



EUROPEAN COMMISSION

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

The Director-General

Brussels
GROW.B.1/LN

Ms Vicky CANN
Rue d'Edimbourg 26
1050 BRUXELLES

email: ask+request-11943-
a821271c@asktheeu.org

Subject: Your application for access to documents – EASE 2022/5754

Dear Ms Cann,

We refer to your application dated 7 October 2022 registered on 10 October 2022, in which you make a request for access to documents under the above-mentioned reference number.

You would like to:

“request access to the following documents related to the Chemical Strategy for Sustainability, and in particular to the reform of the CLP and REACH Regulations:

- 1. A list of all meetings/ discussions that have taken place since 1st December 2021 between Commissioner Breton and representatives of his cabinet (in particular Gaelle Garnier, Joan Canton and Valere Moutarlier), the directors and the director-general of DG GROW, with representatives of individual companies (including their lobby consultancies and law firms) and/or industry associations on the other hand, specifically: BDI, VCI, CEFIC, Eurometaux, Bayer, BASF, PlasticsEurope, Corteva, 3M, Chemours, Corbion, Solvay.*
- 2. Any records, minutes or notes of these meetings/discussions.*
- 3. Any briefings prepared for these meetings.*
- 4. All correspondence exchanged since 1st December 2021 (including SMS & any other type of messages processed through phone apps – eg. WhatsApp, Signal, Telegram etc, recorded voice messages, emails, letters and attached documents) between the above DG GROW officials and representatives of individual companies (including lobby consultancies and law firms) and/or industry associations on the other hand.*

In the interests of good administration, I request that the response clearly identifies the documents held by the Commission in relation to each of these categories and clearly indicates to which category the disclosed documents relate”.

We have identified 8 enclosed documents that fall within the scope of your request and concern meetings with the following stakeholders: BDI, VCI, CEFIC, Eurometaux, Bayer and Chemours; please see the enclosed table.

A complete disclosure of these 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 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.

Please note that documents originating from third parties are disclosed based on Regulation (EC) No 1049/2001, following the third party consultation. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released document without the agreement of the originator, who may hold an intellectual property right on it. The European Commission does not assume any responsibility from its reuse.

With regard to the meeting minutes, please note that they were drawn up for internal use under the responsibility of the relevant service of DG GROW. Minutes solely reflect 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.

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 faithfully,

Kerstin Jorna
Director-General

Enclosures: 9

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