



**P. Nikiforos Diamandouros**  
European Ombudsman

Mr Christoph Then  
Testbiotech e.V.  
Frohschammerstr. 14  
80807 München  
ALLEMAGNE

christoph.then@testbiotech.org

Strasbourg, **07-06-2012**

Complaint 775/2010/ANA

Dear Mr Then,

On 11 April 2012, I forwarded you EFSA's detailed opinion on my draft recommendation concerning your above complaint. I asked you to send me any observations that you wish to make on EFSA's detailed opinion before 31 May 2012.

I also informed you that EFSA identified certain documents as confidential and asked me not to forward them to you. Given that this request does not comply with Article 4.4 of the Ombudsman's Implementing Provisions, I decided not to forward you these documents and to instead return them to EFSA, in accordance with the Ombudsman's established practice in such cases. I also returned to EFSA information sent to the Ombudsman in its reply of 30 November 2010 to my request for further information which was also identified by EFSA as confidential. I noted that the documents which have been returned to EFSA do not form part of the Ombudsman's file and will not be taken into account in the Ombudsman's handling of the case.

By letter dated 24 May 2012, EFSA submitted additional information to complement its detailed opinion which I enclose with this letter.

In view of the additional information submitted by EFSA, I have decided to extend the deadline for submitting your observations on EFSA's detailed opinion to 30 June 2012.



Please note that, if I do not receive any observations from you, I may close the case with a decision, based on the information you have already provided and EFSA's submissions.

Yours sincerely,

A handwritten signature in black ink, which appears to read "P. Diamandouros". The signature is written in a cursive style and is followed by a long horizontal line that extends to the right.

P. Nikiforos Diamandouros

Enclosures:

- Copy of EFSA's letter of 24 May 2012 and three Annexes