



United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Legislative and
Public Affairs

Freedom of
Information

4700 River Road
Unit 50
Riverdale, MD
20737-1232

NOV 19 2010

Terry Torrance

Dear Ms. Torrance:

This is in response to your October 10, 2010, Freedom of Information Act (FOIA) request for all paperwork, pictures, notes, memos, fines and amount paid on the fines for violations associated with James Blake McDaniel, EIS case ID # TX 06044. Your request was received in this office on October 13, 2010, and assigned case number FOIA 11-021.

Agency employees conducted a thorough search of their files and the enclosed CD-ROM contains 60 pages of responsive records. However, information is being 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. The information being withheld under this exemption was social security numbers, personal telephone numbers and the signatures of the owner.

In addition, we withheld this 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. The names and identities of the IES investigators have been withheld.

You may appeal our partial denial of this information. If you choose to appeal, your appeal must be in writing and must be sent 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 to FOIA 11-021 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 a copy of this letter, 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, Adobe Reader should render the PDF files correctly.



Safeguarding American Agriculture
APHIS is an agency of USDA's Marketing and Regulatory Programs

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FOIA 11-021

All fees pertaining to this request have been waived. If you have any questions concerning this request, please contact

Sincerely,

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

Enclosure