



November 2, 2010

Donald Randall

Dear Mr. Randall:

This is the final response to the Freedom of Information Act (FOIA) request that you submitted to this office, dated May 1, 2010, seeking licensing documents for Marek's Disease-Newcastle Disease Vaccine, Serotype 3, Live Marek's Disease Vector (Vectormune HVT NDV) produced by Biomune Co., Est. 368. You are specifically seeking the environmental assessment plus the safety data package: SIF, Rick Analysis (Backpassage/Shed-Spread), FONSI and Field Safety Data. You are requesting information dated January 1, 2004 through May 1, 2010. Your request was received in this office on May 3, 2010 and assigned the following control number: 10-420. We apologize for the delay in this response.

In order to identify the specific documents that you would like to receive, we forwarded your request to the following office within APHIS: Veterinary Science (VS), so that they could undertake a search for documents responsive to your request. Upon conducting a thorough search of their files, VS provided my office with 58 pages of documents responsive your request. Upon my review, I have determined that portions of the 58 documents contained in this partial response, must be withheld pursuant to FOIA Exemption 6, 5 U.S.C. § 552(b) (6) and (b) (4). Exemption 6 of the FOIA protects from disclosure information that that if disclosed, would cause an unwarranted invasion of personal privacy. This exemption also contains an exception that protects from disclosure information pertaining to tightly held corporations or similar business entities, when its release would disclose personal details regarding an individual, albeit within the context of a business record. Exemption 4 of the FOIA protects from disclosure trade secret and commercial or financial information obtained from a person or entity that is privileged or confidential. This exemption also affords protection to those submitters who are required to furnish commercial and or financial information to the government by safeguarding them from competitive disadvantage that could result from disclosure.

We found no additional records responsive to your request.

Enclosed, please find a CD containing 58 documents responsive to your request, in part.

You may appeal our denial of portions of these documents. Your appeal must be submitted in writing and received within 45 days of the date of this letter to the following:

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

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

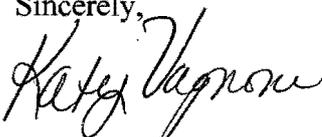
Randall, Donald
10-420

2

Please refer to FOIA 10-420 in your appeal letter and add the words FOIA Appeal to the front of the envelope. To assist the Administrator in reviewing your appeal, please provide specific reasons why you believe modification of the determination is warranted.

If you have any questions, please do not hesitate to contact my staff at (301) 734-0596.

Sincerely,



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

Enclosure: CD