



Mr J Ungoed-Thomas

Sunday Times

By email: jonathan.ungoed-thomas@sunday-times.co.uk

24 September 2007

Reference: DB497

Dear Mr Ungoed-Thomas

I write further to my letters of 3 August and 3 September in response to your request of 5 July made under the Freedom of Information Act (FOIA) 2000 for:

- FSA discussion papers or internal assessments of research of nutritional benefits of organic food compared to conventional food from 2006 and 2007
- documents relating to the FSA's official stance on organic food and its benefits, including any minutes or emails on FSA's current stance and any discussion or considerations on changing it, again covering the years 2006 and 2007

Please find enclosed information which we hold that is relevant to your request, and which can be released to you. The information comprises:

- a copy of the Agency's current stance (also available on our web site);
- text of various internal emails about changing the wording of the Agency's line;
- questions and answers produced for Agency staff attending the City Food Lecture in January 2007;
- information used in answering various correspondence and enquiries;



- internal emails and other information relating to consideration of a scientific paper on tomatoes;
- internal notes concerning other evidence under consideration in May 2007;
- reference to a PQ about nutrient levels in organic baby foods;
- (as separate document) a copy of a letter from the Secretary of State to the Soil Association, the Annex of which was produced by the Agency;
- various information about the Agency's view on organic milk and omega 3 levels, including (as separate documents) copies of correspondence between the Agency and the researchers involved, questions and answers, information used in answering correspondence on the issue, and information about a workshop on organic milk held on 1 June 2007.

I wish to advise you that some of the information you have requested cannot be disclosed for the reasons given in the annex to this letter. By way of clarification, within the information supplied it is indicated by use of square brackets where information has been redacted, and the relevant section of the FOIA written alongside.

Please note, the information supplied to you continues to be protected by Intellectual Property Law. You are free to use it for your own purposes, including any non-commercial research you are doing. Any other reuse, for example commercial publication, would require the permission of the copyright holder and is regulated by the reuse of Public Sector Information Regulations 2005. Many documents supplied by the Food Standards Agency will have been produced by government officials and will be Crown Copyright. You can find details on the arrangements for re-using documents covered by Crown Copyright on:

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We are sorry that it has taken so long to let you have a substantive reply in respect of this information. As previously stated, this has been due to the need for the Agency to consider the balance of the public interest in relation to the information you requested.

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 Steve Wearne, FSA Complaints Co-ordinator and ask for an internal review. Steve's address is Food Standards Agency, Room 115B Aviation House, 125 Kingsway, London, WC2B 6NH (email : steve.wearne@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.

Yours sincerely



Dr Alison Spalding

Head of Standards and Sustainability

ANNEX

S21

Under section 21 the Act, we are not required to provide information that is already reasonably accessible to you. This is the case for the information we hold that is available on the Agency's websites:

www.food.gov.uk/safereating/chemsafe/pesticides/pesticidesmainqa/org

www.food.gov.uk/foodindustry/farmingfood/organicfood/

www.eatwell.gov.uk/foodlabels/labellingterms/organic

S35

Some information has been withheld under section 35(1)(a) of the Act as information relating to the formulation or development of Government policy. The type of information withheld includes discussions on how to develop the policies; and officials' drafting comments for discussion.

For each item we have considered the public interest factors for and against disclosure. We have recognised the general public interest in openness and understanding how Government devises policy. In doing so, we are releasing to you the evidence that was relied upon and the basis for our stance. On the other hand, there is also a strong public interest in withholding this information to ensure free space for the provision of advice and exchange of views for the purpose of deliberation while developing policy. If officials cannot exchange ideas, drafts, and the thinking that goes into them, or provide advice without fear of disclosure, then they could well significantly alter their way of working, and be much less forthcoming. To release the drafts and comments on those drafts would expose not only the nature of the amendments made, but also the strands of thinking that contributed to the decision. We have concluded therefore that the balance of the public interest test favours non-disclosure.

S36

Some information has been withheld under s36(2)(b)(ii) of the Act as information which would, or would be likely to, inhibit the free and frank exchange of views for the purposes of deliberation. We have recognised the general public interest in openness, and the public having confidence that decisions are taken on the basis of the best available information. On the other hand, there is a public interest that government should have the space to be able to exchange in private free and frank views on how to handle an issue. If the thinking and discussion that goes on to form the final position cannot be conducted without fear of being disclosed, this could inhibit the ability of officials to make and share opinions. As a result, officials could well significantly alter their way of working and be much less forthcoming. Overall, we consider the balance of the public interest favours non-disclosure.

S43

A small amount of information has been withheld under Section 43(2) of the Act as information which if disclosed would be likely to prejudice the commercial interests of the organisation. We have recognised the general public interest in openness. There is also a public interest in withholding information where disclosure would be likely to prejudice the commercial interests of the organisation, which would result in the less effective use of public money or threaten its ability to negotiate rates, obtain supplies or secure finance. We believe, therefore, that the balance of the public interest favours withholding the information.

