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

FQTQ
Powered by FoodQuestTQ
TQ stands for threat quotient

January 27, 2014

REFERENCE: Freedom of Information Act Appeal, Case No. 2014-92

Dear Mr. Hall:

On January 24, 2014, we received an undated 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, e-mails and the e-mail strings of several FDA employees who may have "blacklisted" our company in retaliation for reporting fraud waste and abuse in the Food and Drug Administration.

Our original FOIA request was based on the belief that the FDA employee's government e-mails and e-mail strings include defamatory and discriminatory messages to others both within the federal government and to the food industry concerning our small company.

The National Ombudsman for Small Business at the Small Business Administration has already provided us with a memorandum written by Department of Health and Human Services and FDA officials exposing the fact that the government conducted a "special" interview of one of our business partners. Right after the "special" interview the business partner terminated any relationship with FoodQuestTQ LLC.

The existence of such internally generated e-mail messages would further confirm the scope of the Food and Drug Administration practice of "blacklisting" small companies in reprisal for filing complaints with the Office of National Ombudsman for Small Business and, could possibly confirm that HHS and FDA officials have engaged in the obstruction of justice in the matter of FoodQuestTQ versus the federal government.

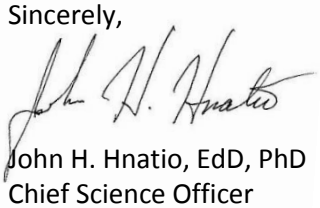
We believe that the above constitutes a compelling need for public disclosure of any agency of the federal government that pursues such practices or possibly engages in the violation of FOIA law to obstruct justice. In our case, the FDA has leveraged the power of the federal government to compete directly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

This situation creates urgency for prompt public disclosure of FDA wrongdoing. The prompt public disclosure of FDA "blacklisting" small companies in reprisal for filing complaints with the Office of National Ombudsman for Small Business could raise the public awareness necessary to save our small company from continuing reprisals by the government.

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 demanded 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,



John H. Hnatio, EdD, PhD
Chief Science Officer

cc:

Senator Mikulski
Senator Leahy
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