



United States
Department of
Agriculture

SENT VIA EMAIL

April 20, 2011

Marketing and
Regulatory
Programs

Jeffrey Kerr
People for the Ethical Treatment of Animals
501 Front Street
Norfolk, VA 23510

Animal and
Plant Health
Inspection
Service

Legislative and
Public Affairs

Dear Mr. Kerr:

Freedom of
Information

This is a partial response to your March 25, 2011, Freedom of Information Act (FOIA) request for records between November 18, 2010 to the present, regarding Ringling Bros' Blue Unit's November inspection. Your request was received March 25, 2011, and assigned case number FOIA 11-359.

4700 River Road
Unit 50
Riverdale, MD
20737-1232

Agency employees conducted a search of their files and located the enclosed 31 pages responsive to your request. However, information, e.g. names of Ringling Bros employees, is withheld pursuant to 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. Along with Exemption 6, and pursuant to FOIA Exemption 7(C), 5 U.S.C. § 552(b)(7)(C), we have withheld the name of an APHIS Investigator. Exemption 7(C) permits the Government to protect the identities of law enforcement personnel e.g. investigators.

In addition, we request an extension to *review the records* pursuant to the USDA FOIA Regulations, 7 CFR 1.16(b)(2), and (b)(3). Pursuant to the U.S Department of Agriculture FOIA Regulations, 7 CFR 1.16(b)(2), this extension is necessary because of the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are the subject of a single request. Pursuant to the U.S Department of Agriculture FOIA Regulations, 7 CFR 1.16(b)(3), this extension is necessary because of the need to consult with another Department, agency or USDA component that has substantial interest in the documents. We have estimated that the search and review for the responsive records will approximately be completed by May 17, 2011.

In an effort to comply with your request for expedited treatment, we intend to send you partial releases before the expiration date in order to complete your request.



Safeguarding American Agriculture

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Jeffrey Kerr
FOIA 11-359

2

You may appeal our partial denial of this information. If you choose to appeal, and you may hold your appeal in abeyance until your final response is received. Your appeal must be in writing and must be received within 45 days of the date of this letter to: Administrator, Animal and Plant Health Inspection Service, Ag Box 3401, Washington, DC 20250-3401. Please refer **FOIA 11-359**, 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,



for:

Tonya G. Woods
Director
Freedom of Information & Privacy Act

Enclosures