FBI Exhibit No. 46: December 12, 2012, meeting at the Grocery Manufacturer’s Association (GMA).

FoodQuestTQ LLC alleges that on **December 12, 2012**, the U.S. Government did knowingly, intentionally and willfully exclude FoodQuestTQ from a meeting with the food industry. In this instance, the Food and Drug Administration precluded FoodQuestTQ from attending a food industry workshop for three reasons: 1) to retaliate against FoodQuestTQ for publishing an article that was critical of the Agency’s performance under the false pretense that FoodQuestTQ participation in the meeting would have given the small company unfair competitive advantage over other companies that produce and commercially sell automated food risk management tools; 2) to prevent FoodQuestTQ from presenting a commercial alternative to the Food and Drug Administration’s Food Defense Plan Builder tool at the meeting, and; 3) to avoid public FoodQuestTQ LLC protestations in front of the regulated food industry that the U.S. Government had taken and used without authorization the company’s patented and unpatented ideas, including trade secrets, as expressed in verbal, written and copyrighted form and previously shared with employees of the Food and Drug Administration.

FoodQuestTQ LLC alleges that a review of the attendee list at the meeting demonstrates that FoodQuestTQ LLC was singled out for disparate treatment and that other companies that produce automated food risk management tools were, in fact, allowed to by the Food and Drug Administration to attend the meeting. By so doing, the U.S. Government precluded the disclosure of information that would have demonstrated the misappropriation of FoodQuestTQ patented and unpatented ideas, including trade secrets, as expressed in verbal, written and copyrighted form and previously shared with employees of the Food and Drug Administration in front of regulated members of the food industry.

FoodQuestTQ LLC further alleges that FDA engaged in predatory and anticompetitive conduct as an “entity engaged in commerce” within the meaning of Sherman Antitrust, by violating federal procurement and integrity laws to knowingly, willfully and intentionally stifle technological innovation that hurts the consumer. For example, the FDA retaliated against FoodQuestTQ LLC because of the company’s **December 6, 2012**, publication that raised questions about the viability of C.A.R.V.E.R. plus Shock. A copy of the **December 6, 2012,** FoodQuestTQ publication appears EXHBIT 29-E. This is because the FDA Food Defense Team made multi-million dollar investments in C.A.R.V.E.R. plus Shock as their food defense risk assessment tool of choice and they continue to receive millions of dollars each year in appropriated Congressional funds to maintain the program. FoodQuestTQ products represent a competitive threat to FDA continued funding of C.A.R.V.E.R. plus Shock by providing a non-subjective science and risk-based alternative based on quantitative standards. FDA by stifling innovation is hurting the consumer.

List of attachments:

1. [FBI Exhibit No. 4](FBI%20Exhibit%20No.%204): **December 12, 2012**, meeting at the Grocery Manufacturer’s Association (GMA).