



Brian Smith
 LexisNexis CourtLink
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August 29, 2011

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

Dear Mr. Smith:

This is in further response to your June 23, 2011, Freedom of Information Act (FOIA) request for a copy of Petition No. 11-063-01P, for non-regulated status submitted by Pioneer Hi-Bred. We received your request on June 23, 2011, and assigned it case number 11-595.

As stated in our July 19, 2011, letter, the Biotechnology Regulatory Services located 169 pages of responsive records. We are enclosing 168 pages on CD-ROM. 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. Specifically, we have redacted the names of Pioneer employees.'

The remaining page has been referred to the Food and Drug Administration (FDA) for their release determination. They can be reached at (301) 796-3900, or FDA, Division of Freedom of Information, Office of Shared Services, Office of Public Information and Library Services, 12420 Parklawn Drive ELEM-1029, Rockville, MD 20857.

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.

You may appeal our determination of your request. 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 FOIA 11-348 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.

If you have any questions, please contact the FOIA Staff at (301) 734-8296.

Sincerely,

TG
Katy Vegrani

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

Enclosure

cc: FDA, FOIA



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