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Business Services Branch

June 26, 2020

Sent via email to:

**Re: FOI Request # 20-05 to the Ministry of Agriculture, Food and Rural Affairs
Notice of Consultation**

Dear Sir/ Madam:

The Ontario Ministry of Agriculture, Food and Rural Affairs received an access request under the *Freedom of Information and Protection of Privacy Act* (the Act) for the following information:

"List of all Ontario businesses with a Farm Business Registration (FBR). If possible I would like their FBR number as well, but at the very least, I just need the names of the businesses that are registered."

The time period for this request is March 1, 2019 to February 28, 2020.

You are receiving this email because the Ministry is seeking your views on disclosure of the enclosed information, as it may affect your business (Appendix A). Due to the large number of producers impacted by this request and the challenges presented by the COVID-19 emergency in reaching out to all producers, the Ministry is consulting with a moderate sample of producers on the information contained in Appendix A.

Relevant Provision Under the Act

Outlined below is some information about the Act to assist you in understanding why we are sending you this letter and to assist you in providing the Ministry with feedback regarding disclosure of the information contained in Appendix A.

Under the Act there are certain provisions that are 'exemptions'. Exemptions are applied to withhold information, or portions of information. The following exemption may be applicable to the information in Appendix A:

Section 17 / Third Party Information

For your reference, section 17 of the Act is enclosed (Appendix B).



Responding to this Notice

The Ministry is required, by the Act, to provide you with 20 days to let us know whether you have concerns about disclosing this information and why. We would like you to:

- review the information that the Ministry has provided (Appendix A – the information and Appendix B – section 17 of the Act);
- let us know by July 17, 2020 by responding to this email:
 - if you agree to having the enclosed information released in its entirety; or,
 - if you object to having the enclosed information (Appendix A) released in its entirety, please highlight what you object to having released and let us know in your email why this is the case. Please ensure that you are as detailed as possible as this will help us make a decision. For example, do you consider the information to be confidential and why, and what ‘harm’ do you believe could reasonably be expected to result from the release of the information?

Your feedback, and the feedback from other producers who have been consulted, will be taken into consideration by the Ministry in its decision-making regarding the same information for other producers.

A Notice of Decision will be issued to the requester by **August 10, 2020** and it is expected that this information will be released to the requester shortly thereafter.

If you have serious concerns with the release of this information, please respond to this Notice before **August 10, 2020** by email at FOIaccess.omafra@ontario.ca.

Sincerely,

Amber Davis,
Business Services Consultant

Enclosures

Appendix A

REGYEAR FBRNUMBER A_BUSNAME

Appendix B

Freedom of Information and Protection of Privacy Act – Section 17

Third Party Information

17. (1) A head shall refuse to disclose a record that reveals a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence implicitly or explicitly, where the disclosure could reasonably be expected to,

- (a) prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (b) result in similar information no longer being supplied to the institution where it is in the public interest that similar information continue to be so supplied;
- (c) result in undue loss or gain to any person, group, committee or financial institution or agency;
or
- (d) reveal information supplied to or the report of a conciliation officer, mediator, labour relations officer or other person appointed to resolve a labour relations dispute. R.S.O. 1990, c. F.31, s. 17 (1); 2002, c. 18, Sched. K, s. 6.