



February 10, 2023

Kohl Harrington  
Director  
Pet Schooled  
9663 Santa Monica Blvd. #1267  
Beverly Hills, CA 90210

**Re: Docket Nos. FDA-2022-P-3386, FDA-2022-P-3387, and FDA-2023-P-0171**

Dear Mr. Harrington:

This letter responds to the following citizen petitions you submitted:(FDA-2022-P-3386, FDA-2022-P-3387, and FDA-2023-P-0171), filed on December 29, 2022, December 29, 2022, and January 16, 2023, respectively, requesting:

FDA-CVM publish on the public FDA FOIA Reading Room website in compliance with FOIA Law:

All records and response letters provided for 2022-912. [FDA-2022-P-3386]

All records and response letters provided for 2022-658. [FDA-2022-P-3387]

All records and response letters provided for 2022-657. [FDA-2023-P-0171]

In accordance with 21 CFR 10.30(e)(3) we are denying your petitions.

As grounds for these petitions, you claim the “information has been requested through FOIA ‘3 or more times’ and FDA is now required to comply with 5 U.S.C. § 552(a)(2)(D) and publish these records on the FDA FOIA reading room.” 5 U.S.C. § 552(a)(2)(D) states in part:

Each agency ... shall make available for public inspection in an electronic format ... copies of all records ... that have been released to any person under [FOIA]; and ... that have been requested 3 or more times[.]

Your petitions each reference a specific Freedom of Information Act (FOIA) request. However, none of your petitions identify the additional FOIA requests that you say triggered 5 U.S.C. § 552(a)(2)(D). We are unable to locate three or more FOIA requests for these records. We are also unable to locate any FOIA requests for the response letters FDA provided for the above-

referenced FOIA requests.<sup>1</sup> Therefore, in accordance with 21 CFR 10.30(e)(3), we are denying your petitions.

Respectfully,

William T. Flynn, DVM, MS  
Deputy Director for Science Policy  
Center for Veterinary Medicine

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<sup>1</sup> Those response letters explained that there were no responsive records and that the FOIA requests were being closed.