

Response to Applicant - Full Disclosure

February 27, 2024

Dear Applicant:

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our File #: HCS-012-2024]

On January 26, 2024, the Department of Health and Community Services received your request for access to the following records:

Please provide the number of covid- 19 vaccines either disposed of or returned to whomever for disposal due to expiration of the dose. If disposed of locally, please provide the details of how and where these vials are properly disposed of.

Clarification on January 29, 2024: *Please provide the number and date of ANY disposals from the first arrival in December 2020.*

A decision has been made by the Department of Health and Community Services to provide access to requested information. In accordance with your request for a copy of the records, the information has been outlined in the table below.

Quantity of Discarded COVID-19 Vaccine as of December 2020 to February 1, 2024		
	Expired Vaccine	Vaccine Wastage
Covishield	825	52
Moderna	72,635	3,539
Moderna Bivalent	56,429	406
Moderna BA4/5	1,682	249
Moderna XBB	3,248	818
Nuvaxovid	767	169
Pfizer	243,201	4,102
Pfizer infant	12,517	327
Pfizer 5-11yrs	6,554	2,929
Pfizer Bivalent	1,873	2,201
Pfizer Bivalent 5-11yrs	1,499	142
Pfizer XBB	5,725	646
Pfizer XBB infant	29	134
Pfizer XBB 5-11yrs	470	69
Total	407,454 doses	15,783 doses

These numbers reflect vaccines that have **expired** based on the manufacturer's expiry date, and **wastage** includes vaccine that encountered a transport problem, storage and/or handling issue, meaning the vial was not punctured, it expired or had a problem identified before it could be used.

COVID-19 vaccines are disposed of following the guidance in our NL immunization manual:
<https://www.gov.nl.ca/hcs/files/Section-7-Management-of-Biological-Products-May-20.pdf>

If you have not already done so, you may wish to submit a request with the Newfoundland and Labrador Health Services. Contact information can be found [here](#) and the form can be found [here](#).

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of **the Access to Information and Protection of Privacy Act, 2015** (the Act) (a copy of this section has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
commissioner@oipc.nl.ca

You may also appeal directly to the Supreme Court within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section has been enclosed for your reference).

Please be advised that this request may be published on the [Completed Access to Information Requests](#) website. Requests will be posted when possible, but no sooner than three business days after a response is sent electronically, or five business days where a response is sent by mail. Please note that requests for personal information will not be posted online. Additional details regarding the process for publishing requests online can be found [here](#).

If you have any further questions, please feel free to contact me via e-mail at ATIPP-Health@gov.nl.ca

Sincerely,



Ana de Almeida
ATIPP Coordinator

Access or correction complaint

42.(1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).