



January 19, 2011

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

Teresa Marshall, Administrative Assistant
Captive Animal & Entertainment Issues
People for the Ethical Treatment of Animals
501 Front Street
Norfolk, Virginia 23510

Dear Ms. Marshall:

This is in response to your December 8, 2010, Freedom of Information Act (FOIA) request for a copy of all records associated with the February 16, 2010, USDA inspection of Tiger World license number 55-C-0225. Your request was received in this office on December 8, 2010, and assigned FOIA 11-131. We apologize for the delay of this response.

Agency employees conducted a thorough search of their files and located 88 pages of that are responsive to your request. Enclosed is a CD-ROM containing the 88 pages of records responsive to your request. After reviewing the records, we notice that 70 pages of these documents that you have requested are involved in an ongoing investigation, therefore, we are withholding 70 pages in full 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. Moreover, we are unable to determine when the proceeding will be completed. You are welcome to submit a new request for this information at a later date.

We have also withheld information pursuant to Exemption 2 of the FOIA, 5 U.S.C. § 552 (b)(2). Exemption 2 (high) protects from disclosure information concerning internal matters of a substantial nature, which if disclosed would risk the circumvention of a statute or agency regulation. Specifically, we withheld the penalty worksheet.

Please be advised, there are 18 pages which are releasable at this time. 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. This same information has also been withheld under FOIA Exemption 7(C), 5 U.S.C. § 552(b)(7)(C). This exemption protects from disclosure records or information compiled for law enforcement purposes when its release could reasonably be expected to constitute an unwarranted invasion of personal privacy. We withheld 11 pages pursuant to these exemptions.

You may appeal our denial of 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 at the following address:

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

Ms. Teresa Marshall
FOIA 11-131

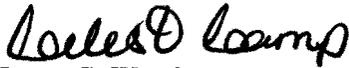
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If you choose to appeal, please refer to FOIA 11-131 in your appeal letter and add the words "FOIA Appeal" to the front of the envelope. To assist the Administrator in reviewing your appeal, provide specific reasons why you believe modification of the determination is warranted.

Enclosed is a CD-ROM with copies of the records, FOIA request, this response letter and Adobe® Acrobat® Reader™, which is needed to view the responsive records. By opening rp505ene.exe and following the on-screen instructions, you will install Adobe Reader. After the installation, the Adobe Reader should render the PDF files correctly.

Due to the delayed processing of your request, all fees have been waived. If you have any questions, please contact Ms. KeWanda McCain of my staff at (301) 734-4893.

Sincerely,

for 

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

Enclosures