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May 21, 1993

Barbara L. Durbin
The Oregonian
1320 SW Broadway
Portland, OR 97201

Re: Petition for Public Records Disclosure Order:
Oregon Department of Agriculture Records

Dear Ms. Durbin:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on May 18, 1993, asks the Attorney General to direct the Oregon Department of Agriculture to make available supermarket scanner data. For the reasons that follow, we deny your petition as premature.

Your petition is premature because it was filed before the Department of Agriculture denied your request. ORS 192.450(1). Moreover, we understand the Department now has released the records in question.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the Attorney General

ESH:AV:LK:jpl/JAA00C2A.W51
cc: Bruce Andrews, Director, Oregon Department of Agriculture
Phil Ward, Asst. Director, Oregon Department of Agriculture