



August 15, 2023

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

Re: Docket No. FDA-2022-P-3200

Dear Mr. Harrington:

This is a tentative response to your Citizen Petition (FDA-2022-P-3200) filed with the Food and Drug Administration (FDA) on December 13, 2022.

The petition requests *“FDA-CVM to comply with FOIA law and post publicly on the FDA FOIA reading room all documents requested through various FOIA requests pertaining to FDA Employee Charlotte Conway's emails containing the key search term; AAFCO. This is for the date range of 10.01.2021-10.31.2021.”* Your petition references 5 U.S.C. § 552(a)(2)(D). As grounds for the petition, you state, “The following 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[.]

We note that you previously submitted a petition with this same request (FDA-2021-P-1098). FDA’s tentative response to that petition, dated April 6, 2022, states, “FDA will issue a final response to your citizen petition after the release of responsive records under FOIA or a determination that no records will be released.” As your latest petition (FDA-2022-P-3200) makes the identical request to your previous petition (FDA-2021-P-1098), we will respond to both petitions at the same time and as described in our tentative response.

Respectfully,

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