



United States  
Department of  
Agriculture

November 10, 2010

Animal and  
Plant Health  
Inspection  
Service

Legislative and  
Public Affairs

Freedom of  
Information

4700 River Road  
Unit 50  
Riverdale, MD  
20737-1232

People for the Ethical  
Treatment of Animals  
501 front street  
Norfolk, VA 23510

Dear :

This is in response to your September 22, 2010, Freedom of Information Act (FOIA) request for the results of complaint W10-170, involving hamsters used in leptospirosis vaccine batch potency testing at the Colorado Serum Company. Your request was received on September 22, 2010, and assigned FOIA 10-683. We apologize for the delay this response.

Agency employees conducted a search of their files and on the enclosed CD-ROM are 67 pages of responsive records. However, information has being withheld under Exemption 2 of the FOIA, 5 U.S.C. § 552 (b)(2). Exemption 2 (high) protects from disclosure information concerning internal matters of a substantial nature, which if disclosed would risk the circumvention of a statute or agency regulation. Specifically, we withheld site locations of the research facility.

Additionally, 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. This same information has also been withheld under FOIA Exemption 7(C), 5 U.S.C. § 552(b)(7)(C). This exemption protects from disclosure records or information compiled for law enforcement purposes when its release could reasonably be expected to constitute an unwarranted invasion of personal privacy. We withheld third party names.

You may appeal our partial denial 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 at the following address:

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

If you choose to appeal, please refer to FOIA 10-683 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.

Mr. Brown  
FOIA 10-683

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Also contained on the CD-ROM re copies of your FOIA request, this response letter, and Adobe® Acrobat® Reader™, which is needed to view the responsive records. By opening rp505enu.exe and following the on-screen instructions, you will install Adobe Reader. After the installation, the Adobe Reader should render the PDF files correctly.

Due to the delayed processing of your request, all fees have been waived. If you have any questions, please contact Ms. Ellery Gumbs of my staff at (301) 734-5465.

Sincerely,

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

Enclosure