



United States Department of Agriculture

Food Safety and
Inspection Service

1400 Independence
Avenue, SW.
Washington, D.C.
20250

Zachary B. Corrigan
Food & Water Watch
1616 P Street, NW, Suite 300
Washington, D.C. 20036

RE: FOIA-2018-00213
Hog HIMP

Dear Mr. Corrigan:

This is the fourth interim response to your Freedom of Information Act (FOIA) request, dated February 23, 2018, to the U.S. Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS). You requested access to a copy of records regarding Hog HIMP, from 2006 to 2017. This response responds to Part 16 of your request, which seeks: “Any records detailing the analysis of the swine slaughter inspection systems of Denmark and Netherlands, as referenced in the NSIS proposed rules.” We received your request in our Office on February 23, 2018.

The FSIS FOIA staff works with subject matter experts across the Agency to locate responsive documents. For this request, we conducted a records search in the Office of Data Integration and Food Protection, the Office of Public Health Science, and the Office of Policy and Program Development. FSIS’ search began on February 26, 2018. Our search includes responsive records in FSIS’ control on that date.

We have processed 768 pages responsive to Part 16 of your request. After a thorough review, we have determined that portions of the pages are exempt from disclosure under (b)(4), (b)(5) and (b)(6) of the FOIA, 5 U.S.C. § 552, as amended. Accordingly, this request is granted in part.

Some responsive records constitute confidential commercial or financial information, which is exempt from disclosure under FOIA Exemption 4, 5 U.S.C. § 552(b)(4). Disclosure of this information may cause substantial competitive harm to the person or entity from which this information was obtained. Further, disclosure of this information would impair the government’s ability to obtain necessary information in the future.

Some responsive records contain drafts, staff analyses, opinions, or recommendations. Those portions are deliberative and pre-decisional and are an integral part of the agency’s decision-making process. They are exempt from the FOIA’s disclosure requirements by FOIA Exemption 5, 5 U.S.C. § 552(b)(5).

FOIA Exemption 6 permits FSIS to withhold from “personnel and medical files and similar files” information about individuals when the disclosure of such information “would constitute a clearly unwarranted invasion of personal privacy.” 5 U.S.C. § 552 (b)(6). As a threshold matter, we have determined that the records at issue meet the definition of “similar” files because they contain information pertaining to individuals. In the enclosed records, we are withholding the identity (but not job titles), direct telephone and cellphone numbers and the signatures of individuals who are not employees of USDA. We have also redacted conference call codes.

Please be advised that your FOIA request, including your identity and the information made available, is releasable to the public under any subsequent FOIA requests. However, FSIS does not release your personal privacy information, such as home addresses, telephone numbers, or Social Security Numbers, all of which are protected from disclosure under FOIA Exemption 6.

FSIS will continue to process records responsive to your request and will forward them promptly upon completion of review. As this is not a final response to your FOIA request, we request that you reserve your right to appeal. We will include your appeal rights in our final release.

If you have any questions about the way this request is being handled, or about the USDA’s FOIA regulations, please contact Anne Sylvester at (202) 205-0144 or via email at Anne.Sylvester@usda.gov

Thank you for your interest in FSIS programs and policies.

Sincerely,

Arianne M. Perkins
Director, Freedom of Information Act Staff
Office of Public Affairs and Consumer Education
Food Safety and Inspection Service

Enclosure

Be Food Safe: **CLEAN:** Wash Hands and Surfaces Often **SEPARATE:** Separate Raw Meats from Other Foods
COOK: Cook To The Right Temperature **CHILL:** Refrigerate Food Promptly