

Parma, 22 January 2018
Ref. DD/CP/mm (2018) - out-18984201

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Re: Your request for public access to documents of 8 November 2017

Our ref.: PAD 2017/099

Dear Mr Jensen,

Further to our letter of 12 December 2017, by means of which we conferred with you to find a fair solution¹ concerning your access to documents request with EFSA's reference PAD 2017/099, please rest assured that EFSA is doing its utmost to process your request as quickly as possible in accordance with Regulation (EC) No 1049/2001 on public access to documents² (hereinafter "*the PAD Regulation*").

Accordingly, EFSA is currently consulting with 19 Member State Organisations, the data providers, on the 30 Excel files submitted containing the additional epidemiological data on the Avian Influenza (AI) outbreaks in poultry and captive birds that occurred from October 2016 to 30 April 2017, in the context of EFSA's Scientific Report on the avian influenza overview October 2016–August 2017³. Please note in this regard that the processing of consultations in accordance with Article 4(5) of the PAD Regulation entails dialogue with the data providers in order to assess whether the Excel files or parts of the Excel files may be protected in accordance with one of the exceptions to disclosure mentioned in Article 4 of the PAD Regulation.

So far, EFSA has received feedback from eight data providers as regards the disclosure of their Excel files and continues to liaise with the remaining data providers on the accessibility of their Excel files.

¹ In accordance with Article 6(3) of Regulation (EC) No 1049/2001: "*In the event of an application relating to a very long document or to a very large number of documents, the institution concerned may confer with the applicant informally, with a view of finding a fair solution*".

² Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.5.2001, p. 43-48, applicable to EFSA.

³ European Food Safety Authority, European Centre for Disease Prevention and Control, European Union Reference Laboratory for Avian influenza, Brown I, Mulatti P, Smietanka K, Staubach C, Willeberg P, Adlhoch C, Candiani D, Fabris C, Zancanaro G, Morgado J and Verdonck F, 2017. Scientific report on the avian influenza overview October 2016–August 2017. EFSA Journal 2017;15(10):5018, 101 pp. <https://doi.org/10.2903/j.efsa.2017.5018>.

We estimate to be in the position to provide you with a comprehensive reply, containing a complete assessment of the accessibility of the requested files, by **1 March 2018**. Please accept our apologies for any inconveniences caused by this delay.

Yours sincerely,



Dirk Detken

Cc: N. Kriz (EFSA)