



United States Department of Agriculture

Food Safety and
Inspection Service

June 21, 2019

Via email only

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

Erin Thompson
Animal Welfare Institute
900 Pennsylvania Avenue, SE
Washington, DC 20003
(b) (6)@awionline.org

RE: FOIA-2019-00143
Noncompliance Records

Dear Ms. Thompson:

This is the final response to your Freedom of Information Act (FOIA) request to the United States Department of Agriculture's (USDA) Food Safety and Inspection Service (FSIS) dated December 17, 2018. You requested a copy of noncompliance records related to humane handling and slaughter regulations, from October 1, 2018 to December 31, 2018. FSIS received your request in our Office on January 28, 2019.

The FSIS FOIA staff works with subject matter experts across the Agency to locate responsive documents. For this request, we conducted a record search in the Office of Planning, Analysis and Risk Management. FSIS' search began on February 8, 2019. Our search includes responsive records in FSIS' control on that date.

We have located 177 pages that are responsive to your request. After a thorough review, we have determined that portions of these pages fall within the exemptions to the FOIA's mandatory disclosure requirements, as explained below. In particular, we have determined that portions of these documents are exempt from disclosure under (b)(4) and (b)(6) of the FOIA, 5 U.S.C. § 552, as amended. Accordingly, this request is granted in part.

Some responsive records constitute 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.

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

Also, 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, please contact Ethan Pickrell at 202-260-8912 or via email at Ethan.Pickrell@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@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 PERKINS Digitally signed by ARIANNE PERKINS
Date: 2019.06.21 13:43:31 -04'00'

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

Attachment: Responsive Records (177 pages)