

FOIA Case Response Checklist (Form T62)

Information about this case

FOIA case request number

IES case number

WA05029-AC

Closed with IES
1/23/2008
IES Response Date _____

- This case is open – in the field
- This case is open – in Enforcement Operations (EO)
- This case is open – at the Office of the General Counsel (OGC)
- This case is closed
- This case is destroyed (Date _____)

Categories of IES Case Documents Included in this Response

- Investigator's Notes/Email Messages
- Affidavits
- Witness List
- Penalty Worksheet
- Tracking System Printout(s)
- Records and Reports (e.g., TECS, ACS, etc.) Obtained from Another Agency (e.g., CBP)
- Records and Reports Obtained from the IES Intelligence Analysis Unit (IAU)
- Physical Evidence (e.g., ear tags, back tags, blood, etc.) – **Photos Included**
- Documentary Evidence (certificates, permits, etc.)
- Records and Reports Obtained from APHIS Agencies (e.g., Animal Care)
- Anything else FOIA should know? Other? Please describe – Documents have been deemed, by the subject of the investigation, to be privileged information, not for public duplication or distribution.

Would the release of the above categories of documents, or portions of documents, be of concern to IES? If yes to any, please explain and provide a Point of Contact (POC) for the FOIA Office if they have further questions.

IES Concerns

- A. Investigative Strategies/Circumvention of Law
- B. Personal/Physical Safety
- C. Harm to Investigation
- D. Unwarranted Invasion of Personal Privacy
- E. Expressed Interest by Another Federal Agency (e.g., FBI, OIG, etc.)

Explanation:

The release of investigative notes and/or email messages could pose a risk for the identification of investigative strategies (A). They also pose a risk of an unwarranted invasion of personal privacy (D). Affidavits, witness lists, and tracking system printouts contain personal identifying information (PII), and therefore, pose a risk of unwarranted invasion of personal privacy (D). Including records and reports from Animal Care, as well as documentary evidence, could result in the unwarranted invasion of privacy (D), as well as identification of investigative strategies (A). Penalty worksheets contain calculations for determining an appropriate penalty. The release of this information could allow the identification of strategies used (A).

IES POC Name: Kellea A. Page

Phone: 301-734-0888

FOIA Case Response Checklist (Form T62)

Information about this case

IES Response Date _____

FOIA case request number

IES case number WA02007-AC

- This case is open – in the field
- This case is open – in Enforcement Operations (EO)
- This case is open – at the Office of the General Counsel (OGC)
- This case is closed (Date: 08/07/2007)
- This case is destroyed (Date _____)

Categories of IES Case Documents Included in this Response

- Investigator's Notes / *emails*
- Affidavits
- Witness List
- Penalty Worksheet
- Tracking System Printout(s)
- Records and Reports (e.g., TECS, ACS, etc.) Obtained from Another Agency (e.g., CBP)
- Records and Reports Obtained from the IES Intelligence Analysis Unit (IAU)
- Physical Evidence (e.g., ear tags, back tags, blood, etc.) – *includes photos*
- Documentary Evidence (certificates, permits, etc.)
- Records and Reports Obtained from APHIS Agencies (e.g., Animal Care)
- Anything else FOIA should know? Other? Please describe – Several documents have been deemed, by the subject of the investigation, to be privileged information, not for public duplication or distribution.

Would the release of the above categories of documents, or portions of documents, be of concern to IES? If yes to any, please explain and provide a Point of Contact (POC) for the FOIA Office if they have further questions.

IES Concerns

- A. Investigative Strategies/Circumvention of Law
- B. Personal/Physical Safety
- C. Harm to Investigation
- D. Unwarranted Invasion of Personal Privacy
- E. Expressed Interest by Another Federal Agency (e.g., FBI, OIG, etc.)

Explanation:

The release of investigative notes and/or email messages could pose a risk for the identification of investigative strategies (A). They also pose a risk of an unwarranted invasion of personal privacy (D). Affidavits and witness lists contain personal identifying information (PII), and therefore, pose a risk of unwarranted invasion of personal privacy (D). Including records and reports from Animal Care could result in the unwarranted invasion of privacy (D), as well as identification of investigative strategies (A). Penalty worksheets contain calculations for determining an appropriate penalty. The release of this information could allow the identification of strategies used (A). Records and reports received from the IAU contain PII and pose a risk of unwarranted invasion of personal privacy (D).

IES POC Name: Kellea A. Page

Phone: 301-734-0888

FREEDOM OF INFORMATION ACT

TO: Animal Care - Western Region

REQUEST #: 08-187

REQUESTER : S. Conner

DATE DUE BACK TO FOIA: 12/11/07

Kay

Attached is a FOIA request for documents maintained by your office. Please conduct a thorough search for all responsive records, including files that may be kept in locations other than your office. Please ensure that you read the request thoroughly and that we respond with ONLY the information that has been requested. Many times much more information is copied and forwarded that was not in the original request wasting YOUR TIME, not to mention paper and postage. Please complete this page and return it with one single-sided copy of the responsive records to:

Linda Jackson Fax: 301-734-4993
4700 River Road, Unit 84
Riverdale, MD 20737

DO NOT STAPLE DOCUMENTS

Search Time *(Clerical): 15 min. *Does not include photocopying time.

Search Time *(Professional):

Review Time (Professional): *[Signature]*

Total time spent on this request, INCLUDING copying time: 45 min.

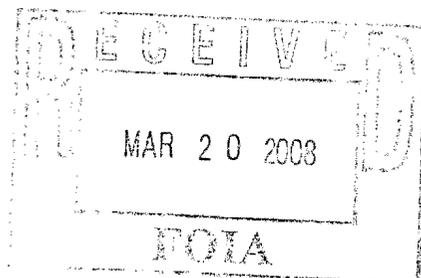
Search Conducted by:

NAME	TITLE	REGION	PHONE	DATE MAILED
Evelyn M. Celli	ILA	Western	970-494-7478	

Missing Document Explanation/Special Notes:

Attached are the inspection reports maintained in the file for three years and all communication for SNBL USA LTD, registration number 91-R-0053, customer number 11124.

This is an IES open Case.



[Signature] 3/18/08

EMC

REQUEST FOR DOCUMENT SEARCH

TO: AC/IES
REQUEST: FOIA 08-187

REQUESTER: S. Conner
DUE TO FOIA: 12/11/07

Attached is a FOIA request for documents maintained by your office. Please conduct a thorough search for all responsive records, including files that may be kept in locations other than your office.

Please complete this page and return it with one single-sided copy of the responsive records by mail to: USDA, APHIS, LPA, FOI, 4700 River Rd., Unit 50, Riverdale, MD 20737 or hand deliver to Suite 2B02. Place records in box outside space 2B02.7. Address records to the attention of Kay Peterson, 2B02.22

DO NOT STAPLE THE DOCUMENTS.

Search time* (clerical):
Search time* (professional):
*Does not include photocopying time

Review time (professional):

Search Conducted by:

Name	Title	Office and Phone
------	-------	------------------

Missing Document Explanation/Special Notes:
The responsive records relate to an investigation. Yes No

FOIA Liaison's Initials & Date:

***PLEASE NOTE: Agency records retention periods are affected by this FOIA/PA request. DO NOT DESTROY ORIGINALS for a minimum of 3 years. Please see APHIS Records Management Handbook; Inf 8 - Privacy Act Requests and Inf 9 - FOIA Requests.

MAR - 4 2008

Felicia L
Hubb/MD/APHIS/USDA
12/13/2007 02:31 PM

To Kay Peterson/MD/APHIS/USDA
cc
bcc
Subject FOIA 08-187

open
Good Afternoon Ms. Peterson,

This is the official IES response to FOIA request 08-187. The records involved with this request (WA02007 & WA05029) has been scanned and will be hand delivered to your office. This file is being close out with this response.

Thank You,
Felicia L. Hubb
Program Management Specialist
Investigative & Enforcement Services
Riverdale, MD
301-734-6339 Voice
Felicia.L.Hubb@aphis.usda.gov

12/19/07



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

MAR 25 2008

Sean R. Conner, Vivisection Special Projects Coordinator
People for the Ethical Treatment of Animals.
501 Front St
Norfolk, VA 23510

Dear Ms. Conner:

This a partial response to your November 29, 2007, Freedom of Information Act (FOIA) request for all available communications and inspections including Animal Care Inspection Reports, and any photos or video dated from 2004 to present for SNBL USA, Ltd. (License # 91-R-0053). Your request was received in this office on November 29, 2007, and assigned case number FOIA 08-187. We apologize for the delay of this request.

Agency employees conducted a thorough search of their files and located the enclosed documents (totaling 15 pages) responsive to your request. However, be advised, information has been withheld pursuant to 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 this same information 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.

You may appeal our denial determination or you may appeal in abeyance until we have completed our review of the remaining records. 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, D.C. 20250-3401

Please refer to FOIA number 08-187 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.



APHIS - Protecting American Agriculture
An Equal Opportunity Employer

Sean R. Conner
FOIA 08-187

2

We are still reviewing additional records that may be responsive to your request and will provide you with a response as soon as possible. If you have any questions, in the interim, please contact Ms. Marilyn Kay Peterson of my staff at (301) 734-5360.

Sincerely,

A handwritten signature in cursive script that reads "Tonya Woods".

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

Enclosures

Case Id: WA05029 Program Code: AC Docket Number:

			PENDING.
2	07 OCT 2005	NJ (b)(6)	19 DEC 2005 SUPPLEMENTAL INVESTIGATION (CLOCK)
3	19 DEC 2005	NJ (b)(6)	RETURN FROM (b)(6) IES INVESTIGATOR WITH ADDITIONAL INFORMATION
4	19 DEC 2005	TX JACKIE FREEMAN	EXT. APPROVED THROUGH 2/15/06 DUE TO FL DELAYS
7	13 JAN 2006	TX DAVID B. GREEN	SUBMITTED TO (b)(6) IES INVESTIGATOR FOR ADDITIONAL INFORMATION
8	17 JAN 2006	WA (b)(6)	09 MAY 2006 SUPPLEMENTAL INVESTIGATION (CLOCK)
9	09 MAY 2006	WA (b)(6)	RETURN FROM (b)(6) IES INVESTIGATOR WITH ADDITIONAL INFORMATION
10	20 JUN 2006	TX DAVID B. GREEN	SUBMITTED TO PROGRAM
11	20 JUN 2006	TX DAVID B. GREEN	SUBMITTED TO IES STAFF
12	23 JUN 2006	HQ RUTH ANN MCDERMOTT	CASE RECEIVED
13	23 JUN 2006	HQ TERESA LORENZANO	07 NOV 2006 SPECIALIST REVIEW (CLOCK)
14	07 NOV 2006	HQ TERESA LORENZANO	WAITING FOR CONCURRENCE FROM DR. GIBBENS
15	08 NOV 2006	HQ RUTH ANN MCDERMOTT	STIPULATION ISSUED SEE WA02007
16	14 NOV 2006	HQ RUTH ANN MCDERMOTT	STIPULATION SENT CERTIFIED & RECEIVED
17	25 APR 2007	HQ TERESA LORENZANO	01 AUG 2007 SPECIALIST REVIEW (CLOCK)
18	07 AUG 2007	HQ DEIRDRE JARVIS	22 AUG 2007 CASE EXAMINER REVIEW (CLOCK)
19	26 SEP 2007	HQ DEIRDRE JARVIS	RECEIVED CONCURRENCE TYPED LETTERS SENT EMAILS
20	27 SEP 2007	HQ LORNA HARRIS	Stipulation Issued for SNBL USA, LTD in the amount of \$12937
21	10 OCT 2007	HQ EDMUND GRANT	STIPULATION RECEIVED
22	31 DEC 2007	HQ DEIRDRE JARVIS	START NEGOTIATION
23	23 JAN 2008	HQ CHRISTOPHER BEMBENEK	* SNBL USA, LTD: FINAL ACTION STIPULATION

Violator Address Information

* SNBL USA, LTD
6605 MERRILL CREEK PARKWAY
EVERETT WA 98203
Room:

Type: Business
Phone:

2nd Phone:
Fax:

Business Name: None

Case Id: WA05029 Program Code: AC Docket Number:

* SNBL USA, LTD
P. O. BOX 2069
EVERETT WA 98203
Room:

Type: Business
Phone: 425-407-0121

2nd Phone:
Fax:

Business Name: None

Witness Address Information

Federal Codes Violated

Violator	CFR Title	Part	Section	Subsection	Paragraph	Subparagraph	Violation Date	Severity
* SNBL USA, LTD	9 CFR	2	33	a	2		13 JUL 2005	SERIOUS
* SNBL USA, LTD	9 CFR	2	33	b	2		13 JUL 2005	SERIOUS
* SNBL USA, LTD	9 CFR	2	33	b	3		13 JUL 2005	SERIOUS
* SNBL USA, LTD	9 CFR	2	40	a	1		13 JUL 2005	MODERATE
* SNBL USA, LTD	9 CFR	2	40	b	2		13 JUL 2005	SERIOUS
* SNBL USA, LTD	9 CFR	3	80	a	2	ii	06 DEC 2005	SERIOUS
* SNBL USA, LTD	9 CFR	3	80	a	2	ii	13 JUL 2005	SERIOUS
* SNBL USA, LTD	9 CFR	3	80	a	2	ii	22 MAR 2006	SERIOUS
* SNBL USA, LTD	9 CFR	3	80	a	2	xi	06 DEC 2005	SERIOUS
* SNBL USA, LTD	9 CFR	3	80	b	2		13 JUL 2005	SERIOUS
* SNBL USA, LTD	9 CFR	3	84	b	3	ii	06 DEC 2005	MODERATE
* SNBL USA, LTD	9 CFR	2	31	c	3		06 DEC 2005	MINOR
* SNBL USA, LTD	9 CFR	2	31	d	1	iii	06 DEC 2005	SERIOUS
* SNBL USA, LTD	9 CFR	2	31	e	4		13 JUL 2005	SERIOUS
* SNBL USA, LTD	9 CFR	2	33	a	1		13 JUL 2005	SERIOUS
* SNBL USA, LTD	9 CFR	2	33	b	3		06 DEC 2005	SERIOUS
* SNBL USA, LTD	9 CFR	2	40	b	3		06 DEC 2005	SERIOUS
* SNBL USA, LTD	9 CFR	3	80	a	2	viii	22 MAR 2006	SERIOUS
			80	a	2	vii	06 DEC 2005	SERIOUS

Case Id: WA05029 Program Code: AC Docket Number:

* SNBL USA, LTD	9 CFR	3							
* SNBL USA, LTD	9 CFR	3	80	a	2	xi	22 MAR 2006	SERIOUS	
* SNBL USA, LTD	9 CFR	3	80	a	2	ii	22 MAR 2006	SERIOUS	
* SNBL USA, LTD	9 CFR	3	80	a	2	viii	06 DEC 2005	SERIOUS	
* SNBL USA, LTD	9 CFR	3	80	a	2	viii	22 MAR 2006	SERIOUS	
* SNBL USA, LTD	9 CFR	3	80	a	2	xi	06 DEC 2005	SERIOUS	
* SNBL USA, LTD	9 CFR	3	80	a	2	xi	22 MAR 2006	SERIOUS	
* SNBL USA, LTD	9 CFR	3	80	b	2		13 JUL 2005	SERIOUS	
* SNBL USA, LTD	9 CFR	3	84	b	2		13 JUL 2005	MODERATE	

Final Action

Violator: * SNBL USA, LTD
 Disposition: ADMIN
 Final Action: STIPULATION
 Effective Date:
 Fine Terms:

Fine Amount: \$12,937
 Fine Suspended:
 Facility Improvement:
 Payment Received: \$12,937
 Balance:

Facility Improvement Date:

Remarks

Sanction

Violator Sanction

✓ Jon Miner
✓ Paul Arguin
✓ Douglas H. Hamilton
Drew L. Posey
James A. Litch
Laurie Wilcox
Michael J. Reid
Richard J. Nelson

✓ Richard Miller
✓ Barry A. Goldberg
✓ Ricardo M. Perez
✓ DR. Franklin
✓ Frank Chakulski
✓ Frank Koegler
✓ Scott Lewis
✓ Zimmer

✓ Ricardo Saucedo
✓ Paul Franklin
✓ P. Franklin
✓ Fernando Gattorno
✓ Mark Fekien
✓ Tim Dawe
✓ Heather Gamble
✓ Debra Schall
✓ Ben Peterson

✓ Diane Forbes
✓ Elizabeth Pannill
✓ Deirdra A. Jarvis
ERIC Nickerson

(b)(6)

(inv)

(b)(6)

✓ Ruth Ann Mc Dermott
✓ Teresa Lorenzani

Frank C. Woodruff
✓ Kunitake Okamoto
✓ Ruth Hanson
✓ Richard J. Nelson
✓ Gary G. Millen
George De Los Santos

(b)(6)

(inv)

✓ Heather Wardell
✓ Yasuo Mori
✓ Joanie McCully
Thomas E. Jones
Bill Congdon
Laurie Wilcox
Tom De marceus
S. Reynolds/Shannon
Heather Gambel

✓ Heather Sidener

✓ Thomas D. Goodrich

✓ Donald L. Roberts

✓ DeAnn S. Brooks

✓ Chi-Ping Yeh

✓ William O. Iverson

Matthew J. Block

Sonia T. Salinas

Kim Jones

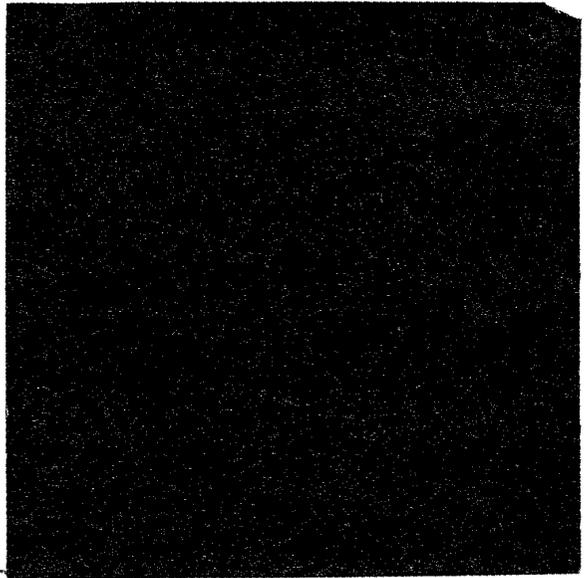
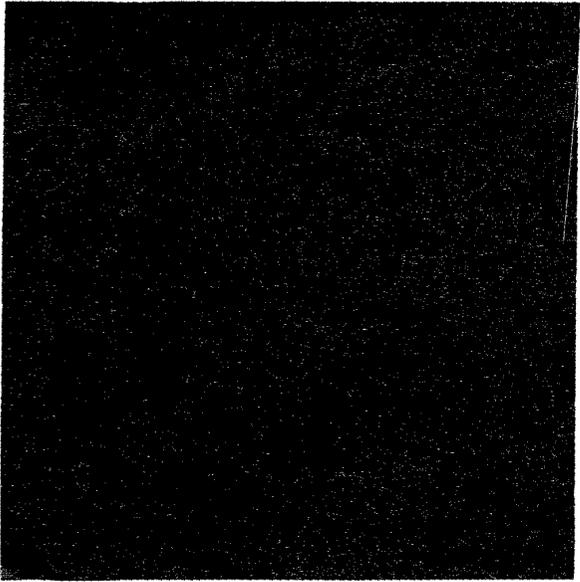
214 ends CD #2

324 ends CD #3

434 ends CD #4

544 ends CD #5

654 ends CD #6



James Klaassen
(Steven Meyer)

Koichiro Fukuzaki

Deirdre Jarvis

Connier. Morris

Mira Leslie

Daryl Florence

Kathy Johnson - Delaney

Jo Hofmann

Bobby Brown

Jim Litch

Chris Spitters

Ward Hinds

Maggie Osborn

Marshall Anderson

Audrey Thomson

Bill Starkweather

Shelly Navarre

Rick Nelson

Kris Moore

John Bolling

Yasuhiro Nakajima

Liane Pinkos

David Cotton

Cholette Zapata

Frank Chachulski

Brittany Fuentes

Brad Swanson

B. Starkweather

G. De Los Santos

S. Navarre

Sonya T. Salinas

Buth Hanscom - Inspec

Elizabeth - Inspec

Diane - Inspec

895 PPS
Total

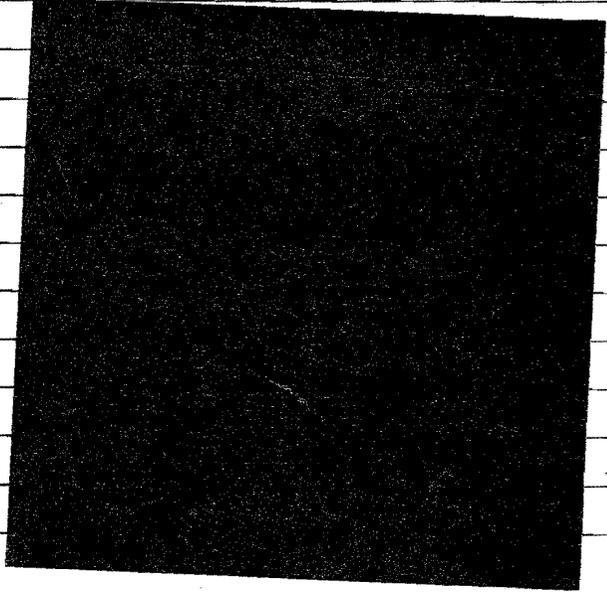
FOIA CASE HISTORY

FOIA CASE No. 08-187

Date	Name	Remarks
11/30/07	Kay	sent search/request to AC/IES prepared ad letter/mailed
12/19/07	Kay	Rec. IES CD-Rom (6)
3/19/08	Kay	Rec documents from AC
3/25/08	Kay	Partial mailed
10/15/09	Ellery	Called PETA - to check for continued interest
10/16/09	Ellery	PETA - called back. Yes!
10/23/09	Ellery	Prepared partial response for clearance.
1/5/10	Ellery	Received back for corrections
7/15/10	J. Fischer	Assigned to Jackie
8/24/10	J. Harris	Reviewed/Processed extracted 7,105 pgs duplicates in master file

NOT A FOIA DELETION

Records on ^{only} 893 pgs
CD for case
WA 05029 -
no need to review
they are duplicates of
what's already in
exhibits



FOIA 08-187

3/25/08
mailed

Partial

Open case

Check
CITS

