

IN DEFENSE OF ANIMALS

1240 Main St.
Oberlin, PA 17113
(717) 939-3231

February 11, 1998
VIA FAX (3 pages)

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USDA-APHIS-LPA-FOIA
FOIA Officer
4700 River Road
Mail Stop 50
Riverdale, MD 20737
301-734-8296
301-734-5941 (FAX)

Dear FOIA Officer:

This request for records is made under the federal Freedom of Information Act, 5 U.S.C., sec. 552, by In Defense of Animals (IDA), a nonprofit organization [IRS Code 501(c)(3) tax-exempt, number 68-0008936] based in Mill Valley, CA, that is dedicated to educating the public about issues involving animals.

This request is directed at obtaining copies of the following documents:

Copies of all documents regarding the USDA investigation of Matthew Block/Worldwide Primates, which culminated in a settlement on July 16, 1997. This case, number FL 96-066, and the settlement with Block are mentioned in the attached letter from Dr. Goldentyer to IDA, dated October 16, 1997.

If any of the records or documents described above are considered to be exempt from release, please segregate and provide access to non-exempt portions and justify deletions by reference to specific exemptions in the Freedom of Information Act.

IDA is prepared to pay all reasonable search and duplication fees up to an initial amount of twenty-five dollars (\$25.00).

However, the Freedom of Information Act provides that:

"Documents shall be furnished without charge or at a reduced charge where the agency determines that waiver or reduction of fee is in the public interest because furnishing the information can be considered as primarily benefiting the public." [Title 5, Section 552(a)(4)(A)]

IDA believes that this request satisfies the criterion for fee waiver or reduction because:

1. The use of animals in research, especially that sponsored or regulated by the Government, has historically been a matter of legitimate public interest and concern.

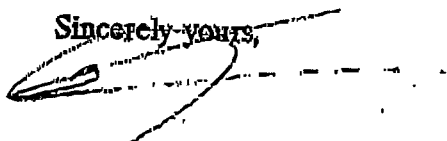
2. The disclosure of the requested record would not be to our primary benefit, but would be to the primary benefit of the general public.

Therefore, IDA asks that any search or duplication fees in this matter be waived or reduced. If the waiver or reduction is denied, and fees exceed twenty-five dollars (\$25.00), please notify us by telephone before the request is processed so that IDA may decide whether to pay the higher fee or to appeal the denial of the request for waiver or reduction. IDA may be reached during business hours at (717) 939-3231.

If you have any questions regarding any aspect of this request, please contact the undersigned by telephone rather than mail in order to expedite timely disclosure.

Thank you for your assistance. IDA will look forward to receiving your reply within ten (10) business days, as required by law.

Sincerely yours,



Eric Kleiman
In Defense of Animals
1240 Main St.
Oberlin, PA 17113
(717) 939-3231

Enc. (October 16, 1997 letter from Dr. Goldentyer)



United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Animal Care

Eastern Region
2586-A Riva Road
Suite 302
Annapolis, MD 21401-7400

Eric Kleiman
In Defense of Animals
1240 Main Street
Oberlin, PA 17113

October 16, 1997

Dear Mr. Kleiman:

This is in response to your letter dated, October 10, 1997. The USDA Animal Welfare Act Case against Matthew Block of Worldwide Primates (case # FL 96-066) was settled on July 16, 1997. The penalty was paid in full and received by the USDA on July 17, 1997.

Thank you for your concern in this matter.

Sincerely,

J. Kelley for
Elizabeth Goldentyer, D.V.M.
Eastern Regional Director
Animal Care

