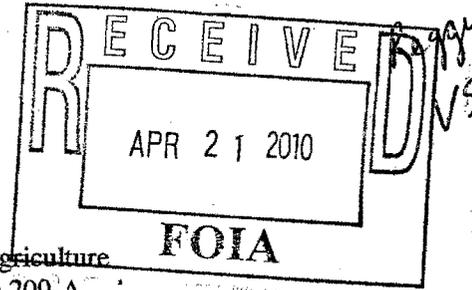


10-409

05EC-10-128

March 29, 2010

Courtney L. Wilkerson, Esq.
FOIA Officer
United States Department of Agriculture
Jamie Whitten Building, Room 209-A
1400 Independence Ave. SW
Washington, DC 20250-0103



received
4-21-10



PETA

PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS

HEADQUARTERS
501 FRONT STREET
NORFOLK, VA 23510
TEL 757-622-PETA
FAX 757-622-0457

Dear Ms. Wilkerson,

According to the December 2009 edition of the USDA Veterinary
Biologics Product Code Book, Merial Select Inc. currently holds licenses for the following
products:

MAY 20 2010

USDA code	Product
12P5.40	Bursal Disease – Newcastle Disease – Reovirus <u>Vaccine</u> (Standard & Variant, Killed Virus)
12D5.45	Bursal Disease – Newcastle Disease – Bronchitis Vaccine (Standard & Variant, Mass & Ark Types, Killed Virus)
1701.10	Newcastle Disease Vaccine (VG/GA Strain, Live Virus)
1711.10	Newcastle Disease Vaccine (B1 Type, B1 Strain, Live Virus)

— Please provide the Lot Release Protocols for the testing of these final products.

PETA is entitled to a fee waiver because the release of the public records will contribute significantly to the public's understanding of the agency's administration and because the release is not in the commercial interest of PETA, as defined by 5 U.S.C. § 552(a)(4)(A)(iii). The legislative history of the public interest fee waiver standard "clearly indicates" that Congress intended to create a test that was to be "liberally construed," and was "consistently associated with requests from journalists, scholars, and *non profit interest groups* who it intended to benefit." *Ettlinger v. FBI*, 596 F.Supp. 867, 872 (D. Mass. 1984) (emphasis added).

Sincerely,

Jeffrey Brown
Research Associate
Regulatory Testing Division
PETA
2898 Rowena Ave., #103
Los Angeles, CA 90039
(310) 437-8003