

## Foi Enquiries

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**From:** Foi Enquiries  
**Sent:** 21 September 2018 07:55  
**To:** [REDACTED]  
**Subject:** REV-18-1147 - Chemical Management  
**Attachments:** V2 - Further Information - Right to Review & Appeal.pdf

Dear [REDACTED]

Thank you for your request for review of 17 September 2018 on the basis that you had yet to receive a response. Please accept our sincerest apologies that Aberdeen City Council (ACC) failed to respond to your information request of 31 July 2018, made under the Freedom of Information (Scotland) Act 2002 (FOISA).

In accordance with Section 21(4)(c) of FOISA, please find below the response to your information request, which comprises the Review Outcome:

**1)Over the last five years, how much of Aberdeen City Council’s budget was spent on analysis or monitoring for hazardous chemicals in consumer products?**

ACC is unable to provide the required information as it is not held.

ACC is unable to provide you with information on **over the last five years, how much of Aberdeen City Council’s budget was spent on analysis or monitoring for hazardous chemicals in consumer products** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

In order to provide support and assistance, we were advised by the Service that they would estimate spending approx. £3000 on test purchasing and analysis of chemicals over the last five years.

**2)How many sample consumer products were analysed by Aberdeen City Council in the last five years for hazardous chemicals, and what were the subsequent results of each analysis? How many samples breached legal limits for hazardous chemicals?**

2014 - 7  
2015 - 0  
2016 - 0  
2017 - 0  
2018 – 1

None of these samples breached legal limits for hazardous chemicals.

**3)How many of these samples which breached legal limits for hazardous chemicals were notified to the Office for Product Safety and Standards (BEIS)?**

None, Labelling issues were discovered in 2 samples from 2014 and the single sample from 2018 which were referred to the Primary Authority for the business involved.

**4)Have any prosecutions have made in the last five years by Aberdeen City Council relating to hazardous chemicals in consumer products? If so, what was the outcome of these prosecutions? Could you please provide links to further information on these prosecutions and notifications?**

None.

We hope this helps with your request.

Yours sincerely,

Salomeh Kheyri Rad  
Information Compliance Officer

On behalf of the Review Panel Clerk

Information Compliance Team | Customer Feedback|Customer Experience  
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\*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.  
Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

## **FURTHER INFORMATION**

If you are not satisfied with the outcome of your request for an internal review, you can apply directly to the Office of the Scottish Information Commissioner (OSIC) for a decision. Generally, OSIC cannot make a decision unless you have been through the ACC's review procedure. To make an application to OSIC, please write or email OSIC at:

The Office of the Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews  
Fife  
KY16 9DS  
[www.itspublicknowledge.info](http://www.itspublicknowledge.info)

An application to OSIC must be made in writing within six months of receipt of ACC's Review Decision Notice. When applying to OSIC for a decision you should give your name and address for correspondence. Please note that OSIC will not be able to investigate if you have not used your real name to make your information request. You must also specify:

- which request for information your requirement for review relates to
- the reason that you asked ACC to carry out a review of your request
- the reason why you are not satisfied with ACC's review outcome decision

The Commissioner will contact ACC and invite its comments on your application. Thereafter (if no settlement has meantime been reached), the Commissioner must reach a decision within 4 months of receiving your application, or within such other period as is reasonable. You will receive written notice of the outcome of the Commissioner's decision.

**Should you wish to appeal against the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days after the date of the decision has been issued.**