Author's response to reviews

Title: Outbreak of leptospirosis among triathlon participants in Germany, 2006

Authors:

Stefan Brockmann (Stefan.Brockmann@rps.bwl.de)
Isolde Piechotowski (isolde.piechotowski@rps.bwl.de)
Oswinde Bock-Hensley (oswinde.bock-hensley@rhein-neckar-kreis.de)
Christian Winter (WinterC@wpro.who.int)
Rainer Oehme (rainer.oehme@rps.bwl.de)
Stefan Zimmermann (Stefan.Zimmermann@med.uni-heidelberg.de)
Katrin Hartelt (katrin.hartelt@rps.bwl.de)
Enno Luge (Enno.Luge@bfr.bund.de)
Karsten Noeckler (Karsten.Noeckler@bfr.bund.de)
Thomas Schneider (thomas.schneider@charite.de)
Klaus Stark (starkk@rki.de)
Andreas Jansen (JansenA@rki.de)

Version: 3 Date: 18 March 2010

Author's response to reviews: see over
Manuscript for publication in *BMC Infectious Diseases*

Dear Sir or Madam,

Enclosed please find the 2\textsuperscript{nd} revision of our manuscript "Outbreak of leptospirosis among triathlon participants in Germany, 2006" (MS: 6595630943148011). We gratefully appreciate the comments of the reviewers which were very helpful in revising and improving the initial paper. In their present comments on the 1\textsuperscript{st} revision, however, they did not provide any further suggestions, and we therefore did not include an item-by-item reply.

As a national public health institute, we appreciate the improvement and control of good medical practice. Our study was conducted in line with the German Protection against Infections Act (IfSG), similar to other studies from Germany published in BMC journals before (e.g. Porten et al., BMC Infect Dis. 2006; 6: 147. doi: 10.1186/1471-2334-6-147.; Espelage et al., *BMC Public Health* 2010, 10:41. doi:10.1186/1471-2458-10-41).

In Chapter Four, Section 16, of the Protection against Infections Act, the general measures of the competent authority are described: “(1) If circumstances are observed which could lead to the outbreak of a communicable disease or if it can be assumed that such circumstances exist, the competent authority shall take the measures necessary to avert the danger which these circumstances pose to the individual or the public at large. The personal data collected in the course of these measures may only be processed and used for the purposes of this Act."
(2) In the cases specified in paragraph 1, the officers of the competent authority and of the health office are entitled to enter upon land, rooms, facilities and installations as well as means of transport of all types, and to inspect books or other documents and to prepare copies, photocopies or excerpts from them as well as to examine these and other objects and to demand or take samples for testing in order to carry out investigations and to supervise the implementation of the stipulated measures. The person who possesses actual power over said land, rooms, facilities, installations and means of transport as well as other objects, shall be obliged to allow the officers of the competent authorities and the health office access to the same. Persons in a position to provide information on the circumstances specified in paragraph 1, shall be obliged to furnish the requisite information particularly about the establishment and the details of its operation inclusive of its control and submit relevant documents inclusive of technical plans that reflect the actual situation. The obligated party can refuse to answer certain questions if he/she has reason to fear that answering them could expose him/her or one of the relatives specified in Section 383 paragraph 1 nos. 1 to 3 of the German Code of Civil Procedure (Zivilprozeßordnung) to the danger of prosecution under criminal law or a lawsuit according to the Act on Administrative Offences (Gesetz über Ordnungswidrigkeiten); this provision shall apply accordingly to the submission of documents. (3) Where the ascertainment of the epidemiological situation so requires, the competent authority can order the handing over of investigation materials specified in paragraph 2 for the purpose of examination and safekeep to institutes of the public health service or other institutions to be determined by the Land.

(4) The basic constitutional right to the inviolability of the home (Article 13 paragraph 1 of the Basic Law) shall be limited in respect of paragraphs 2 and 3.

(5) In cases where the person affected by the measures stipulated in paragraphs 1 and 2 has no legal capacity or restricted legal capacity, the person responsible for the care of the former’s person shall ensure the fulfilment of the obligations specified. The same obligations are to be fulfilled by the person having the care of one who is affected by the measures stipulated in paragraphs 1 and 2 in so far as the care of the person of the affected person falls within the scope of his/her duties.

(6) The order that the measures specified in paragraph 1 are to be taken shall be given
by the competent authority at the proposal of the health office. Should the competent authority be unable to obtain a proposal from the health office on time, it shall immediately inform the health office of the measures implemented.

(7) In case of imminent danger, the health office itself may order that the measures be implemented. It shall inform the competent authority immediately thereof. The latter can modify or revoke the order. Should the order not be revoked within the space of two working days after the competent authority is informed, it shall be considered as an order made by the competent authority”.

Our study was performed in strict accordance to this law. We included this information in the revised manuscript.

Thank you very much for considering our manuscript for publication in BMC Infectious Diseases.

Sincerely yours,

Andreas Jansen

Recent affiliation:
Senior Expert
Scientific Advice Unit
European Centre for Disease Prevention and Control
Tomtebodavägen 11A
171 83 Stockholm, Sweden
E-Mail: andreas.jansen@ecdc.europa.eu