

Our Reference: FPL/624/02572

Your Reference:

25 September 2018

By email only

DG GROW
European Commission
GROW-ACCES-DOCUMENTS@ec.europa.eu

Re: Request for Access to Documents
Our clients: Public.Resource.Org Inc and Right to Know CLG

Dear Sirs

We make this request for access to documents on behalf of our clients:

1. Public.Resource.Org, Inc. which is a charity incorporated in California, USA; and
2. Right to Know CLG, a non-governmental organization incorporated in Dublin Ireland.

On behalf of our clients we request copies of the following technical standards (**Requested Documents**)

ESO ¹	Reference and title of the standard	First publication in OJ
CEN	EN 71-5:2015 Safety of toys - Part 5: Chemical toys (sets) other than experimental sets	13/11/2015
CEN	EN 71-4:2013 Safety of toys - Part 4: Experimental sets for chemistry and related activities	28/05/2013
CEN	EN 71-12:2013 Safety of toys - Part 12: N-Nitrosamines and N-nitrosatable substances	29/06/2013
CEN	EN 12472:2005+A1:2009 Method for the simulation of wear and corrosion for the detection of nickel release from coated items	13/01/2017

¹ European standardisation organisation

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Our clients rely on Regulation 1049/2001 as applied by Regulation 1367/2006 in making this request and also on the judgement of the Court in *James Elliott Construction*² where it was held that technical standards form part of EU law. As such notice of all of the Requested Standards has been published in the Official Journal thereby imposing a duty on the Member States to transpose them into national law. The Requested Standards form part of Community legislation on the environment and therefore are in a class of environmental information which the Community institutions are required to make available and to disseminate pursuant to article 4(2)(a) of Regulation 1367/2006. In addition, the Requested Standards contain information relating to emissions into the environment within the meaning of article 6 of Regulation 1367/2006 and therefore there is, in fact, an overriding public interest in granting this request.

We look forward to receipt of electronic copies of the Requested Documents by email to info@fplogue.com.

Yours faithfully,



FP LOGUE

² Judgment of 27 October 2016 – Case C-613/14 *James Elliott Construction* ECLI:EU:C:2016:821 paragraph 40