



Animal &
Plant Health
Agency

Animal and Plant Health Agency
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[REDACTED]
{By Email}

Our Ref: ATIC0795

22 February 2016

Dear [REDACTED]

PROVISION OF REQUESTED INFORMATION

Thank you for your request for information relating to H Barker & Son Ltd, which we received on 4 February 2016. Your request has been handled under the Freedom of Information Act 2000.

The information you requested and our response is detailed below:

“My request for information relates to inspections by APHA of farms operated by the company trading under the name of H Barker & Son Ltd.

I would be grateful if you could tell me:

- How many times have farms operated by H Barker & Son Ltd been inspected by APHA over the past five years?
[Over the past 5 years APHA inspected farms operated by H Barker & Son Ltd twice.](#)
- How many of these inspections were unannounced?
[Over the past 5 years none of these inspections were unannounced.](#)
- How long did each inspection last?
[From the two inspections that occurred over the last 5 years, each one lasted approximately 2.5 hours and 1 hour.](#)

During each of these inspections:

- How many poultry sheds did the inspector(s) examine?
[APHA examined 6 sheds on one occasion and 1 shed on the other.](#)
- Did the inspector(s) examine the paperwork in the poultry sheds, e.g. mortality records?
[APHA inspected the paper work on one occasion and did not on the other.](#)

- Did the inspector(s) examine individual animals in detail?
APHA examined all individual animals on one occasion and did not on the other. However, a visual inspection from distance was conducted on this latter occasion.
- Over the past five years, have any health, welfare or animal by-product disposal problems or issues of note been uncovered during APHA inspections of farms operated by H Barker & Son Ltd? If so, what were these?
Exemption 43(3) has been applied to the information requested. Please see more detail below.
- Has any guidance or advice been issued as a result of APHA inspections of farms operated by H Barker & Son Ltd over the past five years?”
Exemption 43(3) has been applied to the information requested. Please see more detail below.

Section 43(3) of the FOIA sets out an exemption from the right to know if release of any information is likely to prejudice the commercial interests of any person. A person may be an individual, a company, the public authority itself or any other legal entity.

Where the information requested is likely to prejudice commercial interests, Section 43(3) not only provides an exemption from the obligation to communicate the information to you, but can also provide an exemption from the requirement to inform you whether the information is held, if in itself would prejudice such commercial interests.

APHA can neither confirm nor deny, over the past five years, whether there has been any health, welfare or animal by-product disposal problems, or issues of note, during an inspection of farms operated by H Barker & Son Ltd. We can also neither confirm nor deny whether any guidance or advice has been issued as a result of APHA inspections of farms operated by H Barker & Son Ltd, over the past five years.

APHA understand that there is a public interest in the publication of information concerning the animal's health, welfare and by-product disposal at such premises, including any advice that may have been given out. We also understand that further information in this area may facilitate accountability and transparency as to the decisions taken by a public authority, as well as allowing the public to better understand the decisions and process we undertake. However, the disclosure of any such information has the potential to prejudice the commercial interests of the establishments and breach confidentiality between APHA and our customers. Therefore on balance, we conclude this outweighs the public interest in the right to know.

I attach an Annex which explains the copyright that applies to the information being released to you and contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact the Access to Information Team at the email address below or postal address at the top of this letter.

Yours sincerely

ACCESS TO INFORMATION TEAM

Email: enquiries@apha.gsi.gov.uk

Annex

Copyright

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In keeping with the spirit and effect of the Freedom of Information Act 2000/Environmental Information Regulations 2004, all information is assumed to be releasable to the public unless exempt. The information released to you may now be published on our website together with any related information that will provide a key to its wider context.

Complaints

If you are unhappy with the result of your request for information you may request an internal review within 40 working days of the date of this letter.

If you wish to request an internal review, please contact: The Access to Information Team at enquiries@apha.gsi.gov.uk or at the postal address at the top of this letter, who will arrange for an internal review of your case.

If you are not content with the outcome of the internal review, you have 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 APHA's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF