



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR TRADE AND ECONOMIC SECURITY

The Director-General

Brussels, 5.05.2025
TRADE/SW/R.3(2025)4697914

Mr Luis Miguel Hurtado Coronado
Carrer de Formentera 15, 1er B
43205 Reus (Tarragona)
SPAIN

**By email only – with request for
explicit acknowledgment of receipt
by email reply:**

ask+request-15708-07280ba8@asktheeu.org

Subject: Your application for public access to documents – EASE 2025/1421

Dear Mr Hurtado Coronado,

I refer to your application dated 11 March 2025, registered on the same day under the above mentioned EASE reference number, in which you make a request for public access to documents under Regulation (EC) No 1049/2001¹ ('Regulation 1049/2001').

We apologise for the delay in handling your request.

1. SCOPE OF YOUR REQUEST

You have requested public access to documents as follows:

'[...] All documents related to the 28 February 2025 meeting between the Cabinet of Commissioner Maroš Šefčovič and Eurofer, in which Adam Romanowski (Cabinet member) participated.'

Specifically, I request copies of the following documents:

- All correspondence (emails, letters, briefings, memos) exchanged between the European Commission (including Commissioner Šefčovič's Cabinet) and Eurofer regarding the meeting, both before and after the event.*
- Preparatory documents drafted in anticipation of the meeting, including briefing notes, agendas, or talking points.*

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 20 May 2001 regarding public access to European Parliament, Council and Commission documents (Official Journal OJ L 145, 31.5.2001, p. 43).

– *Presentations (slides, reports, documents) shared during or related to the meeting. Meeting notes and minutes, including any conclusion or follow-up notes summarizing key points.*

– *A list of participants in the meeting, specifying their roles and affiliations. - A summary of the topics discussed, including any policy matters, agreements, or industry concerns raised.*

[...]'.

We have identified **two documents** falling within the scope of your request:

01 – Ares(2025)1646570 – Meeting 28.02.25 with Eurofer – Minutes;

02 – Ares(2025)1646527 – Meeting slides.

For details and numbering kindly refer to the enclosed Annex 'List of identified documents and type of disclosure'.

2. ASSESSMENT AND CONCLUSIONS UNDER REGULATION 1049/2001

Having examined the requested documents under the applicable legal framework, I'm pleased to grant you **full access to document 1**. **Document 2** is entirely withheld under Article 4(2), first indent of Regulation 1049/2001, for protecting commercial interests.

An electronic copy of the accessible document is enclosed to the present reply letter.

2.1. PROTECTION OF COMMERCIAL INTERESTS (DOCUMENT 2) – ARTICLE 4(2), FIRST INDENT OF REGULATION 1049/2001

2.1.1. Relevance of Article 4(2), first indent of Regulation 1049/2001 in relation to document 2

Article 4(2), first indent of Regulation 1049/2001 provides that *'[t]he institutions shall refuse access to a document where disclosure would undermine the protection of: [...] commercial interests of a natural or legal person, including intellectual property [...] unless there is an overriding public interest in disclosure'*.

While not all information concerning a company and its business relations can be regarded as falling under the exception of Article 4(2), first indent of Regulation 1049/2001,² it appears that the type of information covered by the notion of commercial interests would generally be of the kind protected under the obligation of professional secrecy³. Accordingly, it must be information that is *'known only to a limited number of persons'*, *'whose disclosure is liable to cause serious harm to the person who has provided it or to third parties'* and for which *'the interests liable to be harmed by disclosure must, objectively, be worthy of protection'*⁴.

² Judgment in *Terezakis v Commission*, T-380/04, EU:T:2008:19, point 93.

³ See Article 339 of the Treaty on the Functioning of the European Union.

⁴ Judgment in *Bank Austria v Commission*, T-198/03, EU:T:2006:136, point 29.

Document 2 refers to publicly undisclosed sensitive information about the business of a third party, i.e. the document originator. The release of such information would undermine the protection of the commercial interests of this third party.

Therefore, **document 2** needs to be protected, and accordingly be redacted under the first indent of Article 4(2) of Regulation 1049/2001.

2.2.2. Question of overriding public interest

The exception of Article 4(2), first indent of Regulation 1049/2001 (protection of commercial interests of a natural or legal person, including intellectual property) applies, unless there is an overriding public interest in disclosure of the document. Such an interest must, first, be public and, secondly, outweigh the harm caused by a disclosure.

Accordingly, we have considered whether the risks attached to the release of the withheld **document 2** are outweighed by a public interest in accessing the requested document. We have not been able to identify any such public interest capable of overriding the commercial interests of the company concerned. In the present case, there is no such evidence.

3. DISCLAIMER(S)

Please kindly pay attention to the following: you may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf, based on Commission Decision 2011/833/EU of 12 December 2011 on the re-use of Commission documents⁵. You may reuse the documents disclosed free of charge 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 any liability stemming from the reuse.

Furthermore, **document 1** was drawn up under the responsibility of the relevant Commission official. It solely reflects the author's interpretation of the interventions made and does not set out any official position of the third party to which the document refers, which was not consulted on its content. It does not necessarily reflect any official position of the Commission and, therefore, cannot be quoted as such.

4. POSSIBILITY OF A CONFIRMATORY APPLICATION

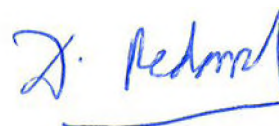
In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretariat-General of the Commission, either by

⁵ OJ L 330, 14.12.2011, p. 39.

- **asking for a review via your portal⁶ account** (available only for initial requests submitted via the portal account), *or*
- **email** to sg-acc-doc@ec.europa.eu, *or*
- **letter post** to the following address:
European Commission
Secretariat-General
'Transparency, Document Management & Access to Documents' (unit SG C.1)
BERL 7/76
Rue de la Loi 200/Wetstraat 200
1049 Brussels
BELGIUM.

Yours sincerely,



Sabine WEYAND
p.p. Denis REDONNET

Enclosures (2): Annex 'List of identified documents and type of disclosure',
document 01 --Ares(2025)1646570 – Meeting 28.02.25 with
Eurofer – Minutes.

⁶ <https://www.ec.europa.eu/transparency/documents-request>