



Department
for Environment
Food & Rural Affairs

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Your ref:
Our ref: RFI 5455
Date: 26 April 2013

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dear [REDACTED]

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

Thank you for 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). Please accept my apologies once again for the delay in providing you a substantive response to your requests.

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).



On this basis, we can confirm that with regards to Question 1, a Defra Special Advisor had one meeting with Syngenta during this period, and follow-up telephone conversations. Once I have received further information on this issue, I will then consider the disclosure of this information and will advise accordingly. We can confirm that there were no other meetings between representatives of the companies Bayer and Syngenta with Defra Ministers or senior civil servants which included discussion of bees or other pollinators or neonicotinoid insecticides from 13 April 2012 to 23 April 2013.

With regards to Question 2, I have identified that Defra hold 11 documents that fall within scope of your request. Of these, 7 were 'Official Correspondence' letters supplied by Syngenta Crop Protection UK Ltd to Defra Ministers; the other 4 are responses from Defra to their correspondence. I have written to Syngenta to advise that Defra will disclose the information unless it is exempt from disclosure, and it may be exempt where the public interest is better served by withholding this information. I have asked for Syngenta's views on whether these letters should be disclosed, and how, in their view, disclosure of the information would be harmful. The final decision on whether the information should be withheld rests with Defra but I will take their views into account as far as possible when making this decision. I hope to provide you with this information next week (week commencing 29 April).

Of the 4 letters from Defra to Syngenta, following careful consideration, we have decided to disclose most of this information to you. We have withheld some information consisting of personal data relating to third parties and one reference to a junior Civil Servant, under regulations 12(3) and 13(1) (third party personal data) of the EIRs, which provide that personal data relating to third parties/junior Civil Servants is exempt information if disclosure would breach the Data Protection Act (DPA) 1998. I enclose a copy of the information which we can disclose.

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.

I will contact you shortly on the outstanding issues referred to above. But in the mean time, if you have any queries about this letter, please contact me.

Yours sincerely

[REDACTED]

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Annex A

Copyright

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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