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Ref. DD/CP/mm (2017) - out-16956721

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Subject: Your confirmatory application of PAD 2016/093 submitted on 12 January 2017
Ref.: PAD 2017/007 CA

Dear Ms Viala,

I refer to your confirmatory application submitted on 12 January 2017, by means of which you appeal EFSA's decision of partial disclosure in response to your request for public access to documents with reference PAD 2016/093.

Please be assured that EFSA is doing its utmost to process your request as quickly as possible in accordance with the provisions of the Regulation (EC) No 1049/2001 on public access to documents¹ (hereinafter "*the PAD Regulation*") and ensuring compliance with the legal framework applicable, including case-law.

As discussed over the phone, in view of the need to re-assess the confidentiality status of a very large number of data provided by the Member States, taking account of the recent case law development of the European Union Court of Justice, EFSA will require more time to analyse in what extent this will impact your request. Therefore, we confirm that we would like to confer with you to find a fair solution, in accordance with Article 6(3) of the PAD Regulation² to reply to you in a timeframe which is suitable for this further assessment of the data in the scope of your request. Please consider that the re-assessment includes further dialogue with the EU Member States as data providers, in accordance with Article 4(5) of the PAD Regulation as well as a review of the requested data.

In order to perform the re-assessment, we estimate to be in the position to provide you a comprehensive reply to your confirmatory access application by **7 April 2017**. We hope this is agreeable to you. Please accept our apologies for any inconveniences caused by this delay.

Yours sincerely,



Dirk Detken

¹ 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.

² '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'