



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP
AND SMES
Single Market Enforcement
E3. Notification of Regulatory Barriers - Directorate E, Single Market Enforcement

Brussels, 20.09.2024
GROW.E.3/RM/JP/VK/sa (2024)7563941

Mr Emil JUSLIN
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**Subject: Your request for access to documents – Notification 2009/0181/FIN
(Finland) – EASE 2024/4534**

Dear Mr. JUSLIN,

We refer to your request of 2 September 2024, registered under the above-mentioned EASE reference number. Your request concerns:

“comments made by the European Commission as well as Spain and France on the notification from 2009 "Proposal on changes to the Alcohol Act" - TRIS notification number 2009/0181/FIN” - notified by Finland within the framework of Directive (EU) 2015/1535.¹

We inform you that in respect of your request, the following documents have been identified:

- Forwarding of the observations of a Member State (France) SG(2009) D/51364
- Observations from the Commission SG(2009) D/51435
- Forwarding of the observations of a Member State (Spain) SG(2009) D/51604

Having analysed your request in the light of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents², we consider that access to the requested documents can be granted.

¹ Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, OJ L 241 of 17.9.2015, p.1

² Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.5.2001, p. 43.

Concerning the documents in question we have come to the conclusion that they may be partially disclosed. In particular, some parts of the requested documents have been blanked out pursuant to the exception relating to the protection of privacy and integrity of the individual provided for in Article 4(1)(b) of Regulation (EC) No 1049/2001, which makes its full disclosure impossible, since they contain the following personal data:

- the names/initials and contact details of 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 put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, we 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.

You may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of Commission documents](#). You may reuse the documents disclosed free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

Please note that documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your portal³ account (available only for initial requests submitted via the portal account),

or by mail:

European Commission

Secretariat-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 sincerely,

(Electronically signed)

Radek MALY
Head of Unit

Enclosure: 3

³ <https://www.ec.europa.eu/transparency/documents-request>