September 28, 2021

TRANSMITTED VIA ELECTRONIC MAIL

Ms. Emily von Klemperer
Farm Sanctuary
P.O. Box 150
Watkins Glen, NY 14891
(b) (6) @farmsanctuary.org

RE: 2020-FSIS-00110-F
04C05 Inspection related records

Dear Ms. Klemperer:

This is the second interim response to your Freedom of Information Act (FOIA) request
to the Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS),
dated December 12, 2019, in which you requested, all 04C05 inspection task records for
non-compliance related to the humane treatment of poultry under the PPIA, including
NRs, and MOI's as well as Memoranda of Information, Letters of Concern, and Letters
of Cause issued during the period from April 17, 2019 through the date this request is
processed. (April 17, 2019 - December 16, 2019) FSIS received your request on
December 16, 2019.

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 Office of
Planning, Analysis and Risk Management and the Office of Field Operations. FSIS'
search began on December 17, 2019 and includes responsive records in our control on
that date.

For this release, we have located 105 pages that are responsive to your request. After a
thorough review, we have determined that portions of the records 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.

Exemption 4 of the FOIA protects "trade secrets and commercial or financial
information obtained from a person [that is] privileged or confidential." 5 U.S.C. §
552(b)(4). The exemption covers two distinct categories of information in federal
agency records, (1) trade secrets, and (2) information that is (a) commercial or financial,
and (b) obtained from a person, and (c) privileged or confidential. In this instance, the
agency is withholding business processing line information. We have determined that
these records contain commercial or financial information that is customarily treated as
private by the business submitters. Therefore, the information is considered
confidential.

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.

FSIS will continue to process records responsive to your request and will forward them promptly upon completion of review. As this is not a final response to your FOIA request, we request that you reserve your right to appeal. We will include your appeal rights in our final release.

If you have any questions about the processing of your request or about the USDA's FOIA regulations, please contact Keith Komosinski via email at keith.komosinski@usda.gov or at 813-919-0531. If you have general questions about FSIS' FOIA procedures or regulations, please contact me, Acting FOIA Director/ FOIA Public Liaison at 202-720-8215 or via email at April.Harrid@usda.gov.

You also have the option to seek assistance from the Office of Government Information Services (OGIS). Please visit https://www.archives.gov/ogis/mediation-program/request-assistance for information about how to request OGIS assistance in relation to a FOIA request.

Thank you for your interest in FSIS programs and policies.

Sincerely,

April D. Harrid
Acting Director, Freedom of Information Act Staff
Office of Public Affairs and Consumer Education

Enclosure: 105 pages