



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION
The Director-General

Brussels
CLIMA

Vicky Cann
c/o Corporate Europe Observatory

Advanced copy by email:
[REDACTED]@corporateeurope.org

Subject: Your application for access to documents EASE 2024/1142

Dear Ms Cann,

We refer to your request for access to European Commission documents registered on 28 February 2024 under the above-mentioned reference number.

You request access to:

“Documents related to lobbying on PFAS, per and polyfluoroalkyl substances:

- 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.”*

Your application concerns the following documents:

Title	Registration	Reference
1. President VDL- Bayerischen Staatskabinetts_25.07.2023_Redacted	17/04/2024	Ares(2024)2812592
2. HFC Dialogue minutes_Redacted	17/04/2024	Ares(2024)2812592
3. EU action on PFAS - OECD presentation DG ENVI F-gas Slides	17/04/2024	Ares(2024)2812592
4. Thank you email EPEE model_Redacted	17/04/2024	Ares(2024)2812592
5. EPEE_thank you for the meeting and some follow-up information_Redacted	17/04/2024	Ares(2024)2812592

6. PFAS_F-Gas Reg overlap - Meeting request for clarification_Redacted	17/04/2024	Ares(2024)2812592
7. EPEE meeting with DG ENER & CLIMA_PFAS dossiers	17/04/2024	Ares(2024)2812592
8. Fgas cross industrial Coalition s and Eurelectric s position for trilogues meeting request_Redacted	17/04/2024	Ares(2024)2812592
9. FGAS legislation Two major issues for the EUs electrification and energy independence_Redacted	17/04/2024	Ares(2024)2812592
10. F-Gas - Council-EP Amendments Assessment - 4 columns	17/04/2024	Ares(2024)2812592
11. Honeywell meeting request F-Gas regulation_Redacted	17/04/2024	Ares(2024)2812592
12. Honeywell presentation_21.02.2024	17/04/2024	Ares(2024)2812592
13. Position honeywell F-gas Regulation_Redacted	17/04/2024	Ares(2024)2812592
14. Honeywell meeting follow-up_Redacted	17/04/2024	Ares(2024)2812592
15. Oak Ridge National Laboratory Reports Summary	17/04/2024	Ares(2024)2812592
16. Minutes_Hybrid event ENER & CLIMA_21.02.2024_Redacted	17/04/2024	Ares(2024)2812592
17. Europäische F-Gase-Verordnung, Regelungen zu elektrischen Schaltanlagen_Redacted	17/04/2024	Ares(2024)2812592
18. F-Gas Regulation_Recommendations for trilogue negotiations_10.05.2023	17/04/2024	Ares(2024)2812592
19. Keys to an F-Gas Regulation for climate-neutral power grids_10.05.2023	17/04/2024	Ares(2024)2812592
20. Press Release_ PFAS F-gases in Mobile Air-Conditioning_Redacted	17/04/2024	Ares(2024)2812592
21. PFAS ban joint statement - Exemptions for F-gases and spare parts required_Redacted	17/04/2024	Ares(2024)2812592
22. PFAS-ban Joint statement_Redacted	17/04/2024	Ares(2024)2812592
23. EEB - Environmental Priorities under the Belgian Presidency of the European Union_Redacted	22/12/2023	Ares(2023)8841618
24. EEB Memorandum to the Belgian Presidency of the EU	22/12/2023	Ares(2023)8841618
25. President von der Leyen to EEB memorandum to BE Presidency_22.12.2023_Redacted	22/12/2023	Ares(2023)8841618
26. EPEE - 2024 Manifesto	21/03/2024	Ares(2024)2143050
27. EPEE 2024 Manifesto A decarbonised Europe A thriving industry_Redacted	21/03/2024	Ares(2024)2143050
28. European rail stakeholders' associations_briefing on PFAS_Redacted	10/04/2024	Ares(2024)2626034
29. PFAS restriction proposal a key concern for the European rail stakeholders	10/04/2024	Ares(2024)2667256

30. European rail sector_contribution to PFAS restriction proposal	10/04/2024	Ares(2024)2667256
31. Request for a handover meeting of international civil society manifesto for an urgent ban of 'forever chemical_Redacted	26/01/2023	Ares(2023)593273
32. Invitation mail to participate in study on the PFAS_EVP Timmermans_Redacted	13/04/2023	Ares(2023)2621040
33. EEB invitation to EVP Timmermans_Redacted	13/04/2023	Ares(2023)2621040
34. PFAS restriction proposal which includes all fluoropolymers_Redacted	12/05/2023	Ares(2023)3347453
35. PBR_599742_pil_170423_CONflon® PVDF_DC-3000_P_Redacted	12/05/2023	Ares(2023)3347453
36. PBR_599744_pil_170423_CONflon® PFA_7440_P_Redacted	12/05/2023	Ares(2023)3347453
37. PBR_599745_pil_170423_CONflon® PTFE_LM-PDR213_P_Redacted	12/05/2023	Ares(2023)3347453
38. AmCham EU Letter on PFAS Restriction to Vice-President Timmermans_Redacted	19/07/2023	Ares(2023)5020727
39. Letter on PFAS restriction_Redacted	21/07/2023	Ares(2023)5080703
40. Email_Interpretation PFAS testing for VP Timmermans_Redacted	04/09/2023	Ares(2023)5984928
41. Interpretation PFAS testing for VP Timmermans	04/09/2023	Ares(2023)5984928
42. Annex I TEST RESULTS	04/09/2023	Ares(2023)5984928
43. Annex II PFAS INFORMATION	04/09/2023	Ares(2023)5984928
44. Annex III	04/09/2023	Ares(2023)5984928
45. Annex IV Additional information HBM4EU	04/09/2023	Ares(2023)5984928

With regard to all documents listed above, a complete disclosure of the identified 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 names/initials and contact information of Commission staff members not pertaining to the senior management, and names/initials and contact details of other natural persons.

Particularly, documents 41 - 43 cannot be disclosed at all, as disclosure is prevented by Article 4(1)(b) of Regulation (EC) No 1049/2001 concerning the protection of privacy and integrity of previous Commissioner Frans Timmermans.

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, 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.

Since documents 4-15 and 17-45 originate from third parties, the originators of the documents have been consulted.

Following an examination of the documents 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 document 11-15 and 35-37 cannot be fully disclosed, as disclosure is prevented by exception to the right of access laid down in Article 4(2), first indent of this Regulation, for the protection of commercially sensitive data. Honeywell (documents 11-15) and DELACAMP Aktiengesellschaft (documents 35-37) have objected to the full disclosure of the documents that they sent to the Commission, since they contain commercially sensitive business information.

Honeywell indicated that it considers that documents 11-15 contain detailed sensitive analyses of its business strategies in key industries, commercial and technical information on market alternatives, whose disclosure would seriously undermine the company's economic interests, relations with key partners, potentially giving competitors a market advantage as well as information they consider protected by intellectual property rights.

DELACAMP Aktiengesellschaft considers documents 35-37 as TRLP test reports issued by TÜV Rheinland LGA Products GmbH (test reports 0001137225/70 AZ 599745, 0001137225/60 AZ 599744 and 0001137225/40 AZ 599742), which are protected by intellectual property rights.

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. Such an interest must, firstly, be public and, secondly, outweigh the harm caused by disclosure. I have not been able to identify any public interest capable of overriding the private interest protected by Article 4(2), first indent of Regulation (EC) No 1049/2001.

Please note that the 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 from their reuse.

In case you would disagree with this position, 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:

by mail to:

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles

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

Yours sincerely,

Kurt Vandenberghe
Director-General

