



United States
Department of
Agriculture

May 17, 2011

Animal and
Plant Health
Inspection
Service

Legislative and
Public Affairs

Freedom of
Information

4700 River Road
Unit 50
Riverdale, MD
20737-1232

Lindsay Waskey
People for the Ethical Treatment of Animals
1536 16th Street NW
Washington, D.C. 20036

Dear Ms. Waskey:

This is in response to your April 19, 2011, Freedom of Information Act (FOIA) request for all documents related to the cancellation of USDA Customer Number 321798 license "Great Ape Experience" (GAE), including the specific terms of cancellation, all inspection reports, and records of disposition of any animals. Your request was received in this office on April 19, 2011, and assigned case number FOIA 11-427. We apologize for the delay of this response.

During a telephone conversation with Ms. Deborah Logan Leilich of my staff on April 27, 2011, it was determined that in this instance, you would not have to submit a new request for the records regarding GAE's new license. The facility still has the same USDA Customer Number 321798.

Agency employees conducted a thorough search of their files and enclosed are 14 pages of records that responds to this request. However, information is withheld pursuant to FOIA Exemption 6, 5 U.S.C. § 552(b)(6). This exemption protects information from disclosure the release of which would cause a clearly unwarranted invasion of personal privacy. Specifically, we remove the owner signature and the identity of third party individuals.

The Animal Welfare Act (AWA) regulations do not require APHIS to maintain records of disposition of animals. These types of records must be maintained by the individual facility and are made available for APHIS employees to review during inspections or investigations. Nevertheless, Agency employees conducted a thorough search of their files and did not locate any disposition for this facility; therefore, we have not records for this portion of your request.

You may appeal our partials denial of this information and no records determination. If you choose to appeal, 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, D.C. 20250-3401



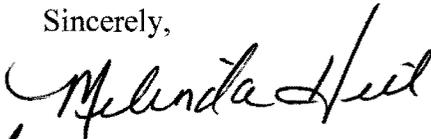
Safeguarding American Agriculture
APHIS is an agency of USDA's Marketing and Regulatory Programs
An Equal Opportunity Provider and Employer

If you should appeal, please refer to FOIA 11-427 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.

Please note that copies of inspection reports are now available on our Animal Care web site. To access all available APHIS inspection reports, please visit the APHIS homepage at <http://www.aphis.usda.gov> and click on **Animal Welfare** (a bullet item located in the light blue box on the left-hand portion of the screen under Browse by Subject). Then, click on **03/25/11 Animal Care has developed an expanded and improved (ACIS) Search Engine**, located under the heading **Latest News in Animal Welfare**. Then, at the bottom of the next page, click on the link <http://acissearch.aphis.usda.gov/LPASearch/faces/Warning.jspx>. There, you will be able to access a searchable database.

Because the cost to process your request is less than \$25.00, the fee has been waived. If you have any questions, please contact Ms. Deborah L. Leilich of my staff at (301) 734-3623.

Sincerely,



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

Enclosure