



Animal &  
Plant Health  
Agency

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Our Ref: ATIC2343

[REDACTED]  
{By Email}

10 March 2021

Dear [REDACTED]

### **PROVISION OF REQUESTED INFORMATION**

Thank you for your request for information copy of decision following licence application for plant variety which we received on 09 February 2021. Your request has been handled under the Freedom of Information Act 2000 (FOI).

The information you requested and our response is detailed below:

“I am trying to find a copy of the decision in an unreported case: Sacker Potatoes Limited v C Meijer BV (2001), which was a compulsory licence application for a UK plant variety. Is something you may be able to provide us with please?”

Under the Plant Breeders’ Rights Regulations, regulation 5 and Schedule 1 provide for publication of various matters by the Controller in the Gazette. APHA have reviewed copies of the gazette from that time and have found the following attached as appendix 1. The decision notice is on page 10.

Information disclosed in response to this FOI request is releasable to the public. In keeping with the spirit and effect of the FOI and the government’s Transparency Agenda, this letter and the information disclosed to you may be placed on GOV.UK, together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

An Annex is attached which explains the copyright that applies to the information being released to you and contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact the Access to Information Team at the email address below. During the current Coronavirus outbreak, our offices will be closed.

Yours sincerely

APHA is an Executive Agency of the Department for Environment, Food and Rural Affairs and also works on behalf of the Scottish Government, Welsh Government and Food Standards Agency to safeguard animal and plant health for the benefit of people, the environment and the economy.

## **ACCESS TO INFORMATION TEAM**

Email: [enquiries@apha.gov.uk](mailto:enquiries@apha.gov.uk)

## Annex

### Copyright

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### Complaints

If you are unhappy with the service you have received in relation to your request, you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to the Access to Information Manager at the address at the top of this letter or email [enquiries@apha.gov.uk](mailto:enquiries@apha.gov.uk) and the team will arrange for an internal review of your case.

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted APHA's own complaints procedure. The ICO can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

### Coronavirus

If you need to contact the ICO during the coronavirus pandemic, it's best to do so online. Please click [here](#) for contact details. You can also call them on 0303 123 1113.