



Food
Standards
Agency
food.gov.uk

Bart Joseph

Our Reference: FOI 2008

By email: request-392330-6e700ea1@whatdotheyknow.com

Date: 28 March 2017

Dear Sir,

FREEDOM OF INFORMATION REQUEST

I write in response to your email of 28 February 2017 regarding your request for information about the Investigatory Powers Act 2016.

Your request was as follows:

Please correct me if I am wrong, but this FOI is written with my comprehension being that you can request access to peoples' internet history under the snoopers' charter?

1. Have you ever exercised this (unlawful) power?

2. For what conceivable reasons would the Food Standards Agency want or need to access the internet history of others? It seems utterly insane to me.

I am handling your request under the terms of the Freedom of Information Act 2000 (the Act).

I can confirm that the Food Standards Agency (FSA) holds information falling within the terms of your request. I can also confirm that the Investigatory Powers Act 2016 does give the FSA the power to access telecommunications data for the purpose of preventing and detecting crime taking place within food supply networks.

I will take your specific questions in the order that you posed them.

1. Have you ever exercised this (unlawful) power?

As stated, the FSA is included amongst the bodies listed in the Investigatory Powers Act 2016 who are permitted to access telecommunications data. To date, the FSA has not made use of that power.

2. For what conceivable reasons would the Food Standards Agency want or need to access the internet history of others? It seems utterly insane to me.

You may be aware that, as a response to the horsemeat incident of 2013, the FSA established the National Food Crime Unit (NFCU) to provide national leadership in tackling serious criminality in UK food supply networks. The horsemeat incident showed the concern that can be caused to consumers when there is criminality in food supply networks and the need for the FSA to take an active role in protecting public health and consumer confidence in food. To help achieve this, it may be necessary in some targeted investigations for the NFCU to have access to communications data to identify offenders and their criminal activity. Further information about the NFCU can be found on the Food Standards Agency's website here <https://www.food.gov.uk/enforcement/the-national-food-crime-unit>

If you have any queries about this letter, please contact me on the details provided in the footer of this letter. Please remember to quote the reference number above in any future communications.

If you are not satisfied with the way the FSA has handled your request for information, you should write within two calendar months of the date of this letter to the Openness Team, and ask for an internal review. They will arrange for the Complaints Coordinator to conduct the review. Their address is Food Standards Agency, Room 2C Aviation House, 125 Kingsway, London, WC2B 6NH (email: Openness.team@foodstandards.gsi.gov.uk).

If you are not content with the outcome of the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the FSA. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or through the website at: www.ico.gov.uk.

Yours sincerely



GARETH WILLIAMS
Regulatory and Legal Strategy Directorate