



United States
Department of
Agriculture

September 17, 2010

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

Animal Legal Defense Fund
170 East Cotati Avenue
Cotati, California 94931

Dear Mr. Liebman:

This is in response to your July 14, 2010, Freedom of Information Act (FOIA) for all records, from June 2005 to the present, pertaining to the following licensees:

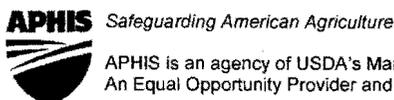
- Tregembo Animal Park, Wilmington, North Carolina
- Little Man's Zoo, Chadbourn, North Carolina
- Buffalo Beal's Animal Park, Maiden, North Carolina
- Lynnwood Park Zoo, Jacksonville, North Carolina

Your request was received on July 19 2010, and assigned case number FOIA 10-561. We apologize for the delay of this response.

Agency employees conducted a thorough search of their files and located 166 pages responsive to your request. Enclosed is a CD-ROM with 148 pages of responsive records. However, information has 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. In addition, we withheld the 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. Certain personal information, such as third party names, signatures, e-mail addresses and phone numbers, was redacted from these pages. Also, the identities of employees of the Animal Care program and the Investigative and Enforcement Services program have been withheld.

The remaining 18 pages are being withheld in their entirety. The Agency's Investigative and Enforcement Services staff is conducting an investigation concerning Buffalo Beal's Animal Park (case number NC 100001). This information is being withheld under FOIA Exemption 7(A), 5 U.S.C. § 552(b)(7)(A). This exemption protects information compiled for law enforcement purposes release of which could reasonably be expected to interfere with enforcement proceedings. Subsequently, additional records could be generated up to the closing of the investigation.

If, at a later date, you are still interested in receiving information concerning Buffalo Beal's Animal Park (case number NC 100001) you will need to submit a new FOIA request.



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FOIA 10-561

In accordance with Agency records retention procedures, programs are only required to maintain documents in their files for three years. Therefore, we found no records from 2005 to 2007 responsive to your request.

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, D.C. 20250-3401

Please refer to FOIA 10-561 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, this response letter, and Adobe7 Acrobat7 Reader9, 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 of our delay in processing your request, all fees have been waived, if you have any questions, please contact _____ of my staff at _____

Sincerely,

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

Enclosure