



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

Brussels
PP ener.a.1(2024)

Ms Vicky Cann
Rue d'Edimbourg 26
1050 Brussels

By email: ask+request-14144-@asktheeu.org

Subject: Your application for access to documents – 2024/0502

Dear Ms Cann,

We refer to your request for access to European Commission documents registered on 26 January 2024 under the above-mentioned reference number.

You request access to *the following documents related to lobbying on PFAS, per and polyfluoroalkyl substances. In particular:*

1. *A list of all meetings/ discussions since 1 January 2023 between officials and or Commissioners with businesses, trade associations, or think tanks where this topic was discussed.*
2. *Any records, minutes, preparatory briefings, or other notes of these meetings/discussions.*
3. *All correspondence since 1 January 2023, where this topic was discussed, exchanged between officials and or Commissioners with businesses, trade associations, or think tanks.*

The following documents fall within the scope of your application:

Nr	Stakeholder	Ares	Date	Title	Type of disclosure:
1	RECHARGE	Ares(2024)475765	22/01/2024	[Re] RECHARGE letter: Request to exclude batteries from the PFAS restriction proposal scope and meeting request date tbd	Partial

2 + 3	RECHARGE	Ares(2023)7683404	09/11/2023	RECHARGE letter: Request to exclude batteries from the PFAS restriction proposal scope + Attachment	Partial Partial
4 + 5	RECHARGE	Ares(2023)7691633	09/11/2023	RECHARGE letter: Request to exclude batteries from the PFA restriction proposal sco + meeting request date t + Attachment	Partial Partial
6	Svenskt Vatten AB	Ares(2023)8562235	13/12/2023	Message to Commissioners - Time to Deal With PFAS	Partial
7	SPECTARIS	Ares(2023)6090994	06/09/2023	Invitation KS 24/10/2023 Brussels BE to working breakfast: PFAS - Is the industry threatened with an unintended high-tech ban	Partial
8	SPECTARIS	Ares(2023)6173009	12/09/2023	RE: Invitation to working breakfast: PFAS - Is the industry threatened with an unintended high-tech ban? [Our ref. Ares(2023)6090994]	Partial
9	SPECTARIS	Ares(2023)5025617	19/07/2023	Save the Date - Invitation KS 24/10/2023 Brussels BE at the SPECTARIS breakfast meeting on PFAS	Partial
10 + 11	Hydrogen Europe	Ares(2023)6740512	04/10/2023	Joint statement on the importance of fluoropolymers for the clean energy transition and the EU's Net Zero Industry + Attachment	Partial Full
12 +	Hydrogen Europe	Ares(2024)154388	10/01/2024	[Re] Joint statement on the importance of fluoropolymers for the clean energy transition	Partial Partial

13				and the EU's Net Zero Industry + one signed	
14	Honeywell	Ares(2024)1406088	23/02/2024	MINUTES: HoC Grassi meeting with Ms Stacey Bernards, VP Global Government Relations at Honeywell Energy & Sustainability Solutions - 23/02/2024	Partial
15	Honeywell	Ares(2023)4374932	23/06/2023	MEETING REQUEST AKW [open date] – Meeting with Honeywell on F-Gas regulation	Negative
16	Honeywell	Ares(2023)4512261	29/06/2023	[Re] MEETING REQUEST AKW [open date] - Meeting with Honeywell on F-Gas regulation	Negative
17 + 18	Hitachi Energy	Ares(2023)1653607	07/03/2023	Hitachi Energy on F-gas regulation + Attachment	Partial Partial
19	Hitachi Energy	Ares(2023)4374362	23/06/2023	[Re] Hitachi Energy on F-gas regulation	Partial
20 + 21 + 22	Johnson Controls	Ares(2023)3713459	26/05/2023	Thank you message following the for meeting with Johnson Controls & MEETING REQUEST KS 28-29/06/2023 Brussels BE - Meeting with Johnson Controls' Vice President and Chief Sustainability and External Relations Officer + + 2 Attachments	Partial Full Full
23	Johnson Controls	Ares(2023)3794724	01/06/2023	NO for KS] Thank you message following the for meeting with Johnson Controls & MEETING REQUEST	Partial

				KS 28-29/06/2023 Brussels BE – Meeting with Johnson Controls' Vice President and Chief Sustainability and External Relations Officer - MEETING SLOTS OFFERED	
24 + 25	Johnson Controls	Ares(2023)3031738	28/04/2023	MEETING REQUEST KS 22-26/05/2023 Brussels BE - Meeting on F-Gas with the from Johnson control's Vice President + Attachment	Partial Partial
26	Johnson Controls	Ares(2023)3146530	04/05/2023	[Re] MEETING REQUEST KS 22-26/05/2023 Brussels BE - Meeting on F-Gas with the from Johnson control's Vice President	Partial
27	Johnson Controls	Ares(2023)4040434	12/06/2023	MINUTES: AW VC meeting with Johnson Controls representatives on F-gas - 22/05/2023	Partial
28	European Partnership for Energy and the Environment (EPEE)	Ares(2023)6552548	27/09/2023	MEETING REQUEST KS [open date] - Meeting with EPEE on a critical matter for the RACHP industry	Partial
29	European Partnership for Energy and the Environment (EPEE)	Ares(2023)7383662	27/10/2023	[Re] Input on F-Gas regulation - Member companies and associations of the European Partnership for Energy and the Environment (EPEE)	Partial
30 + 31	European Partnership for Energy and the Environment (EPEE)	Ares(2023)6170998	12/09/2023	Input on F-Gas regulation - Member companies and associations of the European Partnership for Energy and the Environment (EPEE) + Attachment	Partial Partial

32 + 33	Euroheat & Power	Ares(2023)4266390	20/06/2023	Heat Pump Action Plan I Euroheat & Power Participation + Attachment	Partial Full
34 + 35	Euroheat & Power	Ares(2023)3886012	02/06/2023	Euroheat & power - Follow-up - Heat decarbonization Action plan + Attachment	Partial Full

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, we have come to the conclusion that a complete disclosure of documents 1 to 10, 12 to 14, 17 to 20, 23 to 32 and 34 listed above 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 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.

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 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.

Finally, following an examination of documents 15 and 16 under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents and taking into account the opinion of the third parties, I regret to inform you that your application cannot be granted, as disclosure is prevented by the exception to the right of access laid down in the first indent of Article 4(2) of this Regulation for the protection of commercial interests. In particular, the documents provide detailed analysis and industry proposals regarding the most sensitive aspects of our F-gases business, including on the quota allocation, specific equipment bans and redlines for the company and industry. It also highlights potential impacts of specific legislative activities of the EU institutions on the industry. In addition, it includes commercially and technically sensitive information on alternatives. This could potentially impact the company's share prices, cause uncertainty among its investors and customers, while competitors could exploit this situation.

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

In addition, please note that documents originating from third parties, which have been consulted, 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.

Documents 14 and 27 were drawn up for internal use under the responsibility of the relevant officials of the Directorate-General for Energy. It solely reflects the author's interpretation of the interventions made and does 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.

Please find enclosed copies of the document 11, 21, 22, 33 and 35 and redacted copies of the other documents that can be published.

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 portal¹ 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 Brussels

or by email to: [REDACTED]@ec.europa.eu

Yours sincerely,

Ditte Juul Jørgensen

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