



Ministry
of Defence

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[REDACTED]

[REDACTED]

Our Reference:
FOI2022/00899
Date:
14 February 2022

Dear [REDACTED]

Thank you for your email of 20 January 2022 requesting the following information:

"My Freedom Of Information request relates to the sale of Operational Ration Packs to the civilian retail market.

The wording on both the multi-box and the individual bag packaging clearly states:

'PROPERTY OF THE MOD - UNAUTHORISED SALE AND/OR PURCHASE IS PROHIBITED'

'Unless otherwise directed by the MOD, this ration pack and its contents remain the property of the MOD. Any unauthorised sale, dealing or other use inconsistent with the MOD's proprietary rights is prohibited and may constitute a criminal offence.'

Given that the MOD auctions off these items and there are major civilian outlets and online platforms that offer them for sale, would I be correct in saying that once they are auctioned off, this could be considered as 'Unless otherwise directed by the MOD,' and would no longer 'constitute a criminal offence?'

I appreciate that huge volumes of O.R.P.s with full Best Before Dates are likely to have come from 'less than honest' sources, but I would be very grateful for your assistance in clarifying the buying and selling of small quantities of these items for personal use and resale, assuming they are not current MOD stock and have not been received as stolen goods from the supply chain."

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence (MOD), and I can advise the following:

The MOD does not sell or auction Operational Ration Packs (ORPs). Those packs that have expired or will shortly expire and will not be used by the military are disposed of via two options.

- Disposal through waste (landfill)
- Disposal of ORPs to FareShare.

Around 2 million ration packs are used by the military every year, with less than 1% of the MOD's stock requiring disposal. Since 2019 the MOD has been in partnership with FareShare, a charity which distributes food to nearly 10,000 UK charities, including community groups, homeless hostels and lunch groups for the elderly. When it becomes clear a batch of ration packs cannot be used, the MOD's Logistics Support Operating Centre Commissioning and Managing Organisation distributes these to FareShare who then send them on to their UK-wide charity network.

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note that no ORPs have been donated to FareShare recently as surplus packs have not been available. The MOD cannot comment however on packs which may be offered for purchase from unauthorised sources, and transactions such as these cannot be endorsed by the MOD. Nevertheless, I can confirm that once the ration packs have been disposed of officially, the caveat you mention no longer stands.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely

DE&S Secretariat