

FREEDOM OF INFORMATION ACT REQUEST 3-17-1014

Food and Drug Administration  
Division of Freedom of Information  
Office of the Executive Secretariat, OC  
12420 Parklawn Drive  
ELEM-1029  
Rockville, MD 20857



March 17, 2014

The Food and Drug Administration has pirated our copyrighted research, patent and trade secrets to plagiarize and duplicate our suite of computer driven software tools designed to enhance food safety and food defense.


Mr. Dale Berkley of the Office of General Counsel, Department of Health and Humans Services has been serving as legal defense counsel for members of the Food and Drug Administration's Food Defense Team since March of 2013.

Please provide all documentation regarding Mr. Berkeley's: 1) certification to practice law including what states and jurisdictions of the United States (US); 2) proof of yearly ethics training while in the employ of the US Government; 3) any record of violations of ethics laws and rules while an employee of the US Government; 4) any records regarding Mr. Berkley's standing before the Bar including past debarment actions or considerations, and; 5) any record that shows Mr. Berkley contacted the Department of Health and Human Services Inspector General to report allegations by FoodQuestTQ LLC that employees of the Food and Drug Administration were violating the provisions of Title 18, USC and other statutes as required by law.

We request expedited processing since the results of this request may indicate the existence of gross fraud waste and abuse in the Food and Drug Administration. The existence of gross fraud waste and abuse involving employees responsible for the safety and security of the U.S. food supply represents a real and imminent threat to the safety of the U.S. public.

We also request that fees for providing the above information be waived based on the requestor's status as a free-lance journalist who intends to broadly publish the results of this Freedom of Information Act request.

Sincerely,



John H. Hnatio, EdD, PhD  
Chief Science Officer

cc: Dan Levinson, OIG-HHS