

Mr. William Hall
Director News Division
Office of the Assistant Secretary for Public Affairs
U.S. Department of Health and Human Services
7700 Wisconsin Avenue, Suite 920
Bethesda, Maryland 20814



April 2, 2014

REFERENCE: Freedom of Information Act Appeal, Case No. 2014-2358

Dear Mr. Hall:

We have received an unsigned letter from Ms. Sarah Kotler, Deputy Director, Division of Freedom Information, Food and Drug Administration (FDA), dated March 21, 2014, advising us that we will be charged several hundreds of dollars to obtain documents in response to our FOIA request to obtain official Food and Drug Administration security sign in sheets. These sign in sheets prove that FoodQuestTQ and independent witnesses attended several briefings in which the FDA Food Defense Team received proprietary Title 18 USC briefings containing FoodQuestTQ intellectual property later used by the government to duplicate the company's commercial products.

We believe that the American people have the right to know about the gross fraud, waste and abuse taking place within the FDA and the Department of Health and Humans Services (HHS) in the government's handling of the FoodQuestTQ matter. In our case, the FDA has leveraged the power of the federal government to compete directly with our small business by plagiarizing our copyrighted research and pirating our patent and trade secrets to duplicate the commercial products we were already selling to the food industry.

The actions of both the HHS and FDA constitute a compelling need for prompt public disclosure. The responses to our FOIA request will disclose plagiarism by government employees, copyright violations, patent piracy, the theft of trade secrets by government employees along with conspiracy by both HHS and FDA employees to obstruct justice and grossly violate ethics and procurement integrity laws. Responses to this FOIA request will be used by FoodQuestTQ to raise the public awareness of the gross fraud, waste and abuse currently taking place within HHS and the FDA.

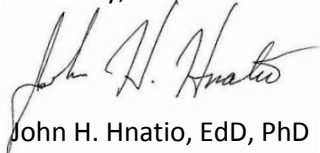
We do not currently have the resources to pay hundreds of dollars for the FDA to answer our FOIA requests. This is because of the actions already taken against us by the Department of Health and Human Services and the FDA. By plagiarizing our research, pirating our patents, stealing our trade secrets and duplicating and giving away for free the commercial software tools we were already selling to the food industry we do not have the revenues required to pay the large "processing fees" now being demanded by the HHS and the FDA. Of course, the government is fully aware of the financial crisis they have created for our small company and know full well we cannot afford to pay the "processing fees" that are now being demanded.

I am a highly educated professional who has published many articles. I ask that you please consider me as a "free-lance" journalist trying to expose gross fraud, waste and corruption within the FDA and HHS in

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considering this appeal to Ms. Kotler's letter of March 21st. I will be happy to certify my significant past record of publication and my intent to promptly publish the results of this FOIA request for public knowledge as soon as the requested information is made available to me.

Sincerely,

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

John H. Hnatio, EdD, PhD
Chief Science Officer

cc:

Senator Mikulski
Senator Leahy
Representative Delaney
Representative Wittman
Dr. Margaret Hamburg, Commissioner, FDA
Ms. Kathleen Sibelius, Secretary, HHS
Mr. Brian Castro, NOSB
Mr. Dan Levinson, HHS-IG
Ms. Kotler, FDA