April 26, 2013

Dear [Redacted] s.30(1)

**Re: Your request for access to information under Part II of the Access to Information and Protection Act (NR/09/2013)**

On March 26, 2013, the Forestry and Agrifoods Agency received your request for access to the following records/information:

I am requesting under the Access to Information Act:

A list of municipalities and other organizations in the province using gas chambers to euthanize animals. We are also seeking information on whether they are using compressed carbon monoxide, from which substantially all impurities have been removed, in a controlled gas chamber as the regulations stipulate. For each organization using this method, we would also like to know the age of their equipment, inspection schedules, training schedules, date of last inspection, who conducts the inspection, as well as any other details related to the following conditions – stipulated by the American Veterinary Medical Association, whose *Guidelines on Euthanasia* are cited in the province’s Animal Protection Regulations as the guidelines to which all applicable organizations are to adhere.

1. Personnel using CO must be instructed thoroughly in it use and must understand its hazards and limitations (p 22);

2. The CO chamber must be of the highest quality construction and should allow for separation of individual animals (p 22);

3. The CO source and chamber must be located in a well-ventilated environment, preferably out of doors (p 22);

4. The chamber must be well lighted and must allow personnel direct observation of animals (p 23);
5. The CO flow rate should be adequate to rapidly achieve a uniform CO concentration of at least 6% after animals are placed in the chamber (p 23);

6. If the chamber is inside a room, CO monitors must be placed in the room to warn personnel of hazardous concentrations (p 23);

7. It is essential that CO use be in compliance with the state and federal occupational health and safety regulations (p 23).

Please be advised that our records indicate that the Forestry and Agrifoods Agency has no records responsive to your request.

The provincial government does not license municipal gas chambers so has no listing of where they exist or how many there are. Support is offered to municipalities, including a standing offer to test any CO chambers that exist for efficacy. In all cases, it is recommended that the community’s Occupational Health and Safety inspector review the safety of the chamber.

Section 43 of the Access to Information and Protection of Privacy Act (the Act) provides that you may ask the Information and Privacy Commissioner to review the processing of your access request or you may appeal to the Supreme Court Trial Division. A request to the Commissioner shall be made in writing within 60 days of the date of this letter or within a longer period that may be allowed by the Information and Privacy Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
34 Pippy Place
P.O. Box 13004, Station A
St. John’s, NL A1B 3V8
Telephone: (709)729-6309
Facsimile: (709)729-6500

In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.

If you have any further questions, please feel free to contact the ATIPP Coordinator at (709)729-5726.

Sincerely,

James Evans, CEO
Forestry and Agrifoods Agency