



United States Department of Agriculture

May 2, 2019

Food Safety and
Inspection Service

1400 Independence
Avenue, SW.
Washington, D.C.
20250

DELIVERED VIA EMAIL

Ms. Deborah Press
American Society for the Prevention of Cruelty to Animals
600 Pennsylvania Ave. SE, Suite 450
Washington, DC 20003

RE: FOIA-2018-00062
Humane Treatment of Poultry Records

Dear Ms. Press:

This is the final response to your Freedom of Information Act (FOIA) request, dated October 31, 2017, to the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS). You requested access to Noncompliance Records, Memorandums of Interview, Letters of Cause, and Letters of Concern for noncompliance related humane treatment of poultry under the Poultry Products Inspection Act, January 1 – September 30, 2017. We received your request in our Office on October 31, 2017.

The FSIS FOIA staff works with subject matter experts across the Agency to locate responsive documents. For this request, we conducted a records search in the following divisions: Office of Planning, Analysis and Risk Management. FSIS' search began on November 21, 2017. Our search includes responsive records in FSIS' control on that date.

We have located 427 pages that are responsive to your request. After a thorough review, portions of some pages are exempt from disclosure under (b)(4)/(b)(6) of the FOIA, 5 U.S.C. § 552, as amended. Accordingly, this request is granted in part.

Some responsive records contain confidential, commercial or financial information, which is exempt from disclosure under FOIA Exemption 4, 5 U.S.C. § 552(b)(4). Disclosure of this information may cause substantial competitive harm to the person from which this information was obtained. Further, disclosure of this information may impair the government's ability to obtain necessary information in the future.

Portions of the responsive records are exempt from disclosure under FOIA Exemption 6, 5 U.S.C. § 552(b)(6). Exemption 6 protects information that would constitute an unwarranted invasion of an individual's personal privacy. The types of information withheld under Exemption 6 include the names, addresses, or cell phone numbers of employees of Establishments and third parties, including, but not limited to interviewees or customers.

You may appeal this determination within 90 days from the date of this letter. Your appeal should include copies of your original request and this response, as well as a discussion of the reasons supporting your appeal. The envelope should be plainly marked to indicate that it contains a FOIA appeal. If you decide to appeal this determination, please send your appeal to:

Carmen Rottenberg
Administrator
Department of Agriculture
Food Safety and Inspection Service
1400 Independence Avenue, S.W.
Room 1170, South Building
Washington, D.C. 20250-3700

Please be advised that your FOIA request, including your identity and the information made available, is releasable to the public under any subsequent FOIA requests. However, FSIS does not release your personal privacy information, such as home addresses, telephone numbers, or Social Security Numbers, all of which are protected from disclosure under FOIA Exemption 6.

If you have any questions about the way this request was handled, or about the USDA's FOIA regulations, please contact Brian Eiler at 202-690-1787 or via email at Brian.Eiler@usda.gov. If you have general questions about FSIS' FOIA procedures or regulations, please contact our FOIA Public Liaison, Arianne Perkins, at 202-690-2760 or via email at Arianne.Perkins@fsis.usda.gov.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; or facsimile at 202-741-5769.

Thank you for your interest in FSIS programs and policies.

Sincerely,

Arianne M. Perkins
Director, Freedom of Information Act Staff
Office of Public Affairs and Consumer Education
Food Safety and Inspection Service

Enclosure