Dear Ms Holland,

We are writing concerning your request for access to Commission documents registered on 11 April 2023 under case number EASE 2023/2158.

Your application concerns a very large number of documents, many of them are very voluminous: all documents need to be assessed individually. In addition, certain documents originate from third parties and have to be consulted with the third parties concerned in accordance with Article 4(4) of Regulation (EC) No 1049/2001.

The analysis of these documents cannot be expected to be completed within the normal time limits set out in Article 7 of Regulation (EC) No 1049/2001.

However, Article 6(3) of Regulation (EC) No 1049/2001 also provides for a possibility to confer with an applicant informally with a view to finding a fair solution when an application relates to a very long document or concerns a very large number of documents.

In accordance with the case law of the EU Courts, such a solution can only concern the content, or the number of documents requested, not the deadline for replying. This means that the scope of the request must be reduced in a way that would enable its processing within the extended deadline of 15 + 15 working days.

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Based on the above-mentioned provision, we would kindly ask you to specify the objective of your application and your specific interest in the documents requested\(^2\), and whether you could narrow down the scope of your application, so as to reduce it to a more manageable number of documents.

To help you to narrow down your application, please find attached to the present letter a list of documents identified as being in the scope of your request. They contain the exchanges, including reports and other deliverables, with the external contractor preparing a study to support the Commission’s impact assessment for legislation on plants obtained by certain new genomic techniques. The documents are grouped into the following categories to facilitate navigation of the list:

- Inception report (25 documents, submission of draft and finalised report by external contractor, comments provided, other exchanges linked to that report)
- Interim report (22 documents, submission of draft and finalised report by external contractor, comments provided, other exchanges linked to that report)
- Draft final report (33 documents, submission of draft report by external contractor, comments provided, other exchanges linked to that report)
- Open public consultation (OPC) (16 documents, analysis of the OPC contributions by the external contractor and related exchanges)
- Targeted survey (13 documents, exchanges related to the preparation, conduct and assessment of the survey by the external contractor)
- Monthly reports (12 documents, monthly status reports from the external contractor)
- Others (2 documents, input provided by DG SANTE to the external contractor on the policy options assessed in the impact assessment).

We have identified all documents falling under your request and established a complete list thereof; this task took 25 working days. According to our first estimates, the handling of your request would take 100 working days\(^3\), broken down as follows:

- assessment of the content of the documents in light of the exceptions of Article 4 of Regulation (EC) No 1049/2001: 40 working days;
- third-party consultations under Article 4(4) of Regulation (EC) No 1049/2001: 10 working days;
- drafting of the reply: 5 working days;

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\(^3\) Taking into account other applications for access to documents and other tasks that the staff concerned are likely to have to deal with during the same period.
- redaction of those parts of the documents to which one or several exceptions apply: 10 working days;
- internal review and approval of the draft decision: 10 working days.

It follows that, according to our estimates, a maximum of 20 documents for a total up to 500 pages, could possibly be dealt with within the extended deadline of 30 working days counting from the date of registration of your request.

Please reply to this proposal for a fair solution **within five working days at the latest**.

In the absence of a reply within five working days, we will restrict the scope of your application to those parts that can be dealt with within the extended deadline of 30 working days. Thank you in advance for your understanding

Yours sincerely,

Irene SACRISTAN SANCHEZ
Head of Unit

Enclosure: Annex