

Nancy J, Gunderson
Deputy Assistant Secretary for Grants and
Acquisition Policy and Accountability
Department of Health and Human Services
200 Independence Avenue SW
Room 537H, Humphrey Building
Washington, D.C. 20201



Via e-mail

April 20, 2013

Dear Ms. Gunderson:

FoodQuestTQ is a small business that produces risk management software to the help the food industry produce safe food for the American people to eat.

The reason we are writing to you is because government employees of the Food and Drug Administration (FDA) are stealing our intellectual property, duplicating our commercial products and marketing them for free to industry in order to force us out of business.

Please find attached a recent letter I sent to Secretary Sebelius which provides additional information detailing the issues in this case.

As the attached letter to Secretary Sebelius details, FDA and Department of Health and Human Services (HHS) employees are engaging in conduct that is specifically precluded under the Federal Acquisition Regulations, Public Law 95-521 (EIGA), E.O. 12674, 5CFR Part 2635, especially Subparts A., E. and G. and numerous other aspects of existing administrative law and statute all of which relates to the ethical sourcing of government products, prohibitions against federal employees endorsing commercial products and the ethical conduct of federal employees.

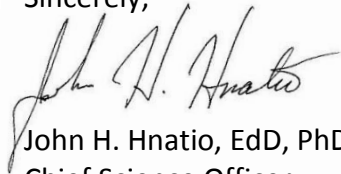
The reason we are writing to you is to request that you personally make Secretary Sebelius aware of the situation and assist the Secretary to take the actions necessary to implement each of the requests as outlined in the attached letter to Secretary Sebelius.

Unfortunately, the office of General Counsel, (HHS), the Chief Counsel, FDA, and other offices are complicit in obstructing the fair resolution of this matter and we are concerned that they may be intercepting and withholding our attempts to bring the serious violations of law and unethical conduct of the FDA and HHS employees involved in this matter to the personal attention of Secretary Sebelius.

As we have already attempted to share with Secretary Sebelius, we want to personally assure you that we are looking for a way to resolve the serious issues that have arisen here in a productive way that serves the best interests of the American people, the small businesses across America and the significant efforts of the FDA and DHHS to enhance the safety of the American food supply. Working together as a team, we can do much to enhance the safety of the food supply for the American people. Together, it is our responsibility to find a way to break the current circle of self-defeat.

We want to thank-you very much for helping us get the message personally to Secretary Sebelius. If I can answer any questions or if you need any further information please feel free to contact me at 240-439-4476 ext. 11. I look forward to talking with you.

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: Ms. Elahe Zahirieh, NOSB
Secretary Sebelius, HHS