



Department  
for Environment  
Food & Rural Affairs

Foss House, Kings Pool, Tel: 08459 33 55 77  
1-2 Peasholme Green, Email: [helpline@defra.gsi.gov.uk](mailto:helpline@defra.gsi.gov.uk)  
York, YO1 7PX Web: [www.gov.uk/defra](http://www.gov.uk/defra)

**Your ref:**

By email only to:

**Our ref:** RFI 5968

**Date:** 2 December 2013

Dear

**REQUEST FOR INFORMATION: ECONOMIC EFFECTS ON UK AGRICULTURE  
FOLLOWING THE EU'S DECISION TO IMPOSE RESTRICTIONS ON NEONICOTINOID  
INSECTICIDES**

Thank you for your request for information, which we received on 4 November. Following the EU's decision to impose restrictions on certain neonicotinoid insecticides in agriculture, you have enquired whether Defra Economists have carried out studies on (i) the possible economic effects of such a ban upon UK agriculture, and/or (ii) the economic effects of the withdrawal of all neonicotinoid pesticides from use within UK agriculture.

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).

Turning to the substance of your request, the answer to your second question is that Defra's Economists have not undertaken a study on the economic effects of the withdrawal of all neonicotinoid pesticides.

With regards to question (i), I confirm that Defra conducted a rapid preliminary assessment of costs and benefits of restrictions on the three main neonicotinoids (*thiamethoxam*, *clothianidin* and *imidacloprid*) in arable and horticultural cultivation on UK agriculture. This first assessment was carried out speedily, drawing on the information readily to hand, to help inform the Government's position in the fast-moving EU negotiations in the early part of this year. The analysis focussed mainly on the impact to farmers without taking into account agricultural price changes. It was also not possible to model the ability of farmers to substitute crops and substitute pesticides. Costs to consumers were not investigated for the purpose of the preliminary work. Now that the European Commission has imposed its proposed restrictions on neonicotinoids, we are developing a more comprehensive Impact Assessment and, in the course of this work, a number of the initial limitations will be addressed.



Following careful consideration, we have concluded that the preliminary work and the Impact Assessment are in scope of your request. We have decided to disclose the final version of the preliminary assessment. We have withheld some information consisting of references to junior Civil Servants, under regulations 12(3) and 13(1) (third party personal data) of the EIRs, which provide that personal data relating to junior Civil Servants is exempt information if disclosure would breach the Data Protection Act 1998 (DPA). We consider that disclosure of this information is likely to 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; 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 regulations 12(3) and 13(1).

Information on the Impact Assessment which is currently being developed will be withheld at this point in time as it falls under the exception in regulation 12(4)(d) of the EIRs. This relates to 'Material which is still in the course of completion, unfinished documents or incomplete data'. We have considered the disclosure of the Impact Assessment in accordance with the requirements of the EIRs. As well as permitting the disclosure of information, the EIRs also allow for specific categories of information to be withheld if the public interest in withholding the information outweighs the public interest in disclosure.

We recognise that there is a public interest in disclosure of information concerning:

- understanding and participating in Government decision making on matters of significant public importance;
- public authorities being transparent in the decisions they take in order to promote accountability; and
- transparency and accountability to increase public confidence that Government decisions are being made on a sound basis.

However, in respect of your requests for information, these arguments are not strong at this time. The Impact Assessment is in its early stages of development and the Government has not made decisions on neonicotinoids since the Impact Assessment was begun. There is therefore no powerful public interest in disclosure of information as this would only be of incomplete work that does not underpin a Government decision.

On the other hand, there is a real public interest in withholding the information because it is not yet at a point where it would be coherent and would help inform a public understanding and debate of the issues. Regulation 5(4) of the EIRs states that where the information made available is compiled by or on behalf of the public authority, it shall be up to date, accurate and comparable, so far as the public authority reasonably believes. Release of the very early work on the Impact Assessment at this stage would not meet that standard. Disclosure and publication of highly incomplete information is at best unilluminating. At worst, it is likely to be dangerously misleading and can be easily misconstrued.

Following careful consideration of the public interest arguments for and against disclosure as outlined above, we have concluded that the public interest in maintaining the exceptions at regulations 12(4)(d) (material in the course of completion, unfinished documents and incomplete data) outweigh the public interest in disclosure in respect of the

Impact Assessment that falls within the scope of your requests. Therefore, we have concluded that in all the circumstances of the case, the information should be withheld. I attach an annex giving contact details should you be unhappy with the service you have received.

I should emphasise that we do intend to publish our Impact Assessment when it is completed. Regulation 14(4) of the EIRs state that if the exception in regulation 12(4)(d) is specified in the refusal, the authority shall also specify, if known to the public authority, the estimated time in which the information will be finished or completed. I can advise that our current aim is to complete the Impact Assessment and to publish it in April 2014.

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

Yours sincerely

Pesticides and Chemicals Policy  
Chemicals and Emerging Technologies  
Food and Environmental Risk

## **Annex**

### **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 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](mailto: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, 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