



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT

The Director-General

Brussels,
ENV.B.2

Vicky Cann
CEO
Rue d'Edimbourg 26
1050 Brussels

By email: ask+request-14634-24357a03@asktheeu.org

Dear Ms Cann,

Subject: Your application for access to documents: Ref EASE No 2024/3011

We refer to your request for access to documents dated 07/06/2024, registered under the above-mentioned reference number and our holding reply Ares(2024)4681365. We would like to sincerely apologise for the delay in our reply.

Your application was as follows:

“Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, and further to my previous request 2024/0554 I would like to request access to the following documents related to lobbying on PFAS, per and polyfluoroalkyl substances. In particular I would like:

- 1. A list of all meetings/ discussions since 26 January 2024 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 my last request of 26 January 2024 where this topic was discussed, exchanged between officials and or Commissioners with businesses, trade associations, or think tanks..”*

Please note that due to the scope of your request covering also areas falling under the responsibility of other Directorates-General, this reply relates only to the documents held by DG-Environment. You have received the replies from the other respective Directorates-General.

We identified 28 documents falling in the scope of your request. They are listed in the attached register of identified documents.

The Directorate-General Environment does not hold any documents corresponding to point 1 of your request.

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 point 1 of your application, are held by the Directorate-General Environment, we are not in a position to fulfil your request in that regard.

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:

- We are pleased to fully disclose documents 14, 16, 22, 25 and 26.
- Parts of documents 10, 15, 17, 27 have been blacked out as their content is out of the scope of your request.

Protection of personal data:

- Some parts of documents 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 17, 18, 19, 20, 21, 23, 24, 27 and 28 listed in the annex, contain personal data that have been redacted. A complete disclosure 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 and contact information of Commission staff members not pertaining to the senior management;
 - the names and contact details of other natural persons;
 - abbreviated signatures of natural persons;
 - other information relating to an identified or identifiable natural person (pictures).

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, 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.

In addition, documents 9, 10, 27, 28 were drawn up for internal use under the responsibility of the relevant services of the Directorate-General for Environment. They solely reflect the services' interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer, which were not consulted on their content. They do not reflect the position of the Commission and cannot be quoted as such.

Finally, 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 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 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu.

Yours sincerely,

Florika FINK-HOOIJER

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