

July 17, 2014



Ms. Miriam Nisbet
Director
Office of Government Information Services
The U.S. National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
miriam.nisbet@nara.gov

SUBJECT: Possible Involvement of the White House in Censoring FoodQuestTQ LLC Freedom of Information Act (FOIA) Requests

Dear Ms. Nisbet:

This is our fifth letter to you.

In prior letters, we explained that we are a small company being forced out of business by the Department of Health and Human Services (DHHS) and the Food and Drug Administration (FDA) who are unfairly competing against us by duplicating “in-house” our commercial products and “blacklisting” our small business within the food industry.

We have provided you with a June 16, 2014, brief that describes several instances where the FDA and DHHS violated Title 5 U.S.C. §552, the Freedom of Information Act (FOIA), in order to intentionally obstruct justice by interfering with the lawful release under the FOIA of documents that implicate U.S. Government employees in felonious criminal conduct. A copy of this brief is attached.

Upon discovering the spoliation of records by the FDA we requested your immediate intervention to prevent the further destruction of evidence that would indicate the commission of felonious federal crimes by employees of the U.S. Government. We have received no correspondence from you indicating the actions, if any, that have been taken to prevent the further destruction of evidence in this matter by either the FDA or the Department of Health and Human Services.

Against this background the purpose of this letter is twofold. First, what is the current status of our request that you immediately intervene to prevent the further spoliation of evidence in the matter of FoodQuestTQ and the FDA? Have you taken any actions to prevent the further spoliation of evidence? Have you contacted the Federal Bureau of Investigation (FBI) as requested?

The second purpose of this letter is to inquire as to whether the President’s legal counsel has been involved in any way in reviewing, censoring and or approving any FoodQuestTQ’s requests made pursuant to Title 5 U.S.C. §552 (FOIA). As you are aware the White House Counsel Gregory Craig issued a memorandum to the heads of all federal agencies requiring

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We welcome your speedy intervention in this matter because we are very concerned that DHHS, FDA employees and their contractors are now be in the process of destroying evidence of wrongdoing to obstruct justice in the matter of FoodQuestTQ LLC.

FoodQuestTQ LLC, 4720 Hayward Drive, Frederick, Maryland 21702 Telephone 240-439-4476 ext. 11

Thank-you very much for your assistance and if you have any questions please feel free to contact me directly.

Sincerely yours,

John Hnatio, EdD, PhD
Chief Science Officer

(1) Attachment: June 16, 2014 Brief for OGIS

Distribution:

Mr. Brian Castro, NOSB, SBA
Ms. Sylvia Mathews-Burwell, Secretary, DHHS
Mr. William Hall, DHHS
Representative John Delaney, MD
Senator Chuck Grassley, IA
Representative Sam Graves, MO
Ms. Margaret Hamburg, Commissioner, FDA
Ms. Sarah Kotler, FDA
Senator Mary Landrieu, LA
President Barack Obama, The White House
Mr. Brian Deese, Acting Director, OMB
Senator Pat Leahy, VT
Mr. Daniel Levinson, OIG-DHHS
Representative John Mica, FL
Senator Barbara Mikulski, MD
Senator Paul Rand, KY
Senator Mark Warner, VA
Representative Rob Wittman, VA

A handwritten signature in black ink, appearing to read "John Hnatio". The signature is written in a cursive style with a large initial "J" and "H".