



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

The Director-General

Brussels  
GROW.B.1

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**Subject: Your application for access to documents – EASE 2023/2926**

Dear Mrs Urman,

We refer to your letter dated 17 May 2023 registered on the same date under the above-mentioned reference number, in which you make a request for access to documents which contain the following information:

*“All documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to the meeting listed below:*

*- Meeting between PlasticsEurope and Director-General Kerstin Jorna, on 21/09/2021”.*

We have identified 3 documents that fall within the scope of your request, i.e.: briefing (*document 1*), background note (*document 2*) and minutes of the meeting (*document 3*).

Following the examination of the identified documents under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I regret to inform you that the access to document 2 cannot be granted, as its disclosure is prevented by exception to the right of access laid down in Article 4(2) third indent of the Regulation. Document 2 concerns an ongoing infringement procedure against a Member State. The full disclosure of those documents at this point in time would affect the climate of mutual trust between the authorities of the Member State and the Commission, which is required to enable them to resolve the case without having to refer it to the Court of Justice. Additionally, the disclosure of document 2 is also prevented by exception to the right of access laid down in Article 4(3) first subparagraph of the Regulation concerning protection of the institution’s decision-making process as it relates to a matter where the decision has not yet been taken.

Furthermore, I regret to inform you that the full access to document 1 cannot be granted, as its full disclosure is prevented by exception to the right of access laid down in Article 4(3) first subparagraph of the Regulation concerning protection of the institution's decision-making process as it relates to a matter where the decision has not yet been taken.

The exceptions laid down in Article 4(2) and 4(3) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of the document. I have further examined whether there could be an overriding public interest in disclosure, but I have not been able to identify such an interest.

Furthermore, a complete disclosure of the enclosed documents 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 contain the following 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;
- other information relating to identified or identifiable 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 express any particular interest to have access to these personal data nor do you put forward 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.

With regard to the meeting minutes, please note that this document was drawn up for internal use under the responsibility of the relevant service from the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW). They solely reflect the author's interpretation of the interventions made and do not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

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 portal<sup>1</sup> 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](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

*Kerstin JORNA*  
*Director-General*  
*(electronically signed)*

Enclosures: 2

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<sup>1</sup> <https://www.ec.europa.eu/transparency/documents-request>