

[REDACTED]

By email: [REDACTED]

Our Reference: FOI 2176

Date: 19 February 2018

Dear [REDACTED]

## FREEDOM OF INFORMATION REQUEST

Further to your request for information which was received by us on 26 January 2018, I am now in a position to respond.

You requested the following:

***Please send me details covering the recent inspection of Russell Hume and the breaches of food hygiene legislation which has led to meat products not being allowed to be sent out from the company's operation. Please include any correspondence between the FSA and Russell Hume concerning this matter and list the relevant food safety and/or food hygiene issues found.***

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.

Information relating to recent inspections of Russell Hume have been withheld in full under Section 30 (1) (b) of the Act. Further details about our use of this exemption is provided below.

Section 30 (1) (b) states:

**Section 30 - "investigations and proceedings conducted by public authorities"**

*(1) Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of—*

*(b) any investigation which is conducted by the authority and in the circumstances may lead to a decision by the authority to institute criminal proceedings which the authority has power to conduct*

In this instance, the information relates to investigations that are currently being conducted by the FSA and may lead to a decision to institute criminal proceedings which the Agency has power to conduct. The Agency has a regulatory and investigatory function and conducts investigations with a view to ascertaining whether a person should be charged with a criminal offence.

Section 30 is a qualified exemption and, therefore, we have conducted a public interest test to decide whether, on balance, we should disclose or withhold the information. We recognise that there is a public interest in accountable, open and transparent decision-making, and the public interest in the provision of safe food. However, we consider that there is a stronger public interest in non-disclosure to preserve the integrity and effectiveness of the investigations and proceedings which the Agency carries out as part of its statutory law enforcement obligations. Release of the information could prejudice or impede any future possible charges or criminal proceedings which the FSA may decide to undertake, thus reducing the chances of a fair trial taking place. Therefore, we have determined that the balance of the public interest favours non-disclosure.

We have, however, published a series of statements on Russell Hume that are available on our website. They cover the withdrawal taking place, an update on the investigation, an announcement of a review of cutting plants and cold stores, and an update that the statutory notice at one site has been lifted.

These can all be found below:

<https://www.food.gov.uk/news-updates/news/2018/16850/action-taken-at-meat-business>

<https://www.food.gov.uk/news-updates/news/2018/16858/fsa-update-on-russell-hume>

<https://www.food.gov.uk/news-updates/news/2018/16881/review-of-cutting-plants-and-cold-stores>

<https://www.food.gov.uk/news-updates/news/2018/16887/production-allowed-to-resume-at-one-russell-hume-site>

Please note that the response to this request will be published on the FSA website in due course.

