



Animal &
Plant Health
Agency

Animal and Plant Health Agency
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Our Ref: ATIC1368

[REDACTED]
{By Email}

12 July 2018

Dear [REDACTED]

PROVISION OF REQUESTED INFORMATION

Thank you for your request for information About Egg Marketing which we received on 14 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:

“However I realise I should have been more specific. As well as the actual codes, I would like to request the producer details for each code, in order to be able to build a tool enabling people to track how far their eggs have travelled, in a similar way to <http://www.foodmiles.com> (but via an App).

The information that would be useful is:

- * Name of producer
- * Address of farm
- * Postcode of farm

Ideally, rather than supplying this as a one-off list, it would be ideal if you could consider to make this a regular publication (ideally monthly, but otherwise every 6 or 12 months) so that I could keep the data in the App up to date.”

Please attached Appendix 1: a spreadsheet detailing the Egg codes and postcodes of the Active Egg producers that we hold.

Unfortunately this is not data that we would be looking to release on a regular basis as the data can alter daily or weekly. This would make the updating of the data a very difficult and time consuming procedure. It is important that when we supply information, containing data, that we are giving out accurate information that and be used and relied by our customers.

With regard to the other data that you have requested this is being withheld under FOIA section 40(2) in relation to personal data and by Section 43 (2) concerning data, disclosure of which would be likely to prejudice the commercial interests of any person.

Section 40

Some of the information contained within the requested documents has been withheld under section 40(2) of the FOIA as the information constitutes personal data relating to a third party. The FOIA provides that personal data relating to third parties is exempt information. The release of third party information, if disclosed, would also breach Article 5(f) of the General Data Protection Regulations (GDPR) - Principles relating to processing of personal data.

APHA consider that disclosure of this information is likely to breach section 40(2) of the FOIA and Article 5(f) of the GDPR, which relates to appropriate security of personal data, including protection against unauthorized or unlawful processing. Therefore, we have concluded that this information is withheld.

Section 43

Section 43 (2) concerns data, disclosure of which would be likely to prejudice the commercial interests of any person. Information has been supplied in the belief that this potentially commercially and financially sensitive information will not be placed in the public domain. Information release has the potential to have a detrimental impact on businesses' commercial revenue in a competitive environment, by revealing market-sensitive information, or information of potential usefulness to competitors.

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 this would increase transparency and aid well-informed debates concerning our work and how we would manage certain incidents.

Our relationship with farmers is based on trust. Confirming or denying whether this type of information is held could prejudice the commercial interests of any such establishments and mislead the general public, who would base their opinions on such information even if any potential problems had been rectified. This could then lead to financial losses, whether through a loss of trust and custom or through the cost in time, or of repairing reputational damage.

Furthermore, this would result in breach of confidentiality between APHA and its customers and could potentially lead to an adverse working relationship and interfere with the relevant Public Authority carrying out its statutory duties.

We have concluded that, in all the circumstances of the case, the information should be withheld under Section 43(3) of the Act at this time.

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:

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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