



DEPARTMENT OF HEALTH & HUMAN SERVICES

MAR 31 2014

Food and Drug Administration  
Rockville MD 20857

#39

Dr. John Hnatio  
FoodQuestTQ LLC  
4720 Hayward Drive  
Frederick, MD 21702

In Reply Refer To: 2014-2360

Dear Requester:


This is in response to your request for expedited processing of your Freedom of Information Act (FOIA) request for information regarding Dr. Acheson and his relationship with and within the Food and Drug Administration.

The Electronic Freedom of Information Act (EFOIA) Amendments of 1996 amended the FOIA by adding section (a)(6)(E), 5 U.S.C. 552(a)(6)(E), to require agencies to consider requests for expedited processing and grant them whenever a "compelling need" is shown and in other cases as determined by the agency. The term "compelling need" is defined as (1) involving "an imminent threat to the life or physical safety of an individual," or (2) in the case of a request made by "a person primarily engaged in disseminating information, urgency to inform the public concerning actual or alleged Federal Government activity."

I have determined that your request for expedited processing does not meet the criteria under the FOIA. You have not demonstrated a compelling need that involves an imminent threat to the life or physical safety of an individual. Neither have you demonstrated that there exists an urgency to inform the public concerning actual or alleged Federal Government activity. Therefore, I am denying your request for expedited processing. The responding agency office will process your request in the order in which it was received.

You may appeal this decision not to provide expedited processing of your request and your appeal should be sent within 30 days from the date you receive this letter to the Director, News Division, Office of the Assistant Secretary for Public Affairs, U.S. Department of Health and Human Services, Parklawn Building, Room 19-01, 5600 Fishers Lane, Rockville, MD 20857.

Sincerely yours,

 Frederick J. Sadler  
Director  
Division of Freedom of Information