



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate B - Circular Economy
ENV.B.2 – Safe and Sustainable Chemicals

Brussels,
ENV.B.2

Vicky Cann
CEO

By email: [ask+request-12811-
b7af2819@asktheeu.org](mailto:ask+request-12811-b7af2819@asktheeu.org)

Dear Ms Cann,

Subject: Your application for access to documents: Ref EASE No 2023/2069

We refer to your request for access to documents dated 04/04/2023 and to our holding reply Ares(2023)1139897. We would like to sincerely apologise for the delay in our reply.

You requested access to the following:

“Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I would like to request access to the following documents related to 2 concepts from the Chemicals strategy for sustainability :

A. Essential use

B. Generic approach to risk management (GRA)

1. A list of all meetings/ discussions since 14 October 2020 between officials and or Commissioners with businesses, trade associations, or think tanks where these topics were discussed.

2. Any records, minutes or notes of these meetings/discussions.

3. All correspondence since 14 October 2020, where these topics were discussed, exchanged between officials and or Commissioners with businesses, trade associations, or think tanks.”

We acknowledge that you made a similar request to other Directorates-General. This reply relates only to the documents held by the Directorate-General for Environment. You received or will receive the replies from the other respective Directorates-General in due course.

We have identified several meetings of the Competent Authorities for REACH and CLP regulations (CARACAL) in which the concepts of essential use and generic approach to risk management (GRA) were discussed. You can see the summary records of these meetings and stakeholders’ position papers and comments submitted after each meeting, available on the dedicated Commission Circabc platform:

1. CARACAL-37 (17-18 November 2020) Essential use: Link [here](#).

2. CARACAL-38 (3-4 March 2021) Essential use: Link [here](#).
3. CARACAL-44 (23-24 March 2022) GRA: Link [here](#).
4. CARACAL-45 (5-6 July 2022) Essential use: Link [here](#).
5. CARACAL-47 (17-18 November 2022) Essential use: Link [here](#).
6. CARACAL-48 (28-29 March 2023) GRA: Link [here](#).

In addition, we have identified 42 documents, listed in the register of disclosed documents.

We are pleased to fully disclose documents 2, 7, 14, 15, 24, 25, 27, 29, 31 and 42.

With regard to documents 1, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 26, 28, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40 and 41 listed in the annex, 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/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons;
- handwritten signatures/abbreviated signatures of 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.

In addition, document 39 contains parts that are out of scope of your request, which have been redacted.

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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.

Documents 3, 16, 32, 34, 37, 38, 40 were drawn up for internal use under the responsibility of the relevant services of the Directorate-General for Environment. It solely reflects 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.

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 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,

e-signed

Cristina de Avila
Head of Unit

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