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Our Ref: FOI 2014/02404
Your Ref:

Date: 10 July 2014

Dear [REDACTED]

Thank you for your email of 13 June 2014 requesting the following information:

Full details of all field trials, conducted in 2012, 2013, 2014, which have involved the release of biological material (e.g. Biological Warfare simulants) on MOD or Crown property. These details should include, but not be limited to: trials dates; number of trials; details of the biological material released during the trials (type, amount, etc); and relevant risk assessments for each trial; etc.

We are treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence, and we can confirm that some information in scope of your request is held.

During February 2012, an Equipment Assessment evaluation trial took place on the restricted access range at Porton. The simulants used were *Bacillus atrophaeus* (BG) and Ovalbumin (OA). A copy of the risk assessment is attached. However, some of the information requested is withheld under the following exemption at section 26 Defence, and section 40 Personal Information.

Section 40(2) has been applied to some of the information in order to protect personal information as governed by the Data Protection Act 1998. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Section 26 is a qualified exemption and is subject to public interest testing, which means that the information requested can only be withheld if the public interest in doing so outweighs the public interest in disclosure.

Section 26(1) (a)(b) has been applied to some of the information because it contains performance details, which are capability sensitive and would prejudice the capability and effectiveness of our defence programme.

The balance of public interest was found to be in favour of withholding the information given that, overall, the public interest is best served in not releasing any detailed information about the biological simulant materials and locations of trials. This would contain specific details of UK defence equipment capability and its potential introduction into service. For these reasons, we have set the level of prejudice against release of the exempted information at the higher level of 'would' rather than 'would be likely to'.

You have also requested information about field trials conducted during 2013 and 2014. To date, no field trials involving the release of biological material (e.g. biological warfare simulants) on MOD or Crown property have taken place.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.gov.uk>.

Yours sincerely

