



Department
for Environment
Food & Rural Affairs

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Your ref:
Our ref: RFI 5993
Date: 14 November
2013

REQUEST FOR INFORMATION: CONSTITUENT QUERY, ARTICLE 228

Thank you for your request for information about our source of information for the Commission's statement of their intention to improve mechanisms for applying sanctions to Member States who failed to obey EU law, with reference to the Commission's action against the French Government in respect of their ban on the import of beef from the UK, which we received on 19 September 2013. Please accept my apologies for the long delay in replying. We have handled your request under the Freedom of Information Act 2000 (FOIA).

The wording in my reply to the query from Mr (which was sent in 2009, not 2012 as stated in your request) reflects the Commission's statement in November 2002 at the time of its withdrawal of their further action requesting the European Court of Justice (ECJ) to impose a penalty of £100,000 per day on France for its failure to lift its ban on imports of beef from the UK in accordance with the earlier ECJ Judgement on the case.

We have heard nothing since and I can only suggest that you seek an update from the Commission. I am sorry that I cannot be of more assistance.

In keeping with the spirit and effect of the FOIA , and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on www.gov.uk together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I attach Annex A, which explains the copyright that applies to the information being released to you.



I also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact me.

Yours sincerely

Defra
Animal Health: Zoonoses and Surveillance

Annex A

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Annex B

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 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

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 for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

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