



**AUG 13 2010**

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Legislative and  
Public Affairs

Freedom of  
Information

4700 River Road  
Unit 50  
Riverdale, MD  
20737-1232

Ms. Chelsea Rhodes  
People for the Ethical  
Treatment of Animals  
501 Front Street  
Norfolk, VA 23510

Dear Ms. Rhodes:

This is the second partial response to your December 31, 2008, Freedom of Information Act (FOIA) request (copy enclosed) for all records pertaining to numerous USDA registered facilities. Your request was received on January 2, 2009, and assigned case number FOIA 09-391. We apologize for the delay of this response.

The program which maintains the information you have requested located the enclosed CD-ROM which contains all available application for licenses, certificates, inspection reports, and emails, totaling 198 pages which are responsive to twenty-five of the licensees you requested information on. Below is a list of licensees for which we are providing records for.

USDA-Registered Facilities:

12-A-0009; 14-A-0004; 14-A-0007; 14-A-0017; 14-B-0013; 14-B-0030; 14-B-0034;  
16-B-0002; 21-A-0008; 21-A-0047; 21-B-0140; 22-A-0011; 22-B-0002; 23-A-0122;  
23-A-0145; 23-A-0234; 23-A-0289; 23-A-0312; 23-B-0002; 23-B-0020; 23-B-0050;  
23-B-0140; 23-B-0154; 23-B-0155 and 23-B-0174.

However, information is being withheld under Exemptions 2 and 7(F) of the FOIA, 5 U.S.C. § 552 (b)(2) and 5 U.S.C. § 552 (b)(7)(F) respectively. 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. Exemption 7(F) protects from disclosure law enforcement – related information, which if disclosed could reasonably be expected to endanger the life or physical safety of an individual.

Also, please note that we have withheld portions of the information pursuant to FOIA Exemption 4, U.S.C. § 552(b)(4), which protects proprietary business information. Specifically, we have withheld the gross revenue of registered research facilities and/or other businesses. In addition, we withheld the identities of third parties and law enforcement personnel 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. The same information has been withheld 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.

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:

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

Please refer to FOIA 09-391 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.

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 of our delay in processing your request, 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,



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

Enclosure