



Australian Government

Department of Health
Therapeutic Goods Administration

TRIM Ref: D21-2763391

Phillip Sweeney

By email: foi+request-7392-63a1d5cd@righttoknow.org.au

Dear Mr Sweeney,

FREEDOM OF INFORMATION REQUEST FOI 2440
Notice of Decision

I refer to your request dated 6 June 2021 under the *Freedom of Information Act 1982* (the *FOI Act*) for access to the following documents:

"The TGA makes this statement in the Provisional Approval of the Pfizer COVID-19 'vaccine':

"COMIRNATY has been shown to prevent COVID-19 however it is not yet known whether it prevents transmission or asymptomatic disease."

A similar statement is made with respect to the Provisional Approval of the AstraZeneca COVID-19 'vaccine'.

The SARS-CoV-2 virus causes the disease known as COVID-19 in some people who have been infected by the SARS-CoV-2 virus. While some infected people are asymptomatic.

People who have been fully vaccinated can still be infected with the SARS-CoV-2 virus and transmit this virus to others while showing no symptoms of COVID-19 themselves according to the statement above subject to further research.

The document or documents I seek are any subsequent documents published by the TGA since 25 January 2021 that contradict the statement made in the Provisional Approval documents as quoted above."

Decision Maker

I am the Therapeutic Goods Administration (TGA) officer authorised to make this decision under section 23 of the FOI Act. What follows is my decision under the FOI Act.

Decision

Unfortunately, I am unable to continue to process your request as the documents you have requested do not exist. Therefore, I am notifying you of my decision to refuse your request for access under section 24A of the FOI Act.

Reasons for Decision

The documents you have requested do not exist, in these circumstances, section 24A of the FOI Act states that an agency is able to refuse (discontinue processing) the request. Specifically, paragraph 24A(1)(a) and subparagraph 24(1)(b)(ii) of the FOI Act state:

- (1) *An agency or Minister may refuse a request for access to a document if:*
- (a) *all reasonable steps have been taken to find the document; and*
 - (b) *the agency or Minister is satisfied that the document:*
 - (ii) *does not exist.*

The relevant electronic databases, files and corporate file lists held by the TGA have been thoroughly searched in order to locate the documents you have requested. Following these searches, I am satisfied that all reasonable steps have been taken in order to find the documents requested, and I confirm that the documents you have requested do not exist.

To assist you further, the TGA regularly provides updates on the TGA website regarding regulatory developments at [COVID-19 Vaccine Information Hub](#).

Review and Complaint Rights

If you are not satisfied with this decision, you can either seek internal review or apply to the OAIC for review of the decision. Further information can be found on the OAIC website at the following link: www.oaic.gov.au/freedom-of-information/reviews-and-complaints/

If you have any queries regarding this matter, please contact the FOI Team on (02) 6289 4630.

Yours sincerely

Authorised and electronically signed by

Elizabeth Santolin
Director
Prescription Medicine Authorisation Branch
Therapeutic Goods Administration
6 July 2021