

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



February 15, 2014

REFERENCE: Freedom of Information Act Appeal, Case No. 2014-545

Dear Mr. Hall:

On February 10, 2014, we received a letter from Ms. Sarah Kotler, Deputy Director, Division of Freedom Information, Food and Drug Administration (FDA) advising us that we will be charged a several hundred dollar processing fee to obtain documents that disclose the occurrence of gross fraud, waste and abuse in both the Food and Drug Administration and the Department of Health and Human Services.

The documents and information we originally requested will provide further evidence of the occurrence of gross fraud, waste and abuse in both the Food and Drug Administration and the Department of Health and Human Services.

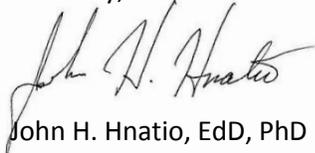
We also believe that the above constitutes a compelling need for public disclosure of any agency of the federal government that pursues such practices or possibly engages in the violation of FOIA law to obstruct justice. In our case, the FDA has leveraged the power of the federal government to compete directly with our small business by stealing our ideas, duplicating our commercial products and then giving them away to industry free of charge.

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 "processing fees" now being levied on us by the FDA. Of course, the FDA 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 not 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 the Department of Health and Human Services in considering this appeal to Ms. Kotler's undated letter. 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 fluid and cursive, with the first name "John" being the most prominent.

John H. Hnatio, EdD, PhD  
Chief Science Officer

cc:

Senator Mikulski  
Senator Leahy  
Senator Grassley  
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