



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP  
AND SMES

The Director-General

Brussels  
GROW.B.1

Mr. Moritz Neujeffski  
Heidebrinker Straße 10  
13357 Berlin  
Germany

By email: ask+request-11808-  
fb1b1b8e@asktheeu.org

**Subject: Your application for access to documents – GESTDEM 2022/5108**

Dear Mr. Neujeffski,

We refer to your e-mail received on 8 September 2022 in which you make a request for access to documents and your email of 19 September 2022 clarifying your request, registered the same day under the above-mentioned reference number.

You initially requested access to:

- 1. Any letters of formal notice or draft letters of formal notification by the European Commission regarding the French ruling on the ban on plastic cups, cutlery and plates from 2016, which is described in this newspaper article ([https://urldefense.com/v3/https://edition.cnn.com/2016/09/19/europe/france-bans-plastic-cups-plates/index.html\\*:\\*:text=Story\\*20highlights&text=France\\*20has\\*20become\\*20the\\*20first,home\\*20by\\*20January\\*20of\\*202020\\_;I34lJSUlJSUlJSU!!DOxrgLBm!GeqQbygmKx5NR6RsDiJ8JaV6xix5UvnE9QnmC8EaQRAp1MF5P31KV7P0kCo6ZQpx1KFOqhhjLtlk-PWQBgKBfWv9hXu9Mm77KNxbK7Iid1d\\$](https://urldefense.com/v3/https://edition.cnn.com/2016/09/19/europe/france-bans-plastic-cups-plates/index.html*:*:text=Story*20highlights&text=France*20has*20become*20the*20first,home*20by*20January*20of*202020_;I34lJSUlJSUlJSU!!DOxrgLBm!GeqQbygmKx5NR6RsDiJ8JaV6xix5UvnE9QnmC8EaQRAp1MF5P31KV7P0kCo6ZQpx1KFOqhhjLtlk-PWQBgKBfWv9hXu9Mm77KNxbK7Iid1d$)).*
- 2. All documents regarding meetings and communications between the European Commission and Plastic2Go, PlasticsEurope or any other trade association representing the polymer producers in Europe, concerning the French ruling on the ban on plastic cups, cutlery and plates from 2016.*

With the following clarification:

*“In terms of my first question I am interested in any and all correspondence (including email) between DG GROW and the French government regarding the French ban on plastic cups, cutlery and plates which was initiated by the French government in 2016.*

*This may or may not include (draft) letters of formal notice sent by the Commission as part of potential EU infringement procedures.*

*The newspaper article I have attached to my request suggests that Pack2GoEurope has asked the Commission to take action against the ban: "[PackageEurope] has asked the EU Commission to block the French law and is consulting with lawyers about taking legal action against France". This suggests a correspondence between the EU Commission and industry stakeholders.*

*Thus, regarding your second request for specification, I am requesting any correspondence between DG GROW and Plastic2Go, PlasticsEurope or any other trade association representing the polymer producers in Europe, regarding the french ban on plastic cups, cutlery and plates.*

We regret to inform you that the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) does not hold any documents that would correspond to the description given in your application.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Given that no such documents, corresponding to the description given in your application, are held by DG GROW, DG GROW is not in a position to fulfil your request.

Please be informed that other Directorate-Generals such the Directorate-General for Environment (DG ENV) could possibly hold documentation that is relevant to your request.

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 within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

European Commission  
Secretariat-General  
Transparency, Document Management & Access to Documents (SG.C.1)  
BERL 7/076  
B-1049 Brussels  
or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

*Electronically signed*

Kerstin Jorna  
Director General