



Animal &
Plant Health
Agency

Animal and Plant Health Agency
Access to Information Team
Weybourne Building
Ground Floor
Woodham Lane
New Haw
Addlestone
Surrey
KT15 3NB

F 01932 357608

www.gov.uk/apha

Our Ref: ATIC1440

[REDACTED]
{By Email}

1 October 2018

Dear [REDACTED]

PROVISION OF REQUESTED INFORMATION

Thank you for your request for information Egg Marketing Inspections which we received on 30 August 2018. Your request has been handled under the Freedom of Information Act 2000 (FOI).

The information you requested and our response is detailed below:

Q1

“Please could you say how many businesses broke the definition of free range eggs (in terms of production method as described by EU regulations), despite marketing the eggs/products containing these eggs as free range, as discovered through an inspection by the APHA.

These would be businesses we recorded as breaching the marketing regulations in terms of the Free Range criteria and is included in the figures in question 2 below.

Q2

Please could this data be provided for between the years 2013 to 2018, and separated by year.

We only hold data from 2014 onwards and these are broken down as follows:

- a. 2014 = 77
- b. 2015 = 69
- c. 2016 = 60
- d. 2017 = 35
- e. 2018 (to June) 22

Q3

Please could the name of each business which broke the regulations be provided along with the reason the APHA decided they had broken the regulations.

The data APHA hold identifies a person with their private address. This information is being withheld under Section 40(2) of the Freedom of Information Act (2000).

Section 40

It has been withheld under section 40(2) of the FOIA as the information constitutes personal data relating to a third party. The FOIA provides that personal data relating to third parties is exempt information. The release of third party information, if disclosed, would also breach Article 5(f) of the General Data Protection Regulations (GDPR) - Principles relating to processing of personal data.

APHA consider that disclosure of this information is likely to breach section 40(2) of the FOIA and Article 5(f) of the GDPR, which relates to appropriate security of personal data, including protection against unauthorized or unlawful processing. Therefore, we have concluded that this information is withheld.

Q4

Please could information on flock mortality for each affected business also be provided for each year between 2013 to 2018.

APHA do not hold flock mortality data.

Q5

Could information please be provided on how long it took the contravention of regulations to be resolved, and what the outcome was.”

Corrective action normally takes place on day of the inspection, with APHA Inspectors only leaving farms when the requirements have been met.

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.

I attach an Annex 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 or postal address at the top of this letter.

Yours sincerely

ACCESS TO INFORMATION TEAM

Email: enquiries@apha.gsi.gov.uk

Annex

Copyright

The information supplied to you is Crown copyright, unless otherwise stated, and is protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including for the purposes of news reporting. You can find details on the arrangements for re-using Crown copyright information at:

<http://www.nationalarchives.gov.uk/doc/open-government-licence/open-government-licence.htm>

Information you receive which is **not** subject to Crown Copyright continues to be protected by the copyright of the person, or organisation, from which the information originated. You must ensure that you gain their permission before reproducing any third party (non Crown Copyright) information.

Complaints

If you are unhappy with the result of your request for information you may request an internal review within 40 working days of the date of this letter.

If you wish to request an internal review, please contact: The Access to Information Team at enquiries@apha.gsi.gov.uk or at the postal address at the top of this letter, who will arrange for an internal review of your case.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted APHA's own complaints procedure. The Information Commissioner can be contacted at:

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