

June 2, 2026

USDA FOIA Service Center  
U.S. Department of Agriculture  
Food Safety and Inspection Service (FSIS)  
Attn: FOIA Officer  
1400 Independence Avenue SW  
Washington, DC 20250  
Submitted to: [fsis.foia@usda.gov](mailto:fsis.foia@usda.gov);

**Re: Freedom of Information Act Request — Status of Previously Withheld Law-Enforcement Records re: Boar's Head (Est. M12612, Jarratt, VA) and Disposition of the Associated Press Appeal**

Dear FOIA Officer:

This is a request under the Freedom of Information Act, 5 U.S.C. § 552. It concerns records previously withheld by FSIS regarding inspection and enforcement activity at the Boar's Head establishment in Jarratt, Virginia (M12612) and at eight other Boar's Head facilities, in connection with the 2024 *Listeria monocytogenes* outbreak.

**Background.**

In or about September–October 2024, in response to Associated Press FOIA requests, FSIS withheld inspection and enforcement records for the Jarratt plant and eight other Boar's Head facilities, stating the records were compiled “for a law enforcement purpose, which includes both civil and criminal statutes,” and that release could interfere with and hinder the investigation. The AP reported it would appeal that denial.

**Records requested.**

- The FSIS inspection and enforcement records for Est. M12612 (Jarratt, VA) and the eight other Boar's Head facilities that were previously withheld under the law-enforcement exemption, to the extent the basis for withholding no longer applies.
- Records sufficient to show the current status of any law-enforcement hold or referral on those records (e.g., whether the Exemption 7 basis has been lifted).
- All records concerning the Associated Press FOIA appeal referenced above, including the appeal determination letter and any final release or partial release made to the AP.
- Any final FSIS enforcement actions (Notices of Suspension, withdrawals of inspection, reinstatement letters, and public health alerts) concerning Est. M12612 from July 1, 2024 to the present.



- Any referral or transmittal records between FSIS and the U.S. Department of Justice concerning Boar's Head, to the extent releasable.

**Scope note.**

I do not seek any record whose release would currently interfere with an active enforcement proceeding, nor grand-jury material protected under Fed. R. Crim. P. 6(e). Where records remain withheld, please provide a categorical (Vaughn-style) description and release all reasonably segregable non-exempt portions per 5 U.S.C. § 552(b). Because conditions have changed materially since 2024 — including the plant's February 2026 reopening — I ask FSIS to re-evaluate whether the Exemption 7(A) basis asserted in 2024 still applies.

**Format and fees.**

Please provide responsive records electronically (searchable PDF preferred). I am willing to pay reasonable fees up to \$100; please contact me before incurring charges beyond that amount.

Please direct your determination, within the statutory period, to the undersigned. Thank you for your assistance.

Respectfully,



William D. Marler