



May 5, 2008

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Legislative and  
Public Affairs

Freedom of  
Information

4700 River Road  
Unit 50  
Riverdale, MD  
20737-1232

Mr. Stephan C. Volker  
Law Offices  
436 14<sup>th</sup> Street, Suite 1300  
Oakland, CA 94612

Re: FOIA 08-650

Dear Mr. Volker:

This is to acknowledge receipt of your letter dated April 9, 2008 which was received in this office on April 21, 2008, in which you requested documents regarding the Light Brown Apple Moth in California.

The records you seek are maintained outside of this Office and we have not yet been able to complete a search to determine whether there are records within the scope of your request. Additionally, all Freedom of Information Act (FOIA) requests are processed on a "first-in, first-out" basis, according to track. Due to the large number of FOIA requests our Agency has been receiving, we have a considerable backlog, and unfortunately a number of requests still remain in the queue. Accordingly, we will be unable to comply with the twenty-working-day time limit in this case, as well as the ten additional days provided by the statute. Please be advised; however, responding to all FOIA requests as promptly as possible is a high priority for our Agency.

I regret the necessity of this delay, but I assure you that your request will be processed as soon as possible. If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact me at (301) 734-5250.

Sincerely,

Bevelyn R. Whitfield  
Program Specialist  
Freedom of Information & Privacy Act Staff  
Legislative and Public Affairs