

Senator Barbara Mikulski
Washington, DC
503 Hart Senate Office Building
Washington, D.C. 20510



May 9, 2013

Dear Senator Mikulski,

We are a Maryland-based small business that is being unfairly competed against by the Food and Drug Administration (FDA). In December 2012, we discovered that the Food and Drug Administration (FDA) was using, without permission, our intellectual property and duplicating our products under a multi-million dollar contract with Battelle Memorial Institute.

In January 2012, we contacted your office and asked for your help in bringing FoodQuestTQ and the Food and Drug Administration together to engage in a thoughtful dialogue to solve the matter. Instead, the FDA and the Department of Health and Human Services (HHS) mounted a legal defense of their own wrongdoing.

In mid-March 2013, we filed a complaint with the National Ombudsman for Small Business. But the National Ombudsman does not have the authority to investigate unfair competition by federal agencies with small businesses. Since that time the matter has seriously escalated.

Enclosed please find a case study entitled, *Unfair Competition by the Federal Government with Small Business: The Food and Drug Administration versus FoodQuestTQ LLC*. We wanted to share this document with you because of the very serious consequences a situation like this can have on small businesses in Maryland and across America. The case study demonstrates that there are severe problems within both HHS and FDA that involve the ethics of federal employees and procurement integrity.

We want to thank-you very much for reading this letter and for your support. We hope that you can help us turn this bizarre situation around

Most respectfully yours,

A handwritten signature in black ink, appearing to read "John H. Hnatio". The signature is fluid and cursive.

John Hnatio, EdD, PhD
Chief Science Officer