



Department
for Environment
Food & Rural Affairs

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Your ref:
Our ref: RFI 5455
Date: 4 June 2013

[REDACTED]
[REDACTED]
[REDACTED]

By email: [REDACTED]

Dear [REDACTED]

**REQUEST FOR INFORMATION: COMMUNICATIONS WITH PESTICIDE
MANUFACTURERS CONCERNING BEES OR OTHER POLLINATORS OR
NEONICOTINOID PESTICIDES**

I am writing further to my letter of 26 April 2013 and your request for information about communications with pesticide manufacturers concerning bees, other pollinators or neonicotinoid pesticides, which Defra received on 22 March 2013. As you know, we have handled your request under the Environmental Information Regulations 2004 (EIRs). The EIRs apply to requests for environmental information, which is a broad category of information defined in Regulation 2 of the EIRs. Public authorities are required to handle requests for environmental information under the EIRs. They give similar access rights to the Freedom of Information Act 2000 (FOIA).

You made two requests for information, the terms of which are:

1. Dates, attendance lists, minutes and other records of meetings between representatives of the companies Bayer and Syngenta and Defra ministers, special advisers or senior civil servants which included discussion of bees or other pollinators or neonicotinoid insecticides from 13 April 2012 to date;
2. Letters, emails, phone calls and other communications between representatives of the companies Bayer and Syngenta and Defra ministers, special advisers or senior civil servants which included discussion of bees or other pollinators or neonicotinoid insecticides from 13 April 2012 to date.

We have interpreted your request for information to include all the information requested above, but to cover the period from 13 April 2012 to 23 April 2013 (the date that I received your request).

My letter of 26 April 2013 explained that with regards to Question 1, a Defra Special Advisor had one meeting with Syngenta during this period with a number of follow-up telephone conversations. I have received further information on this issue and I have



subsequently considered the disclosure of this information, details of which are summarised below.

- On 19 March 2013 (as part of their duty to agree to meeting stakeholders), a meeting was convened between a Defra Special Advisor (Guy Robinson) and a representative of Syngenta which included 'discussions of bees or other pollinators or neonicotinoid insecticides'. No minutes or notes of the meeting were taken. We have withheld the name of the Syngenta representative as this consists of personal data relating to third parties under regulations 12(3) and 13(1) (third party personal data) of the EIRs. This provides that personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act (DPA) 1998.

With regards to Question 2, my previous letter also explained that Defra hold 11 documents that fall within scope of your request. I enclosed 4 of those communications within my response, all of which were letters from Defra in response to communications from Syngenta. The other 7 documents were all 'Official Correspondence' letters supplied by Syngenta Crop Protection UK Ltd to Defra Ministers or officials.

I have since received Syngenta's views on whether the letters supplied by them should be disclosed. Following careful consideration of their views, we have decided to disclose most of this information to you. We have withheld some information consisting of personal data relating to third parties under regulations 12(3) and 13(1) (third party personal data) of the EIRs. These regulations provide that personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act (DPA) 1998. (Please note that I have also redacted Defra's internal cover-sheets that accompany the correspondence as this is out of scope of your request).

There were also a number of other communications between a Defra Special Advisor (Guy Robinson) and Syngenta officials. I have summarised the details of the communications below and enclosed copies of the emails where relevant:

- 11 April 2013 – Phone call with representative of Syngenta;
- 13 April 2013 – E-mail from representative of Syngenta (attached);
- 25 April 2013 – E-mail from representative of Syngenta (attached);
- 26 April 2013 – Phone call with representative of Syngenta.

You'll note that for the emails listed above, we have withheld some information consisting of personal data relating to third parties under regulations 12(3) and 13(1) (third party personal data) of the EIRs.

In applying these exceptions, we have had to balance the public interest in withholding the information against the public interest in disclosure. In this case, we consider that disclosure of this information would likely breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data, in two ways. First, disclosure would not constitute 'fair' processing of the personal data and, second, disclosure would not satisfy any of the conditions for data processing set out in Schedule 2 to the DPA. Therefore, we have concluded that this information is exempt from disclosure under regulation 12(3) and 13(1) of the EIRs.

In keeping with the spirit and effect of the EIRs, all information is assumed to be releasable to the public unless exempt. The information released to you may now be published on the Defra/Gov.uk websites together with any related information that will provide a key to its wider context.

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.

Yours sincerely

[Redacted signature]

[Redacted name]
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Chemicals and Emerging Technologies
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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 [REDACTED] 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 the Gov.uk [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