



United States
Department of
Agriculture

August 22, 2011

Animal and
Plant Health
Inspection
Service

Legislative and
Public Affairs

PETA

Freedom of
Information

Sent via Email - [@peta.org](mailto:peta@peta.org)

4700 River Road
Unit 50
Riverdale, MD
20737-1232

Dear _____ :

This is in response to your May 23, 2011, Freedom of Information Act (FOIA) request in which you requested copies of records relating to inspections and citations issued to the following exhibitors between January 1, 2010, and May 23, 2011:

- Riddle's Elephant and Wildlife Sanctuary (license no: 71-C-0050; P.O. Box 715, Greenbrier, AR 72058);
- Bright's Zoo, (license no: 63-C-0229; P.O. Box 249, Limestone, TN 37681);
- Curtis Shepperson dba Windy Oaks Animal Farm (license no: 52-C-0104; 8207 Bultaco Trail Mechanicsville, VA 23111); and
- Tanganyika Wildlife Park, LLC (license no. 48-C-0156; 1037 S. 183rd Street W., Goddard, KS 67052).

Your request was received in this office on May 23, 2011 and assigned case number FOIA 11-516. We apologize for the delay of this response.

Animal Care (AC) and Investigative and Enforcement Services (IES) program offices conducted a thorough search of their files and located a total of 122 pages of responsive records.

AC provided 50 pages of records for Bright's Zoo, Curtis Shepperson and Tanganyika Wildlife Park. However, names, titles and signatures have been withheld pursuant to FOIA Exemption 6, 5 U.S.C. § 552 (b)(6), where the release of information would cause a clearly unwarranted invasion of personal privacy. This same information has been withheld pursuant to 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.

APHIS balanced these individuals' privacy interests against the public interest in disclosure. Under the FOIA, the public interest is advanced when disclosing responsive records educates the public about governmental activity. APHIS determined that releasing the redacted information about the private individuals would not shed light on the activities of APHIS or USDA.

As for Riddle's Elephant and Wildlife Sanctuary, you may find those records on the Animal Welfare Webiste at: <http://acissearch.aphis.usda.gov/LPASearch/faces/Warning.jspx>



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FOIA Request 11-516

IES employees were unable to find any citations issued for Brights Zoo, Riddle's Elephant and Wildlife Sanctuary and Tanganyicka Wildlife Park, LLC. However, IES is withholding 72 pages of records that are part of an ongoing enforcement proceeding (Case Id.VA11004 for Curtis Shepperson, d/b/a Oaks Animal Farm – license #52-C-0104) under 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.

Because the underlying circumstances may change, we may later disclose some of the exempt records. If you wish, you may request the records at a later date.

You may appeal our partial denial of the 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 to:

Administrator
Animal and Plant Health Inspection Service
Ag Box 3401
Washington, DC 20250-3401

Please refer to FOIA 11-516 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 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.

If you have any questions, please do not hesitate to contact Kacie Edwards of my staff at (301) 734-5385.

Sincerely,

Tonya G. Woods
for:

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

Enclosures