



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate I – Legal, procedural and inter-institutional affairs
I.1 – Agricultural law and enforcement

Brussels
AGRI.I.1/IB/

Subject: Your application for access to documents No 2024/2224

Dear Ms Bigaignon,

I refer to your request for access to European Commission documents registered on 26 April under the above-mentioned reference number.

You request access to all correspondence, preparatory documents, minutes of meetings and any other report of such meetings, notes, logs of phone calls having occurred in 2023 between officials/representatives/Commissioner/cabinet member of DG AGRI and the following private companies and stakeholders: Philippe Morris International; British American Tobacco; Japan American Tobacco; any lobby group or individual when these exchanges are related to tobacco or nicotine products.

We have identified 6 documents with accompanying annexes falling within the scope of your request. You will find enclosed a list of these documents, as well as redacted copies of them.

The full disclosure of the documents at hand 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 also 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;
- handwritten signatures/abbreviated signatures of natural persons.

Article 9(1)(b) of the Data Protection Regulation ⁽¹⁾ 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

⁽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. 3.

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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 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.

Documents such as *meeting minutes and briefings* were drawn up for internal use under the responsibility of the relevant services of the Directorate-General for Agriculture and Rural Development. They solely reflect the services' interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer, which were not consulted on their content. They do not reflect the position of the Commission and cannot be quoted as such.

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 for their reuse.

If you disagree with the partial access, 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 to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it:

via your EASE portal ⁽²⁾ account

Yours faithfully,

Electronically signed

Oliver SITAR
Head of Unit

⁽²⁾ <https://www.ec.europa.eu/transparency/documents-request>

Annexes: 6 documents, list of identified documents and type of disclosure