



United States  
Department of  
Agriculture

March 9, 2011

Marketing and  
Regulatory  
Programs

Crystal Miller  
Critters Pet Store  
4300 K Ridgecrest Drive, SE  
Rio Rancho, NM 87124

Animal and  
Plant Health  
Inspection  
Service

Legislative and  
Public Affairs

Dear Ms. Millers:

Freedom of  
Information

This is in response to your January 28, 2011, Freedom of Information Act (FOIA) request for records regarding case NM10024AC. Your request was received in this office on January 28, 2011, and assigned case number FOIA 11-228.

4700 River Road  
Unit 50  
Riverdale, MD  
20737-1232

Agency employees conducted a thorough search of their files and located an ongoing Investigative and Enforcement Services (IES) investigation concerning NM10024 AC which is responsive to your request. The case files include 151 pages of responsive records.

As a result of the investigations still being opened, the responsive records are being withheld in their entirety pursuant to Title 5 U.S.C. § 552 (b)(7)(A) of the FOIA. The government is permitted to withhold records compiled for law enforcement purposes when their release could interfere with pending or ongoing enforcement proceedings. Moreover, we are unable to determine when the proceedings will be completed. At a later date, you may submit a new FOIA request concerning the investigation of NM10024AC.

You may appeal our full denial of the responsive records. If you choose to appeal, your appeal must be in writing and must be received within 45 days of the date of the final letter to:

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

Please refer to FOIA 11-228 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 Anastazia Taylor of my staff at (301) 734-5273.

Sincerely,

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



Safeguarding American Agriculture  
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