U. S. Department of Justice

Antitrust Division

325 7th Street, N.W., Suite 500
Washington, DC 20530

February 27, 1997

[redacted]

[redacted]

This letter represents a follow-up to our conversation in which you expressed your client's concern that its identity and/or the fact that it provided information to the Antitrust Division in connection with its investigation into marketing practices in the salty snack food industry may become known and subject your client to reprisal. I apologize for the delay in getting back to you on this topic.

As a starting point, you should know that it is not the policy of the Antitrust Division to divulge information that would identify persons who provide information in the course of an investigation. That said, the following sets forth the Division's policies:

1. In the event of a request by a third party for disclosure of any confidential information under the Freedom of Information Act, the Department will act in accordance with its stated policy (which can be found at 28 C.F.R. § 16.7) and will assert all applicable exemptions from disclosure, including those exemptions set forth in 5 U.S.C. § 552(b)(4), (b)(7)(A) and (b)(7)(D)(to the extent applicable.)

2. In the event of a request by a third party for disclosure of any confidential information under any provision of law other than the Freedom of Information Act, the Department will assert all applicable exemptions from disclosure permitted by law. In addition, the Department will use its best efforts to provide you ten days' notice prior to disclosure of any confidential information to a third party who requests it under any provision of law other than the Freedom of Information Act.

I hope that this information is helpful to your client. Please give me a call if you have any other questions. We hope to talk with your client in the near future.

Sincerely,

Nina Hale

Nina Hale
Attorney