

Parma, 1 March 2018  
Ref. DD/CP/mm (2018) - out-19129883

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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 22 January 2018 concerning your public access to documents request with EFSA's reference PAD 2017/099, submitted in accordance with Regulation (EC) No 1049/2001<sup>1</sup> ("*the PAD Regulation*"), we would like to provide you with an update of the current state and the next steps to be taken towards the finalisation of the processing of your request<sup>2</sup>.

EFSA so far has received replies concerning the accessibility of the requested Excel files<sup>3</sup> from 11 of the 19 Member State Organisations, the data providers, whereas the consultation is still on-going with seven out of 19 Member State Organisations, in accordance with Article 4(5) of the PAD Regulation.

Furthermore, a plenary discussion with the data providers will take place on the occasion of a meeting of the EFSA Scientific Network for Risk Assessment in Animal Health and Welfare<sup>4</sup> on 14 May 2018. As the present access request for avian influenza data is the first one in this area, and in view of the fact that the collection and monitoring of data on this outbreak are still on-going between EFSA and the data providers, this discussion will serve as reference for completing the dialogue with them, i.e. to provide final explanations concerning the assessment of public access to document requests and the process established by the PAD Regulation.

Following the Network Meeting, EFSA will need to conclude on the accessibility of the 30 Excel files requested, i.e. finalise its assessment on whether one of the exceptions to disclosure mentioned in Article 4 of the PAD Regulation may apply to the requested data taking into account the discussions.

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<sup>1</sup> 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.

<sup>2</sup> By means of EFSA's letter of 12 December 2017, we proposed to you in accordance with Article 6(3) of the Regulation (EC) No 1049/2001 to provide you with a comprehensive reply in a timeframe which is proportionate to the workload that your request entails, in particular considering the volume and nature of the requested data originating from Member States.

<sup>3</sup> Excel files 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 2017.

<sup>4</sup> You can find more information on the EFSA Scientific Network for Risk Assessment in Animal Health and Welfare on EFSA's website: <http://www.efsa.europa.eu/en/animal-health-and-welfare/networks>.

We estimate to provide a comprehensive reply to your request by **28 May 2018 at the latest**. We hope this is agreeable to you. Please accept our apologies for any inconveniences caused by this delay.

Yours sincerely,

*[Signed]*

Dirk Detken

Cc: N. Kriz (EFSA)