
Executive Director

Parma, 31 March 2023

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Ms Emily O'Reilly

European Ombudsman
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Subject: European Ombudsman's recommendation on how EFSA dealt with a request for public access to documents related to a proposal to restrict lead in ammunition

Ref. case 2124/2021/MIG

Dear Ms O'Reilly,

I refer to your Decision and accompanying letter of 14 November 2022, by means of which you concluded that EFSA has accepted the Ombudsman's recommendations and requested EFSA to inform your Office by 31 March 2023 about its progress in implementing the measures still intended to be taken to address the recommendations made in this case.

By means of this letter, I would like to update you on the efforts made by EFSA to create an environment to support a suitable processing of applications for public access to documents, fully taking into consideration the recommendations of the European Ombudsman.

In this respect, EFSA presented to your inquiry team on 22 March 2023 a new IT tool to support the calculation of the assessment and preparation of the documents which can be carried out in the time available pursuant to the applicable legal deadline. This feature is designed to facilitate time management effectiveness in public access to documents processing and to improve the estimated predictability of workload capacity with a view to fulfilling legal deadlines. EFSA also committed to update your services by the end of October 2023 regarding the concrete use of the tool in specific cases.

In addition, EFSA has developed a guidance document to offer further direction to persons interested in submitting public access to documents applications to EFSA. This guidance document provides a detailed overview of the general principles applicable in the public access to documents domain and provides answers to frequently asked questions in terms of how to submit applications, how applications will be processed, how applicants will receive EFSA decisions and how to submit confirmatory applications for review of such decisions. Conveying this important information in plain language to the public is aimed at raising awareness and facilitating the use of EFSA's public access to documents services.

Furthermore, EFSA organised a webinar on 9 March 2023 to present further information on the guidance document as well as more details on the new means of submitting access to documents requests via the new Connect.EFSA portal. This webinar was also used to inform participants of EFSA's updated methodology with regard to the processing of public access to documents applications, taking full account of the recommendations of the European Ombudsman.

I would also like to confirm that the guidance document as well as the recording of the webinar are currently being prepared for publication on EFSA's website in the next few weeks.

Moreover, EFSA will update the Decision of its Management Board laying down practical arrangements for implementing Regulation (EC) No 1049/2001 and Articles 6 and 7 of Regulation (EC) No 1367/2006 in due course once a new Decision of EFSA's Management Board can be adopted.

With specific reference to conferring with applicants for public access to documents to reach fair solutions to their requests compatibility with the spirit of the recommendations of the European Ombudsman, EFSA has focused on strengthening its capacity to share with applicants lists of documents falling within the scope of applications concerning a very large number of documents as early as possible during the processing. EFSA's efforts to streamline this process empowers applicants to understand swiftly which specific documents they would most like to target from their individual perspective. EFSA is continuing its work to further enhance the precise execution of its new approach to processing public access to documents applications and aims to be in a position of full implementation by the end of July 2023.

We hope this makes clear EFSA's continuing endeavors in terms of implementing in full the recommendations of the European Ombudsman in this particular case, as well as the Authority's robust commitment to good administrative behavior in general.

Yours sincerely,

Bernhard Url

CC: Dirk Detken (EFSA)