

(English version)

**Question for written answer E-002742/25
to the Commission
Michał Dworczyk (ECR)
(4 July 2025)**

Subject: Doubts about the impartiality and transparency of the Commission's actions in the Smart Kid Belt case

The judgment of the Court of Justice of the European Union (CJEU) in the Smart Kid Belt case ⁽¹⁾ and the Pfizergate scandal highlight a growing problem: the lack of real democratic control over the Commission. A common thread in both cases is a lack of transparency and acquiescence to corporate lobbying. Such institutional arrogance, manifested in the Commission's disregard for court judgments, MEPs' requests and transparency rules, undermines public trust in European institutions.

As in the Pfizergate case, the CJEU ruled in the Smart Kid Belt case that the Commission had unjustifiably refused to disclose correspondence with representatives of children's car seat manufacturers. These consultations effectively resulted in the elimination from the market of an innovative product made by a Polish company. The emails between representatives of children's car seat manufacturers and a Commission official ⁽²⁾ that have come to light indicate biased and unethical actions supporting the interests of large companies to the detriment of a legally approved Polish product.

In light of the above:

1. In light of the aforementioned judgment, does the Commission intend to carry out an investigation into abuse of office, conflict of interest and breach of professional ethics?
2. In light of the clearly biased actions of Commission officials in the Smart Kid Belt case, have any professional or disciplinary measures been taken against those involved, and if not, why not?
3. Will the Commission carry out an internal assessment of its consultation procedures and access to documents following the judgments in the Smart Kid Belt and Pfizergate cases, and does it plan to review its policy on transparency and access to information?

Submitted: 4.7.2025

**Answer given by Executive Vice-President Séjourné on behalf of the European Commission
(4 September 2025)**

All facts concerning the Smart Kid product have been duly assessed by the Commission services over the years and the relevant information has been regularly communicated in a transparent and open manner to the economic operator and the Polish authorities.

The correspondence between the Commission official and the stakeholders to which access was requested in case T-227/24 ⁽¹⁾ did not constitute a formal position of the Institution. Moreover, the respective correspondence has not resulted in any formal decision or action of the Commission that would impair the interest of the economic operator concerned.

Based on the facts, it is not possible to conclude on any existence of abuse of office, conflict of interest or breach of professional ethics by the Commission official involved in that correspondence. Hence, there are no grounds for any investigation towards eventual professional or disciplinary measures.

Following the judgment of the General Court of 14 May 2025 in Case T-227/24, *Smart Kid S.A. v European Commission* ⁽²⁾, the Commission adopted on 24 July 2025 a new confirmatory decision granting wide partial access to the correspondence requested with only limited redactions based on the exception of Article 4(1)(b) (protection of privacy and the integrity of the individual) of Regulation (EC) No 1049/2001 not contested by the Applicant in case T-227/24.

A new confirmatory decision implementing the judgment in Pfizergate case was adopted on 28 July 2025.

As the implementation of the judgments in cases Smart Kid Belt and Pfizergate did not present any specific legal issues the Commission considers that there are no grounds for a review of its horizontal administrative practice regarding access to documents.

¹ <https://curia.europa.eu/juris/document/document.jsf?cid=724057&docid=299499&doclang=PL>

² <https://www.wirtualnemedia.pl/centrum-prasowe/artykul/53-minuty-tyle-zajelo-urzednikowi-komisji-europejskiej-na-przesadzenie-o-losach-polskiego-producenta>

⁽¹⁾ Case T-227/24: Action brought on 26 April 2024 — Smart Kid v Commission: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C_202403785.

⁽²⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:62024TJ0227>.