



Department
for Environment
Food & Rural Affairs

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Your ref: 02DEF593

Our ref: RFI 8127

22 March 2016

REQUEST FOR INFORMATION: NEONICOTINOID INSECTICIDES

Thank you for your request for information, which we received on 17 February 2016, about “any correspondence between any Ministers or senior staff in Defra responsible for neonicotinoids, and any representatives of the following companies:

- Syngenta,
- Bayer,
- Crop Protection Association and
- National Farmers Union (NFU)

where the correspondence or advice has focused on or has mentioned neonicotinoids. Between September 2015 and February 2016”. As you know, we have handled your request under the Environmental Information Regulations 2004 (EIRs).

Firstly, may I explain how we have interpreted your request for “any correspondence”. We have included details of any letters, emails, faxes, meetings and telephone conversations between Defra and the above mentioned organisations between 1 September 2015 and 17 February 2016. We have excluded information that falls within the scope of your request, but which would add nothing to your understanding of these matters, e.g. housekeeping emails, such as meeting arrangements and acknowledgements.

I can confirm that there is one letter and three meetings within the scope of your request. Following careful consideration, we have decided to disclose most of the information to you, and where relevant, I enclose a copy of the information which can be disclosed:

Letter dated 8 February 2016 from the NFU to Defra’s Minister of State, Mr George Eustice MP, concerning the “Emergency (extension of currently authorised use) for the use of ‘Cruiser’ (containing thiamethoxam) for use on carrots.

Please note that Defra’s response to the NFU’s letter is out of scope of your request as it was sent after your request for information was received. However, under our duty to advise and assist applicants in pursuance of Regulation 9 of the EIR’s, we have decided to disclose this letter to you. These letters contain some personal information. We have decided that all personal information should be withheld under Regulations 12(3) and

13(1) (third party personal data) of the EIRs, as the information constitutes personal data relating to third parties and/or junior civil servants.

Regulations 12(3) and 13(1) of the EIRs provide that personal data relating to third parties 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 Regulation 12(3) and 13(1) of the EIRs.

There are three meetings within the scope of your request on which I have provided further details below:

1. The Minister of State, George Eustice, attended a meeting with the CPA on 9th November 2015 to discuss a number of issues including neonicotinoids. There is an accompanying Agenda which we have decided to disclose. Some of the details within the Agenda concern issues not related to neonicotinoids, therefore this information has been redacted. All personal details have also been withheld under Regulations 12(3) and 13(1) of the EIRs as detailed above.
2. The Minister of State, George Eustice, attended Syngenta's R&D Showcase Event on 12 January 2016*, and
3. Defra's Special Advisor, Guy Robinson attended a meeting with Syngenta on 29 January 2016*.

* No Agenda or notes were taken of either meeting.

Information disclosed in response to this EIR request is releasable to the public. In keeping with the spirit and effect of the EIRs and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on GOV.UK, together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

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.

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

Yours sincerely,

Defra FOIA and EIRs Team

InformationRequests@defra.gsi.gov.uk

Annex A

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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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 Nick Teall, Head of Information Rights, Area 4C, Nobel House, 17 Smith Square, London, SW1P 3JR (email: InformationRequests@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