



United States  
Department of  
Agriculture

February 28, 2011

Marketing and  
Regulatory  
Programs

Animal and  
Plant Health  
Inspection  
Service

Legislative and  
Public Affairs

Freedom of  
Information

4700 River Road  
Unit 50  
Riverdale, MD  
20737-1232

Michael Budkie, A.H.T.  
Executive Director  
SAEN  
1081-B St. Rt. 28 PMB 280  
Milford, Ohio 45150

Dear Mr. Budkie:

This is in response to your February 17, 2010, Freedom of Information Act (FOIA) request for copies of all records between Vanderbilt University and APHIS Office of Animal Care. Your request was received in this office on February 17, 2010, and assigned case number FOIA 10-248. We apologize for the delay of this response.

Please note that annual reports and inspection records can be obtained from our web site at: [http://www.aphis.usda.gov/animal\\_welfare/efoia/index.shtml](http://www.aphis.usda.gov/animal_welfare/efoia/index.shtml).

Agency employees conducted a thorough search of their files and located the enclosed 38 pages. Specifically, we are enclosing copies of correspondence and consumer complaint records. Information has been withheld under FOIA Exemption 6, 5 U.S.C. § 552(b)(6). This exemption protects information from disclosure when its release would cause a clearly unwarranted invasion of personal privacy. In addition, we withheld the same information under FOIA Exemption 7(C), 5 U.S.C. § 552(b)(7)(C). This exemption protects from disclosure records or information collected for law enforcement purposes when its release could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Also, our search revealed an active investigation responsive to your request. As a result, the records are exempt from disclosure pursuant to FOIA Exemption 7(A), 5 U.S.C. § 552 (b)(7)(A). This exemption protects from disclosure records compiled for law enforcement purposes, the release of which could reasonably be expected to interfere with enforcement activities. Since Exemption 7(A) protects the records from disclosure, we have not determined if other exemptions apply. Therefore, we reserve the right to assert other exemptions when Exemption 7(A) no longer applies. Moreover, we are unable to determine when the proceedings will be completed. If you wish, you may request the records at a later date.



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APHIS is an agency of USDA's Marketing and Regulatory Programs  
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Michael Budkie, A.H.T  
FOIA 10-248

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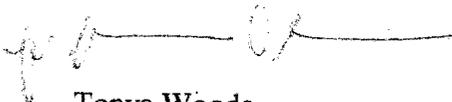
You may appeal our partial denial of this information. If you choose to appeal, your appeal must be in writing and must be received within 45 days of the date of this letter. Send to:

Administrator  
Animal and Plant Health Inspection Service  
Ag Box 3401  
Washington, D.C. 20250-3401

Please refer to FOIA 10-248 in your appeal letter and add the words "FOIA Appeal" to the front of the envelope. To assist the Administrator in reviewing your appeal, provide specific reasons why you believe modification of the determination is warranted.

If you have any questions, please contact the FOIA Staff at 301-734-8296.

Sincerely,



Tonya Woods  
Director  
Freedom of Information & Privacy Act  
Legislative and Public Affairs

Enclosures