

Alexandra Cardenas
Campaigner, Animals in Entertainment
Animal Defenders International
Millbank Tower
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LONDON
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Your Ref:
Our Ref: AH0449 Int Rev

Date: 11 June 2009

Dear M/S Cardenas

WITHHOLDING OF REQUESTED INFORMATION – OUTCOME OF INTERNAL REVIEW

Thank you for your letter dated 12 May 2009, regarding your request for information about documentation relating to the import of three elephants. You asked for an Internal Review of the response due to “illegible” documents being supplied. You also made two further requests.

I have now completed my review of all aspects of the case and have concluded that I must support the decision not to release the requested information.

With regard to the legibility of the documents provided to you. Animal Health are not required to hold copies of these documents, and supplied to you copies of documents provided by the Circus staff, using their photocopier. As a result the copies already supplied (both in hard copy and .pdf format) are the best we hold. These documents remain with the travelling animals and are checked by border staff on route to ensure compliance with the EC Regulation 1739/2005. The Animal Health Veterinary Officer was performing an ad hoc inspection, not as a result of legislative requirements. These certificates were applied for in the EU, not the UK, and were issued in Belgium, so we have no further correspondence relating to them.

I can confirm that when we referred to the “Circus Animal Act”, this was erroneous; it should have referred to EC Regulation 1739/2005.

You also requested copies of pre-movement inspection documents. Animal Health are not required to conduct these, as the animals were travelling within the EU, not from a Third Country. The country of origin should ensure the animals are fit to travel, not the recipient, so we do not hold the documents you have requested.

I confirm that Animal Health do not hold CITES documents for these animals – there is no requirement for these for elephants travelling within the EU.

The information supplied to you continues to be protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including any

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In keeping with the spirit and effect of the Freedom of Information Act 2000/Environmental Information Regulations 2004, all information is assumed to be releasable to the public unless exempt. The information you requested may now be published on our website together with any related information that will provide a key to its wider context.

If you have any queries about this letter, please contact me. I also attach an Annex giving contact details should you be unhappy with the services you have received.

Yours sincerely

Kate McHugh

Direct Line 01905 763355 x.8432
Fax 01905 768866
Email access.2info@animalhealth.gsi.gov.uk

Annex A

Complaints

If you are not content with the outcome of this internal review, you have the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted the Animal Health complaints procedure. The Information Commissioner can be contacted at:

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

Head Office: Animal Health Corporate Centre, Block C, Government Buildings, Whittington Road, Worcester WR5 2LQ

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