



Animal &
Plant Health
Agency

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[REDACTED]
{By Email}

Our Ref: ATIC1068

3 May 2017

Dear [REDACTED]

PROVISION OF REQUESTED INFORMATION

Thank you for your request for information about imports which we received on 5 April 2017. Your request has been handled under the Freedom of Information Act 2000.

The information you requested and our response is detailed below:

“Please could you provide me with the information requested below on cats being imported into the UK between January 2014 and early 2017.

Could you please also provide me with the same information regarding rabbits, hamsters, guinea pigs, rats, mice, gerbil.

I would be interested in knowing how many have been imported in 2014, 2015, 2016 and 2017 under PETS and how many have been imported under TRACES. Please provide all available documentation recording these imports.

Please also provide available copies of all documentation (redacted when necessary) handed over to your departments for each of the above-mentioned animals imported, including the vet check.

If no documentation is available or if they do not include all the following information, please indicate : the date of the import, purpose of the import, the country of origin, the final destination, the number of animals imported at each time, the age of the animals at the time of the import and the point of entry into the UK.”

The Animal and Plant Health Agency (APHA) is an Executive Agency of the Department for Environment, Food and Rural Affairs. APHA only holds records for Great Britain (England, Scotland and Wales) for the Pet Travel Scheme (PTS).

Information on the PTS for Northern Ireland should be requested from the Department of Agriculture, Environment and Rural Affairs: <https://www.daera-ni.gov.uk/>

APHA also has access to UK wide statistical data from the EU Commission's Trade Control and Expert System (TRACES) Data Warehouse reporting tool. This would record details of animal imports from both EU and non-EU countries.

Following a search of our paper and electronic records, the information you requested in relation to rabbits, hamsters, guinea pigs, rats, mice and gerbils, imported under the PTS, is not held by APHA. This is because these animals are not covered by the PTS scheme. The PTS only covers dogs, cats and ferrets.

The information requested for cats imported under PTS in 2014 is available on GOV.UK via the following link:

<https://www.gov.uk/government/publications/foieir-responses-published-by-apha-november-2016>

As the information is reasonably accessible to you by other means, it is exempt from disclosure under section 21 FOIA.

Please see Appendix 1 for the number of cats imported under the PTS between 2015 and 5 April 2017 (date of your request). This appendix shows the countries from which each animal's pet passport or third country veterinary certificate originated. It does not indicate which country the animal travelled from.

APHA is not responsible for collecting information which identifies the country that prepared the animal's paperwork. Instead, APHA requires transport companies approved to carry pet animals to enter this data on a Government-owned database known as the PETS database.

Currently, the Pets Database holds information on pet movements into GB on approved routes gathered by transport companies. Since mid-2015 the Animal and Plant Health Agency (APHA) has been piloting a parallel system to establish the level of accuracy of data available from the Pets Database. This has identified that more animals are travelling under the Pet Travel Scheme than previously indicated by the Pets Database data. Based on this finding, APHA is now working on a new permanent system to capture accurately all the required data without placing an unrealistic burden on carriers. However the new method is not yet able to capture the number of pet passports, accepted by approved carriers, broken down by the country of origin which prepared the passport.

The information that APHA has provided is a true reflection of the information that is held, as supplied by third parties. APHA continues to work with approved transport companies to impress upon them the need to accurately capture all the required data and to submit the data in a timely manner.

Please see the data for rabbit imports ('Lagomorpha') from the EU at Appendix 2, which was extracted from TRACES through the data warehouse facility.

It is not a requirement for rodents imported from the EU to be entered onto TRACES. Some consignments *are* entered on TRACES, and you can find details of these in Appendix 3 as well ('Rodentia'). However we do not have a record of those consignments which were not entered on TRACES. Non-EU imports of rabbits and rodents are recorded on TRACES under the commodity code 'other mammals', but as TRACES does not record the species specifically, this information is not held.

The actual import documents themselves, including the final destination, age of animal and purpose of import have been withheld under section 40(2), read in conjunction with 40(3)(a)(i) and section 43(2) of the FOIA. These sections cover the disclosure of personal information and commercial interests - please see below for more detail on section 40 and 43.

The TRACES system records information relating to commercial cat imports from both EU and non-EU countries. Please see Appendix 4 for the number of cats imported per consignment, the date of the import and the country of origin, between 2014 and 5 April 2017 (date of your request).

The data for commercial cat imports was extracted from TRACES through the data warehouse facility by searching for imports of *felis catus*. These figures cover all commercially imported cats including commercial kittens, rescue animals and unaccompanied pets. In some cases imports were recorded on TRACES as *Canis familiaris/Felis catus*, so we cannot be certain if these were cat or dog imports. These are included in Appendix 4 as "Canis familiaris/Felis catus".

The actual import documents themselves, including the destination and age of the animal have been withheld section 40(2), read in conjunction with 40(3)(a)(i) and section 43(2) of the FOIA. Please see below for more detail on section 40 and section 43. TRACES does not record the purpose of the import, therefore this is not held by APHA.

Section 40

Information contained within the request has been withheld under section 40(2) read in conjunction with 40(3)(a)(i) of the FOIA as the information constitutes personal data relating to a third party. Section 40(2), read in conjunction with 40(3)(a)(i) of the FOIA provides that personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act 1998 (DPA). This is an absolute exemption and does not require a public interest test.

APHA consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 of 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 section 40(2) of the FOIA.

Section 43

Section 43(2) of the FOIA relates to information where its disclosure would, or would be likely to, prejudice the commercial interests of any person i.e. both natural persons and legal persons. We consider that disclosure of the requested information would prejudice the commercial interests of the businesses and individuals who were party to these importations. This exemption is subject to a Public Interest Test to ensure it has been applied correctly.

Public Interest Test

We recognise that there is a general presumption in favour of openness and transparency concerning our work, and providing the general public with the right to request access to information held by public authorities.

We also recognise that there is a public interest in disclosure of this specific information in order to increase transparency and aid well-informed debates concerning the details of commercial imports. APHA feel we have been able to do this by releasing general figures on these importations.

However, the disclosure of the documentation on these imports, including the age and final destination, has the potential to prejudice the commercial interests of the establishments and breach confidentiality between APHA and our customers. APHA believe that a breach of the confidentiality between APHA and these businesses could potentially lead to an adverse working relationship. This would interfere with APHA

carrying out its statutory duties. APHA believe that the economic interest of the businesses would also be affected if details of their commercial imports were published.

We therefore conclude that the commercial interest of the businesses involved and the importance of APHA to be able to implement its duties outweighs that of the public's right to know. APHA feel that release of the general figures would satisfy the public's interest in the particular area.

Please also note that, although the import documentation has been withheld under the quoted exemptions, to search and extract every one from TRACES relating to the requested period would take approximately 60.5 hours. This would exceed the appropriate cost limit set out in section 12 of the FOIA.

Information disclosed in response to this FOI request is releasable to the public. In keeping with the spirit and effect of the FOIA 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 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

The information supplied to you is Crown copyright, unless otherwise stated, and is protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including for the purposes of news reporting. You can find details on the arrangements for re-using Crown copyright information at:

<http://www.nationalarchives.gov.uk/doc/open-government-licence/open-government-licence.htm>

Information you receive which is **not** subject to Crown Copyright continues to be protected by the copyright of the person, or organisation, from which the information originated. You must ensure that you gain their permission before reproducing any third party (non Crown Copyright) information.

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