter from CEFIC referring to the organisation of the meeting of 07/09/2021 and the CVs of the participants.

Having examined this document under the provisions of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents, we have come to the conclusion that complete disclosure 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 it contains the following personal data, which have been redacted:

- the names and contact information of Commission staff members not pertaining to the senior management;
- the names of other natural persons;
- other information relating to identified or identifiable natural persons (CVs)

In your application, you indicate that your address is in the United Kingdom. Transfers of personal data from the Commission to countries that are not members of the European Economic Area (EEA), or to international organisations, are regulated under Chapter V of the Data Protection Regulation¹.

According to Article 47(1) of this Regulation, a transfer of personal data to a third country or an international organisation may take place where the Commission has decided that the third country, a territory or one or more specified sectors within that country, or the international organisation in question, ensures an adequate level of protection and where the personal data are transferred solely to allow tasks within the competence of the controller to be carried out.

Based on the information available, the country of your residence is recognised by the Commission as ensuring an adequate level of protection. However, we would further like to inform you that 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 put forward any 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 identified document, 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.

Please also note the following:

- The enclosed Briefing Note was drawn up for internal use under the responsibility of the relevant officials of the Directorate-General for Environment. It solely reflects the authors' interpretation and does not set out any official position of the third parties to which the document refers, which were not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.
- The letter included as annex in the enclosed Briefing Note originates from a third party which was consulted for the disclosure of the letter, it is disclosed for information only, and cannot be re-used without the agreement of the originator. It does not reflect the position of the Commission and cannot be quoted as such.

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review its position on the matters already mentioned. 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, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Cristina de Avila
Head of Unit