

Senator Ben Cardin
Washington, DC
509 Hart Senate Office Building
Washington, D.C. 20510



January 13, 2012

Dear Senator Cardin:

I am an owner and the Chief Science Officer of small Maryland-based business in Frederick, Maryland. We desperately need your help.

One month ago, we wrote a similar letter to Senator Mikulski pleading for help. Last week, however, when we inquired as to the status of the letter we were told by the Senator's staff that she would not be able to help us based on ethical concerns. We do not understand what Senator Mikulski is talking about. That is why we are writing to you.

First, we want to reassure you that we are honest, law-abiding citizens who have sacrificed dearly on behalf of our country. For example, one of my partners is a 70% disabled veteran who gave up everything to join our company. I too have put myself in harm's way to protect our country during my honorable 30 year career as a civil servant. Our company operates with the highest ethical standards.

In 2002, I began a program of extensive research on new ways to reduce the risks associated with protecting the nation's critical infrastructures from adverse events as part of my doctoral dissertation studies at the George Washington University. Following my retirement from the Government in early 2004, I continued my research. The results of the research were patented.

In 2009, I started a small business with a group of highly dedicated people who wanted to make a difference in the world. The team began the process of reducing the patent to practice across the global food supply by creating a revolutionary system that actually quantifies the risk of adverse events happening and provides ways to prevent and mitigate the consequences of untoward events including accidents, intentional attacks and natural disasters. From 2009 through December 2012, we extensively coordinated our work directly with the staff at the Food and Drug Administration (FDA).

In December 2012, however, we were absolutely dumbfounded to learn that the FDA staff, completely unbeknownst to us, was taking our patented approach and the proprietary confidential information we were sharing with them to duplicate our products under a multi-million dollar contract with Battelle Memorial Institute. Of course, we cannot understand how our own Government can simply take our patent, our ideas and hard work in this way. We cannot understand why the FDA is investing millions of taxpayer dollars to do what we have already done.

Since December, we have been unable to sell our products. The food companies we work with are now asking us why they should buy our products if they can get the very same thing for free from the government. We have been forced to lay off all of our employees. The confidence of our investors has been completely shaken.

Senator Cardin, we have no money left to pay for a long and expensive legal battle involving the FDA. The FDA knows this. We have invested everything we own to create our business. We cannot even afford to pay our own salaries. Our life savings are now completely gone. We are hoping that you may be willing to intervene on our behalf with Commissioner Hamburg. We believe that if she were made personally aware of this bizarre situation she would be furious and step in to resolve the situation.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John H. Hnatio". The signature is written in a cursive style and is positioned above the typed name.

John Hnatio
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cc: Senator Mikulski