



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

Mr. Aaron Green
Animal Protection Litigation
The Humane Society of the United States
2100 L Street, NW
Washington, DC 20037

SEP 29 2010

Dear Mr. Green:

This is in response to your June 22, 2010 Freedom of Information Act (FOIA) request, which was received in this office June 22, 2010 and assigned case number FOIA10-511. You requested all records created or received in the last 5 years related to the licensure and inspection of Isaac Martin by USDA Animal Plant Health Inspection Service (APHIS). We apologize for the delay in processing your request.

Agency employees conducted a thorough search of their files and located 129 pages of responsive releasable records which are contained on the enclosed CD-ROM. However, names, identifiers, addresses, and phone numbers have been 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.

Please be advised that investigation case number OH10020 has been referred to our Investigative and Enforcement Services Branch for review and is part of ongoing law enforcement proceedings. These records are being withheld pursuant to FOIA Exemption 7(A), 5 U.S.C. § 552 (b)(7)(A). This exemption protects from disclosure records compiled for law enforcement purposes, the release of which could reasonably be expected to interfere with enforcement activities. Since Exemption 7(A) protects the records from disclosure, we have not determined if other exemptions apply. Therefore, we reserve the right to assert other exemptions when Exemption 7(A) no longer applies. Moreover, we are unable to determine when the proceedings will be completed. If you wish, you may request the records at a later date.

You may appeal our partial denial of this information. If you choose to appeal, your appeal must be in writing and must be received within 45 days of the date of this letter. Send to:

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

Please refer to FOIA 10-511 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.



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Also contained on the CD-ROM are copies of your FOIA request, this response letter, 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

Because the cost to process your request is less than \$25.00, the fee has been waived. If you have any questions, please contact Anastazia Taylor, Mr. John Fischer or Ms. Katy Vagnoni of my staff at (301) 734-3254.

Sincerely,



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

Enclosures