



Our ref: RFI 6435
Date: 3 April 2014

Dear [REDACTED]

REQUEST FOR INFORMATION: Pilot Badger Culls – Carcase Disposal

Thank you for your request for information about carcase disposal during the pilot badger culls, which we received on 20 March. 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).

Your questions and the responses are below:

1. Regarding collection and transportation, did Defra check that all operators collecting and transporting badger carcasses were registered? (as at <https://www.gov.uk/dealing-with-animal-by-products> types-and-treatments-of-animal-by-products), and if not Defra how was compliance with this requirement checked? Please give details of the checking process, such as frequency.

The team responsible for oversight of carcase collection and transport were aware of the regulation's requirements. Risks were assessed as minimal during collection given the nature of the procedure and operators undertook normal biosecurity precautions.

Transport was covered by an existing ABP registration and did not require specific registration for the task. We are able to confirm that the requirements of the regulations were met with regard to vehicles and documentation.

2. Did Defra check the commercial documents required to record the origin, quantity and description of the ABP? - And if not Defra, how was compliance with this



requirement checked? Please give details of the checking process, such as frequency.

Please see the answer to question 1.

3. At what point between the site where a badger had been killed, and the disposal plant, did registered operators take over the transportation of badger carcasses?

The details of collection processes are withheld under regulation 12(5)(a), public safety.

4. In a, Somerset, & b, Gloucestershire, were the incineration plants used for disposal of badger carcasses Category 1 plants approved by AHVLA?

Carcasses were disposed of an approved Category 1 plant as required by Animal By-Products legislation for both areas.

5. Were the incineration plants newly approved specifically for disposal of badgers culled in the pilot trials in a, Somerset, & b, Gloucestershire?

No. Disposal was undertaken in a long-standing approved facility for both areas.

The Regulation and Public Interest Test

Regulation 12(5)(a), public safety, applies as contractors operating in the field are vulnerable to threats and harassment by anti-cull protestors placing them and the protestors at risk.

In applying this regulation we have had to balance the public interest in withholding the information against the public interest in disclosure.

We recognise that there is a public interest in disclosure of information regarding carcass collection and disposal, as there is a public interest in transparency and accountability in controversial policy areas.

However, we believe that placing the details of carcass collection and disposal methods in the public domain would expose contractors to harassment. Ministers have decided to continue with culling in Somerset and Gloucestershire in 2014 which means that contractors will be working in the field and will to be exposed to threatening behaviour again. This would not be in the public interest, as it is never in the public interest to put the safety of individuals at risk.

In keeping with the spirit and effect of the EIRs, 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 have attached an attach annex 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 TB Programme

Email: ccu.correspondence@defra.gsi.gov.uk

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 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