



Animal &
Plant Health
Agency

Animal and Plant Health Agency
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www.gov.uk/apha

Our Ref: ATIC2233

[REDACTED]
{By Email}

08 December 2020

Dear [REDACTED]

PROVISION OF REQUESTED INFORMATION

Thank you for your request for information about poultry imports and exports which we received on 13 November 2020. Your request has been handled under the Freedom of Information Act 2000 (FOIA).

The information you requested and our response is detailed below:

“1) Please share data on the number of day old chicks/poults/ducklings exported abroad from Scotland over the last three years?

Please provide the data in excel spreadsheet format, and break it down in the following way:

By animal

By year

By location (Including name of establishment, address, and name of breeder/exporter)

By destination country

2) Please share data on the number of poults imported into Scotland, or to the UK where the final destination is Scotland, over the last three years.

Please provide the data in excel spreadsheet format, and break it down in the following way:

By animal (pheasant, partridge, etc.)

By year

By country of import

By purpose of import (breeding, etc.)

By location of final destination (Including name of establishment, address, and name of breeder/importer, if relevant)

The information you have requested on poultry exports from Scotland to the EU and poultry imports into Scotland can be found in Appendix 1.

APHA is an Executive Agency of the Department for Environment, Food and Rural Affairs and also works on behalf of the Scottish Government, Welsh Government and Food Standards Agency to safeguard animal and plant health for the benefit of people, the environment and the economy.

The Animal and Plant Health Agency (APHA) issues Export Health Certificates (EHC) for animals and products of animal origin exported to countries outside of the EU. We are unable to provide the data concerning exports from Scotland to Third Countries as this information is not recorded on our summary data; this data is recorded on the certificates and would take additional time to locate. It is therefore exempted from release citing Section 12 of the Freedom of Information Act 2000 (FOIA 2000).

Section 40

Some of the information contained within the requested documents have been withheld under section 40(2), read in conjunction with 40(3)(a)(i) (third party personal data), 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 2018 (DPA).

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 of the FOIA.

Section 12

Section 12(1) of the FOIA allows us to refuse a request for information if we estimate that the cost of complying with the request would exceed the appropriate limit, which currently stands at £600. On the basis of our estimates, we consider that the cost for locating the documents would exceed this limit and, as such, we are refusing your request.

Public Interest Test

By virtue of regulation 12(2) of the FOIA, APHA may refuse to disclose information if the request for the information would involve the diversion of resources and incur excessive cost, in all the circumstances of the case, the public interest in applying the exemption outweighs the public interest in disclosing the information. In reaching a decision with respect to the public interest, the following matters were considered:

APHA recognise that there is a public interest in disclosure of information on the export of poultry from Scotland to Third Countries. Regulation 12(2) of the FOIA also requires public authorities to apply a presumption in favour of disclosure. However, there is a

strong public interest in withholding the information. Your request requires review of a substantial amount of information held in various areas within APHA offices. Gathering this specific information together would involve a significant cost and diversion of resources from APHA's other work. There were 3108 Export Health Certificates issued between 2017 and 2019 for poultry to Third Countries. We estimate that it would take 10 minutes to check each certificate this would take 518 hours.

APHA consider that your request falls under regulation 12(2) on cost and resource grounds in determining whether all the information is held. Having carried out the above public interest test, APHA have concluded that, in all the circumstances of the case, the public interest falls in favour of applying the exemption.

TRACES (Trade Control and Expert System) is a European Commission system employed by EU member states to facilitate and record animal/animal product movements into and throughout the EU. This data was extracted from TRACES.

Animal and Plant Health Agency (APHA) has access to UK statistical data from the EU Commission's Trade Control and Expert System (TRACES) system, for commercial imports and exports. The information extracted from here is a true reflection of the information that we have access to. APHA cannot guarantee the accuracy of this data, as we can only rely on the information that has been input into TRACES by a third party.

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.

An Annex is attached 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. During the current Coronavirus outbreak, our offices will be closed.

Yours sincerely

ACCESS TO INFORMATION TEAM

Email: enquiries@apha.gov.uk

Annex

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 also be 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.

Most documents produced by APHA will be protected by Crown Copyright. Most Crown copyright information can be re-used under the [Open Government Licence](#). For information about the OGL and about re-using Crown Copyright information please see [The National Archives website](#).

Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the [Intellectual Property Office's website](#).

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 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to the Access to Information Manager at the address at the top of this letter or email enquiries@apha.gov.uk and the team will arrange for an internal review of your case.

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's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted APHA's own complaints procedure. The ICO can be contacted at:

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

Coronavirus

However, following the changes to Government advice, from Tuesday 24 March 2020 the ICO offices will be closed. They will therefore not be able to collect correspondence sent via post. Where possible, they ask that you [contact them online](#) or call on 0303 123 1113