



United States  
Department of  
Agriculture

April 15, 2011

Animal and  
Plant Health  
Inspection  
Service

Ms. Julie Caramante

Legislative and  
Public Affairs

Dear Ms. Caramante:

Freedom of  
Information

4700 River Road  
Unit 50  
Riverdale, MD  
20737-1232

This is the first partial response to your February 6, 2011, Freedom of Information Act (FOIA) request for copies of any and all records pertaining to violations of the Commercial Transport of Equines to slaughter records which may include photographs, field reports, etc, for the year 2009. Your request was received in this office on February 7, 2011, and assigned case number FOIA 11-240.

Please be advised, the information you have requested pertaining to Hennen Farms/John Hennen (IES # MI09103), Paynesville, MN, and James Alexander (IES # MI09104), Peck, MI, is currently involved in ongoing investigations. Agency employees conducted a thorough search of their files and located numerous pages of records that that are responsive to this portion of your request, but only 155 pages of records are releasable at this time. These documents can be found on the enclosed CD-ROM. 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. We have withheld third party names, and owner signatures pursuant to these exemptions.

We are withholding the remaining records involved in these two investigations under 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. Moreover, we are unable to determine when the proceedings will be completed. However, you are welcome to submit a new request for this information at a later date. Please reference the investigation number MI09103-VS & MI09104-VS in your letter.

You may appeal our partial denial of information or you may hold your appeal in abeyance until your final response is received. However, if you choose to appeal, your appeal must be made in writing and must be sent within 45 days of the date of this letter to the following address:

Ms. Julie Caramante  
FOIA 11-240

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

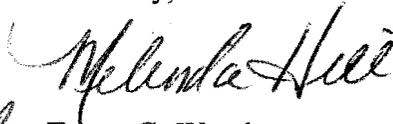
Please refer to FOIA 11-240 in your appeal letter and add the words "FOIA Appeal" to the front of the envelope. To assist the Administrator in reviewing your appeal, please provide specific reasons why you believe modification of the determination is warranted.

Also contained on the CD-ROM are copies of your FOIA request 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.

Please note, the remainder of your request is still under review. We will continue to make partial releases of any responsive information.

Because the cost to process your request is less than \$25.00, all fees have been waived. If you have any questions, please do not hesitate to contact Ms. Sophie Lau-Lopez of my staff at (301) 734-5360

Sincerely,



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

Enclosure