



United States
Department of
Agriculture

October 20, 2010

Animal and
Plant Health
Inspection
Service

Legislative and
Public Affairs

Freedom of
Information

4700 River Road
Unit 50
Riverdale, MD
20737-1232

Ms. Chelsea Rhodes
People for the Ethical
Treatment of Animals
501 Front Street
Norfolk, VA 23510

Dear Ms. Rhodes:

This is the third partial response to your December 31, 2008, Freedom of Information Act (FOIA) request (copy enclosed) for all records pertaining to numerous USDA registered facilities. Your request was received on January 2, 2009, and assigned case number FOIA 09-391. We apologize for the delay of this response.

Agency employees conducted a thorough search of their files and the enclosed CD-ROM contains four closed investigations which are responsive to four of the licensees you requested information on. The enclosed responsive records pertain to:

- 14-A-0019 (Bio Breeders Inc.), investigation number MA08011 (10 pages);
- 33-B-0371 (Bruce Finley), investigation number IL07101 (7 pages);
- 34-A-0119 (Oakwood Research Facility), investigation numbers MI07117 (9 pages); and
- 55-B-0010 (Carolina Biological Supply Company), investigation numbers NC08011(49 pages).

Thus, the enclosed CD-ROM contains a total of 75 pages of records that are releasable at this time.

Please be advised, pursuant to the provisions of the FOIA, certain information has been withheld from these 75 pages. Specifically, information has been withheld under FOIA Exemption 4, U.S.C. § 552(b)(4), which protects proprietary business information. The gross revenue of registered facilities has been withheld. Information has also 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. The same information has been withheld 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. Specifically, third party names and owner signatures have been withheld.



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Ms. Chelsea Rhodes
FOIA 09-391

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You may appeal our partial denial of information or you may hold your appeal in abeyance until your final response is received. However, if you choose to appeal, your appeal must be made in writing and must be sent within 45 days of the date of this letter to the following address:

Administrator
Animal and Plant Health Inspection Service
Ag Box 3401
Washington, D.C. 20250-3401

Please refer to FOIA 09-391 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 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.

Please note, the remainder of your request is still under review. We will continue to make partial releases of any responsive information.

Because of our delay in processing your request, all fees have been waived. If you have any questions, please do not hesitate to contact Ms. Sophie Lau-Lopez of my staff at (301) 734-8296.

Sincerely,

for Chelsea Rhodes
Tonya G. Woods

Director
Freedom of Information & Privacy Act
Legislative and Public Affairs

Enclosure