

Mr Carroll by e-mail

15 April 2010

Your Ref: 850

Dear Mr Carroll

## **REQUEST FOR CHAIRS GROUP PAPERS**

Further to my letters to you of 11 and 30 March, this is to confirm that we are now in a position to formally respond to your Freedom of Information (FOI) request.

Following careful consideration of your request, we are able to provide you with the attached papers, as follows:

- CHAIRS terms of reference and membership (revised March 2010)
- Notes of all the six CHAIRS meetings held so far<sup>1</sup>

Please note that some text within the meeting notes have been redacted in accordance with Section 31<sup>2</sup> of the FOI Act, on the basis that this relates to ongoing incidents where disclosure may prejudice the investigation. Where information has been redacted, this is clearly shown within the notes.

As Section 31 provides a qualified exemption under the Act, we have carried out a public interest test to decide whether on balance the public interest would be best served by releasing or withholding the information. We recognise that there is a public interest in openness and in understanding how food safety incidents are handled. However, we consider there is a stronger public interest in the investigations and possible prosecutions being able to run their course. If released, the information may reveal the course taken and detail of investigations which are ongoing. At this point in time, we consider the balance of public interest is strongly in favour of withholding this further information.

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<sup>1</sup> On 2/12/08, 25/3/09, 30/6/09, 9/9/09, 2/12/09 and 23/2/09.

<sup>2</sup> Specifically, the redacted information falls within scope of section 31(1)(g) and s31(2)(a) and (c) of the Act, i.e. it is information the disclosure of which would be likely to prejudice the exercise by any public authority of its functions for the purposes of ascertaining whether any person has failed to comply with the law, or circumstances which would justify regulatory action in pursuance of any enactment exist or may arise.

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If you have any queries about this letter, please contact me. Please remember to quote the reference number at the top of this letter in any future communications.

If you are not satisfied with the way the Agency 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](mailto:Openness.team@foodstandards.gsi.gov.uk) ).

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. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Agency. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or through the website at <http://www.ico.gov.uk/>

Yours sincerely

A handwritten signature in dark ink, appearing to read 'JD Caseley'.

John Caseley  
Incidents Unit  
Food Standards Agency