Reviewer’s report

Title: Prioritising access to pandemic influenza vaccine: a review of the ethics literature

Version: 0 Date: 31 Mar 2019

Reviewer: J.P. Leider

Reviewer's report:

I appreciate the opportunity to contribute to the review of this manuscript. It is an important topic. I will say up front that my review for this version of the manuscript is not a net positive one.

In my view, this paper suffers from a couple methodological limitations, largely related to the CIR you choose to do and what you don't include in your review. It is absolutely not the case that these kinds of plans (at least in North America) do not "directly address ethical reasons or contain normative arguments" as a rule. I was part of a group that conducted a similar review a couple years ago, and while MANY state and national plans don't include substantive normative discussion in the States, a number do. And they are extremely informative. Especially the national reports. With due respect to the authors and their formative work in this space, the review is missing several articles appropriate for inclusion. Saying you're doing a CIR instead of a systematic review of some kind is fairly insufficient, given your criticism and dismissal of whole classes of literature. I just do not view it as appropriate. Practice-based plans and reports often discuss these issues. For you to first dismiss them and then criticize whether their precepts are feasible is particularly problematic.

Relatedly, this concern seems to arise again in the discussion section, and is illustrative of the overall issue I take with your manuscript. Where you criticize the 'normative literature' for over-planning and not being sensitive to the particulars or realities of an eventual pandemic, most every plan that I've ever seen in North America starts from recognition that the groups affected and who might be in those groups (ie the medically worst off), are going to vary based on the pandemic. This is especially the case because a lot of pandemic planning in the States has expanded beyond influenza. And modifications to standards of critical care have moved toward more of an all hazards approach generally. What is the case that the national standards, and state based plans, are not just responsive to your point but anticipate it. So for you to exclude practice based works, some of which have normative discussion and some of which do not, is a problem. It's a problem rhetorically because it undercuts how much as a reader I trust that you have done your homework in this area, and it's a problem normatively, because it, at times, feels like you're cherry picking items to support portions of your moral argumentation. I view this as a fatal flaw in your current approach. I would welcome a review that includes more of the grey literature and/or actual pandemic response plans.
A couple minor notes:

Perhaps this paper would benefit from a table or two to summarize concepts for the readers.

On the allocation principles: I would say Persad, Wertheimer, and Emanuel's paper on this topic does a more succinct job summing up the principles for allocation than the current version in this author's section. Given the caliber of the author's work, I see this as an opportunity to improve and expand on the the decade-old take. Please build upon and refine those interpretations. I believe you might do this successfully by incorporating what practice-based folks are actually looking at a bit more, or what the national plans are calling for, pragmatically.

p3, 53. While the literature is concerned with liberty limitations, it is my sense that resource allocation questions are more prevalent - especially in practice-oriented ethics guidance. As such, 'overwhelmingly' is not an accurate characterization of the literature.

**Are the methods appropriate and well described?**
If not, please specify what is required in your comments to the authors.

Yes

**Does the work include the necessary controls?**
If not, please specify which controls are required in your comments to the authors.

No

**Are the conclusions drawn adequately supported by the data shown?**
If not, please explain in your comments to the authors.

No

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If an additional statistical review is recommended, please specify what aspects require further assessment in your comments to the editors.

Not relevant to this manuscript

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