



Animal &
Plant Health
Agency

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Our Ref: ATIC1367

[REDACTED]
{By Email}

18 July 2018

Dear [REDACTED]

PROVISION OF REQUESTED INFORMATION

Thank you for your request for information on the export of calves which we received on 18 June 2018. Your request has been handled under the Freedom of Information Act 2000 (FOI)

The information you requested and our response is detailed below:

'Could you please supply copies of all journey logs submitted for the live export of calves from any part of the UK to the EU or any other destination outwith the UK? I am asking for all logs from the last 12 months available.'

APHA does not record the age of animals when they are exported. Provided are fifty one Journey Logs where a consignment included unweaned Bovine animals exported from Great Britain to the EU within the scope of your request, between the 19th of June 2017 and the 18th of June 2018 (the date your request was received).

Therefore, in the Journey Logs provided in the Annex, it is possible that some of the numbers listed to be transported will include adult animals. These proposed journeys have all been assessed in line with Council Regulation (EC) No 1/2005, Chapter V paragraph 1.4 which states "Unweaned calves must, after nine hours of travel, be given a rest period of at least one hour"

The fifty one Journey Logs provided (Appendices JL11891 to JL13158FP) will be to facilitate the export of animals which have been exported for the purposes of breeding and further fattening. None of the journey logs are for the purpose of slaughter.

Included are five Journey Log Section 1's (Marked FP). These journeys have taken place recently, and consequently, the completed journey logs have not been returned to APHA currently, therefore, the first page is provided.

The Animal and Plant Health Agency only hold records of Journey Logs where the transportation of bovine animals originated in Great Britain (England, Scotland and Wales).

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

Information for the Isle of Man should be requested from the Department of Environment, Food and Agriculture: <https://www.gov.im/about-the-government/departments/environment-food-and-agriculture/>

Information for Jersey should be requested from the States of Jersey: <https://www.gov.je/Pages/default.aspx>

Information for Guernsey should be requested from the States of Guernsey: <https://www.gov.gg/>

Information has been redacted in the attached Appendices under Section 38 and Section 40(2) of the Freedom of Information Act (2000) and Article 5(f) of the General Data Protection Regulations (GDPR).

Section 38

Section 38(1) refers to the exemption from the duty to provide information if it would, or would be likely to affect anyone's health or safety.

The exemption in Section 38(1) is subject to a Public Interest Test to ensure it is being appropriately applied.

Public Interest Test

We recognise that there is a general presumption in favour of transparency and openness 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 this transparency and aid well-informed debates concerning the welfare and transportation of animals, and the individuals associated with them.

However, we feel that there is a stronger public interest in withholding the information as the full addresses, including the county of origin, the full address of the destination and/or rest stops, transporter details and individual names would identify further information and would, or would be likely to, endanger the health and safety of individuals and staff. This poses a substantial risk to the health and safety of individuals associated with the transportation of animals that would be of significant severity and is likely to occur in some cases. We consider this to be a significant factor in favour of maintaining the exemption.

APHA has balanced the real threat to the health and safety of individuals which disclosure of the requested information would be likely to cause, against the public interest arguments in favour of disclosure. In this instance the APHA does not consider that disclosing the information requested in order to inform public debate and to promote accountability and transparency would justify the risk to individuals' health and safety.

Sections 40(2)

Section 40(2) of the FOIA exempts personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would breach any of the data protection principles in Article 5(1) of the General Data Protection Regulation (GDPR). We consider that disclosure of this information is likely to breach the first data protection principle, which provides that personal data must be processed lawfully, fairly, and in a transparent manner. Disclosure would not constitute 'fair' processing of the personal data because the individuals would not reasonably have expected their names to be made public.

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