U.S. Food and Drug Administration

FOIA Request Confirmation

Confirmation Number: FDA24105400

Requester:

General

Description of Requester:	**Educational institution or noncommercial scientific institution operated primarily for scholarly or scientific research**
Max Amount Willing to Pay:	**$40**

Organization

Organization Name:	**Fluoride Free Peel**				
Primary Phone	[redacted]	Other Phone:		Email:	**cmssyc@gmail.com**

Mailing Address

Address 1:	**c/o**
Address 2:	[redacted]
City:	
Province CA:	
Postal Code CA:	
Country:	

Billing Address

Address 1:	**c/o**
Address 2:	[redacted]
City:	
Province:	
Postal Code:	
Country:	

Details

Requester Name:	**Christine: House of Massey**		
Requester File #:		Request Letter:	
Requested Date From:	**01/01/1950**	Requested Date To:	**07/18/2024**
Subject of Request:	**All studies in the possession/custody/control of the FDA, authored by anyone, anywhere: 1. - that scientifically prove/provide evidence of the existence of**		

Waiver of Fees

Justification:	**Public interest, public health issue of great importance.**

Expedited Processing

Reason:	**Other**
Justification:	**Public interest; urgent public health issue; animal protection: countless animals have been senselessly culled in the past based on impossible-to-validate claims of "viral infections".**

Print Create Another Request Close

Within 10 business days of the submission of your online request, you will receive by electronic mail an FOIA Control Number. If you need to communicate with FDA regarding your request, please refer to this Control Number. Requests received after 4:00 P.M. E.S.T. will be considered to have been received on the following business day.

If your informational needs change, and you need to cancel your request, please contact the Division of Freedom of Information by telephone, mail, or fax. Please include your control number in the correspondence. For contact information, please see FDA's FOIA page.

https://www.accessdata.fda.gov/scripts/foi/foirequest/requestform.cfm

Provide the following for records in unredacted (first party) format requests

- For requests for your own personal or organizational records, you must indicate that in the description of your request and provide first party documentation.
- For requests about another entity, you must attach a signed authorization from the person or organization whose information you are seeking.

Provide the following information for Inspection Records requests

- Name, location and FEI number of the inspected facility.
- Inspection end date for EIR, 483 and related correspondence.
- Inspection type or program area (for example: Drug, Pharmacy compounding, Biologics, Devices, Food, Supplements, Feed, Tobacco).
- This information along with other identifiers may be found on the FDA Data Dashboard | FDA .

Request Details

Date Range of Requested Records: **From** 01/01/1950 mm/dd/yyyy **To** 07/18/2024 mm/dd/yyyy

***Subject (Maximum 2000 characters):**
Describe or list the type of records you are seeking. If you describe a product or health issue but do not describe the records you are seeking, we will not be able to process your request.

All studies in the possession/custody/control of the FDA, authored by anyone, anywhere:

1.
- that scientifically prove/provide evidence of the existence of any alleged "avian influenza virus" (showing that the alleged particles exist, invade and replicate in "host" cells and cause the illness/symptoms that they are alleged to cause).

Note: Scientific proof/evidence is not opinions, speculation, declarations, review papers or descriptive studies. Scientific evidence requires use of the scientific method to test falsifiable hypotheses through valid, rigorous, repeatable controlled experiments.

2.
- that describe the purification of particles that are alleged to be "avian influenza virus" directly from bodily fluid/tissue/excrement of so-called "hosts" (without adding any sources of genetic material or proteins), with purification confirmed via EM imaging (the images must be available as well).

Purify = separate from everything else in the clinical sample.

I am aware that according to "virus" dogma a "virus" requires host cells in order to replicate. I am not seeking records describing the replication of a "virus" without host cells or that describe a suspected "virus" floating in a vacuum or a strict fulfillment of Koch's Postulates. I am simply seeking records that describe purification (separation from everything else in the "host" sample). I am not seeking private patient records.

3.
- wherein the purported "genome" of any alleged "avian influenza virus" was found intact in the bodily fluid/tissue/excrement of a "host" (as opposed to fabricated in silico, aka a computer model).

4.
- that scientifically demonstrate contagion of the illness / symptoms that are allegedly caused by purported "avian influenza viruses".

If any records match the above description and are publicly available, please provide enough information about each one so that I may identify and access it with certainty (i.e. title, author(s), date, journal, URL, DOI).

Send via email.

Gmail **Christine, an unincorporated woman <cmssyc@gmail.com>**

FDA Receipt of FOI Request Control # 2024-6486

FDA_FOI@fda.gov <FDA_FOI@fda.gov> Tue, Jul 23, 2024 at 8:24 AM
To: cmssyc@gmail.com
Cc: FDAFOIA@fda.hhs.gov

Control number: 2024-6486

Please find the attached acknowledgement regarding your FOIA request.

Note: Do NOT reply directly to this E-mail

Acknowledgement Letter.PDF
63K

U.S. FOOD & DRUG ADMINISTRATION

July 23, 2024

In Reply refer to
FOIA Control #:
2024-6486

Requester reference:

FLUORIDE FREE PEEL
CHRISTINE: HOUSE OF MASSEY
c/o
[redacted]

Dear Requester:

The Food and Drug Administration (FDA) has received your Freedom of Information Act (FOIA) request for records regarding:

All studies in the possession/custody/control of the FDA, authored by anyone, anywhere: 1. - that scientifically prove/provide evidence of the existence of any alleged "avian influenza virus" (showing that the alleged particles exist, invade and replicate in "host" cells and cause the illness/symptoms that they are alleged to cause). Note: Scientific proof/evidence is not opinions, speculation, declarations, review papers or descriptive studies. Scientific evidence requires use of the scientific method to test falsifiable hypotheses through valid, rigorous, repeatable controlled experiments. 2. - that describe the purification of particles that are alleged to be "avian influenza virus" directly from bodily fluid/tissue/excrement of so-called "hosts" (without adding any sources of genetic material or proteins), with purification confirmed via EM imaging (the images must be available as well). Purify = separate from everything else in the clinical sample. I am aware that according to "virus" dogma a "virus" requires host cells in order to replicate. I am not seeking records describing the replication of a "virus" without host cells or that describe a suspected "virus" floating in a vacuum or a strict fulfillment of Koch's Postulates. I am simply seeking records that describe purification (separation from everything else in the "host" sample). I am not seeking private patient records. 3. - wherein the purported "genome" of any alleged "avian influenza virus" was found intact in the bodily fluid/tissue/excrement of a "host" (as opposed to fabricated in silico, aka a computer model). 4. - that scientifically demonstrate contagion of the illness / symptoms that are allegedly caused by purported "avian influenza viruses". If any records match the above description and are publicly available, please provide enough information about each one so that I may identify and access it with certainty (i.e. title, author(s), date, journal, URL, DOI). Send via email.

In processing your FOIA request, FDA will apply, as appropriate, the FOIA exemptions in 5 USC 552(b) and the foreseeable harm standard in 5 USC 552(a)(8)(i). We will respond as soon as possible and may charge you a fee for processing your request. If your informational needs change, and you no longer need the requested records, please contact us to cancel your request, as charges may be incurred once processing of your request has begun. For more information on processing fees, please see http://www.fda.gov/RegulatoryInformation/FOI/FOIAFees/default.htm. PLEASE NOTE: HOURLY RATES FOR SEARCH AND REVIEW INCREASED FOR ALL REQUESTS RECEIVED ON OR AFTER JUNE 1, 2023.

Due to an increase in the number of incoming requests, we may be unable to comply with the twenty-working-day time limit in this case, as well as the ten additional days provided by the FOIA. The actual processing time will depend on the complexity of your request and whether sensitive records, voluminous records, extensive search, and/or consultation with other HHS components or other executive branch agencies are involved. Please note that requests for medical device approval records (e.g. 510K, PMA, DEN) may take up to 18 to 24 months to process.

If you have any questions about your request, please call Sarah B. Kotler, Director, Division Of Freedom Of Information, at (301) 796-8976 or write to us at:
Food and Drug Administration
Division of Freedom of Information
5630 Fishers Lane, Room 1035
Rockville, MD 20857

If you call or write, use the FOIA control number provided above which will help us to answer your questions more quickly.

You also have the right to seek dispute resolution services from:

Office of Government Information Services
National Archives and Administration
8601 Adelphi Road – OGIS

and/or

FDA FOIA Public Liaison
Office of the Executive Secretariat
US Food and Drug Administration

College Park, MD 20740-6001
Telephone:202-741-5770
Toll-Free: 1-877-684-6448
Email:ogis@nara.gov
Fax: 202-741-5769

5630 Fishers Lane, Room 1050
Rockville, MD 20857
Email: FDAFOIA@fda.hhs.gov

Sincerely,

SARAH KOTLER
Director

Gmail **Christine, an unincorporated woman <cmssyc@gmail.com>**

FDA Notification of FOI Expedite Request Denied Control # 2024-6486

FDA_FOI@fda.gov <FDA_FOI@fda.gov> Mon, Jul 29, 2024 at 8:48 AM
To: cmssyc@gmail.com
Cc: FDAFOIA@fda.hhs.gov

Control number: 2024-6486

Please find the attached response regarding your expedite request.

Note: Do NOT reply directly to this E-mail

Expedited Processing Denied.PDF
55K

U.S. FOOD & DRUG ADMINISTRATION

July 29, 2024

FLUORIDE FREE PEEL
CHRISTINE: HOUSE OF MASSEY
[redacted]

In Reply refer to
FOIA Control #:
2024-6486

Requester reference:

Dear Requester:

This is in reference to your request(s) for record(s) from the Food and Drug Administration (FDA) pursuant to the Freedom of Information Act (FOIA).

All studies in the possession/custody/control of the FDA, authored by anyone, anywhere: 1. - that scientifically prove/provide evidence of the existence of any alleged "avian influenza virus" (showing that the alleged particles exist, invade and replicate in "host" cells and cause the illness/symptoms that they are alleged to cause). Note: Scientific proof/evidence is not opinions, speculation, declarations, review papers or descriptive studies. Scientific evidence requires use of the scientific method to test falsifiable hypotheses through valid, rigorous, repeatable controlled experiments. 2. - that describe the purification of particles that are alleged to be "avian influenza virus" directly from bodily fluid/tissue/excrement of so-called "hosts" (without adding any sources of genetic material or proteins), with purification confirmed via EM imaging (the images must be available as well). Purify = separate from everything else in the clinical sample. I am aware that according to "virus" dogma a "virus" requires host cells in order to replicate. I am not seeking records describing the replication of a "virus" without host cells or that describe a suspected "virus" floating in a vacuum or a strict fulfillment of Koch's Postulates. I am simply seeking records that describe purification (separation from everything else in the "host" sample). I am not seeking private patient records. 3. - wherein the purported "genome" of any alleged "avian influenza virus" was found intact in the bodily fluid/tissue/excrement of a "host" (as opposed to fabricated in silico, aka a computer model). 4. - that scientifically demonstrate contagion of the illness / symptoms that are allegedly caused by purported "avian influenza viruses". If any records match the above description and are publicly available, please provide enough information about each one so that I may identify and access it with certainty (i.e. title, author(s), date, journal, URL, DOI). Send via email.

The Electronic Freedom of Information Act (EFOIA) Amendments of 1996 amended the FOIA by adding section (a)(6)(E), 5 U.S.C. 552(a)(6)(E), to require agencies to consider requests for expedited processing and grant them whenever a "compelling need" is shown and in other cases as determined by the agency. The term "compelling need" is defined as (1) involving "an imminent threat to the life or physical safety of an individual," or (2) in the case of a request made by "a person primarily engaged in disseminating information, urgency to inform the public concerning actual or alleged Federal Government activity."

I have determined that your request for expedited processing does not meet the criteria under the FOIA. You have not demonstrated a compelling need that involves an imminent threat to the life or physical safety of an individual. Neither have you demonstrated that there exists an urgency to inform the public concerning actual or alleged Federal Government activity. Therefore, I am denying your request for expedited processing. The responding agency office will process your request in the order in which it was received.

In accordance with 45 CFR § 5.61 and 21 CFR § 20.41(b)(5), you have the right to appeal this determination. Your appeal should clearly identify the agency determination that is being appealed. It would be helpful if you provide specific reasons explaining why you believe the agency's adverse determination should be reconsidered. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision. Your appeal must be mailed within 90 days from the date of this response, to: Director, Office of the Executive Secretariat, U.S. Food & Drug Administration, 5630 Fishers Lane, Room 1050, Rockville, MD 20857, or emailed within 90 days from the date of this response to FDAFOIA@fda.hhs.gov. Please clearly mark both the envelope and your letter "FDA Freedom of Information Act Appeal." Items arriving or delivered after 5 p.m. Eastern Time will be deemed received on the next workday.

You may also contact the FDA FOIA Public Liaison, Office of the Executive Secretariat, 5630 Fishers Lane, Room 1050, Rockville, MD 20857; email: FDAFOIA@fda.hhs.gov.

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is: Office of Government Information

Services, National Archives and Records Administration, 8601 Adelphi Road–OGIS, College Park, MD 20740-6001, Telephone: 202-741-5770, Toll-Free: 1-877-684-6448, E-mail: ogis@nara.gov, Fax: 202-741-5769.

Sincerely,

SARAH KOTLER
Director

Gmail **Christine, an unincorporated woman <cmssyc@gmail.com>**

FDA Notification of FOI Expedite Request Denied Control # 2024-6486

Christine, an unincorporated woman <cmssyc@gmail.com> Mon, Jul 29, 2024 at 10:44 AM
To: FDA_FOI@fda.gov, "Kotler, Sarah" <sarah.kotler@fda.hhs.gov>
Cc: FDAFOIA@fda.hhs.gov

Notice to agent is notice to principal; notice to principal is notice to agent.

Good morning SARAH KOTLER,

Thank you for your letter. I am disappointed by your decision and it suggests a cavalier attitude towards all the loss, harm and suffering that results from pseudoscientific claims of "viruses".

Capitalizing "FLUORIDE FREE PEEL" and "CHRISTINE: HOUSE OF MASSEY" is incorrect. I ask that you kindly send a corrected letter.

Regards,
Christine
[Quoted text hidden]

Gmail **Christine, an unincorporated woman <cmssyc@gmail.com>**

FDA Notification of FOI Expedite Request Denied Control # 2024-6486

postmaster@fda.hhs.gov <postmaster@fda.hhs.gov> Mon, Jul 29, 2024 at 10:44 AM
To: cmssyc@gmail.com

Delivery has failed to these recipients or groups:

FDA_FOI@fda.gov

The email address you entered couldn't be found. Please check the recipient's email address and try to resend the message. If the problem continues, please contact your email admin.

Diagnostic information for administrators:

Generating server: FDSWV30901.fda.gov

FDA_FOI@fda.gov
Remote Server returned '550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient not found by SMTP address lookup'

Original message headers:

```
Received: from FDSWV09481.fda.gov (10.168.16.140) by FDSWV30901.fda.gov
 (10.185.43.41) with Microsoft SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id 15.2.1544.9; Mon, 29 Jul
 2024 10:44:22 -0400
Received: from ironport7.fda.gov (10.168.18.36) by FDSWV09481.fda.gov
 (10.168.17.131) with Microsoft SMTP Server id 15.2.1544.9 via Frontend
 Transport; Mon, 29 Jul 2024 10:44:22 -0400
Received-SPF: None (smtp7.fda.gov: no sender authenticity
  information available from domain of cmssyc@gmail.com)
  identity=pra; client-ip=2607:f8b0:4864:20::832;
  receiver=smtp7.fda.gov; envelope-from="cmssyc@gmail.com";
  x-sender="cmssyc@gmail.com"; x-conformance=sidf_compatible
Received-SPF: Pass (smtp7.fda.gov: domain of cmssyc@gmail.com
  designates 2607:f8b0:4864:20::832 as permitted sender)
  identity=mailfrom; client-ip=2607:f8b0:4864:20::832;
  receiver=smtp7.fda.gov; envelope-from="cmssyc@gmail.com";
  x-sender="cmssyc@gmail.com"; x-conformance=sidf_compatible;
  x-record-type="v=spf1"; x-record-text="v=spf1
  ip6:2001:4860:4000::/36 ip6:2404:6800:4000::/36
  ip6:2607:f8b0:4000::/36 ip6:2800:3f0:4000::/36
  ip6:2a00:1450:4000::/36 ip6:2c0f:fb50:4000::/36 ~all"
Received-SPF: None (smtp7.fda.gov: no sender authenticity
  information available from domain of
  postmaster@mail-qt1-x832.google.com) identity=helo;
  client-ip=2607:f8b0:4864:20::832; receiver=smtp7.fda.gov;
  envelope-from="cmssyc@gmail.com";
  x-sender="postmaster@mail-qt1-x832.google.com";
  x-conformance=sidf_compatible
Authentication-Results: smtp7.fda.gov; spf=None smtp.pra=cmssyc@gmail.com; spf=Pass
smtp.mailfrom=cmssyc@gmail.com; spf=None smtp.helo=postmaster@mail-qt1-x832.google.com; dkim=pass
(signature verified) header.i=@gmail.com; dmarc=pass (p=none dis=none) d=gmail.com
```

Gmail **Christine, an unincorporated woman <cmssyc@gmail.com>**

FDA Notification of FOI Expedite Request Denied Control # 2024-6486

Christine, an unincorporated woman <cmssyc@gmail.com> Mon, Jul 29, 2024 at 11:01 AM
To: FDA_FOI@fda.gov, "Kotler, Sarah" <sarah.kotler@fda.hhs.gov>
Cc: FDAFOIA@fda.hhs.gov

p.s. I consider sending communication from an email address and telling the recipient (in a different font) "Do NOT reply directly to this E-mail" an act of bad faith. The fact that my response to FDA_FOI@fda.gov bounced back is also disturbing.
[Quoted text hidden]

Gmail **Christine, an unincorporated woman <cmssyc@gmail.com>**

FDA FOIA 2024-6486

Kotler, Sarah <Sarah.Kotler@fda.hhs.gov> Mon, Jul 29, 2024 at 2:23 PM
To: "cmssyc@gmail.com" <cmssyc@gmail.com>

Dear Requester,

I am writing in response to your request for:

All studies in the possession/custody/control of the FDA, authored by anyone, anywhere: 1. - that scientifically prove/provide evidence of the existence of any alleged "avian influenza virus" (showing that the alleged particles exist, invade and replicate in "host" cells and cause the illness/symptoms that they are alleged to cause). Note: Scientific proof/evidence is not opinions, speculation, declarations, review papers or descriptive studies. Scientific evidence requires use of the scientific method to test falsifiable hypotheses through valid, rigorous, repeatable controlled experiments. 2. - that describe the purification of particles that are alleged to be "avian influenza virus" directly from bodily fluid/tissue/excrement of so-called "hosts" (without adding any sources of genetic material or proteins), with purification confirmed via EM imaging (the images must be available as well). Purify = separate from everything else in the clinical sample. I am aware that according to "virus" dogma a "virus" requires host cells in order to replicate. I am not seeking records describing the replication of a "virus" without host cells or that describe a suspected "virus" floating in a vacuum or a strict fulfillment of Koch's Postulates. I am simply seeking records that describe purification (separation from everything else in the "host" sample). I am not seeking private patient records. 3. - wherein the purported "genome" of any alleged "avian influenza virus" was found intact in the bodily fluid/tissue/excrement of a "host" (as opposed to fabricated in silico, aka a computer model). 4. - that scientifically demonstrate contagion of the illness / symptoms that are allegedly caused by purported "avian influenza viruses". If any records match the above description and are publicly available, please provide enough information about each one so that I may identify and access it with certainty (i.e. title, author(s), date, journal, URL, DOI). Send via email.

The FDA does not regulate or treat viruses. The FDA is responsible for protecting the public health by ensuring the safety, efficacy, and security of human and veterinary drugs, biological products, and medical devices; and by ensuring the safety of our nation's food supply, cosmetics, and products that emit radiation. Therefore, we have no responsive records. If you are interested, we have already made information public regarding the milk supply (Updates on Highly Pathogenic Avian Influenza (HPAI) | FDA) and the process for approval of Avian Influenza test kits. (Influenza Diagnostic Tests | FDA).

In accordance with 45 CFR § 5.61 and 21 CFR § 20.41(b)(5), you have the right to appeal this determination. Your appeal should clearly identify the agency determination that is being appealed. It would be helpful if you provide specific reasons explaining why you believe the agency's adverse determination should be reconsidered. By filing an appeal, you preserve your rights under FOIA

and give the agency a chance to review and reconsider your request and the agency's decision. Your appeal must be mailed within 90 days from the date of this response, to: Director, Office of the Executive Secretariat, U.S. Food & Drug Administration, 5630 Fishers Lane, Room 1050, Rockville, MD 20857, or emailed within 90 days from the date of this response to FDAFOIA@fda.hhs.gov. Please clearly mark both the envelope and your letter "FDA Freedom of Information Act Appeal." Items arriving or delivered after 5 p.m. Eastern Time will be deemed received on the next workday.

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, please contact me at 301-796-8976 or Sarah.Kotler@fda.hhs.gov.

Please contact me if you have questions about your request. You may also contact the FDA FOIA Public Liaison for assistance at: Office of the Executive Secretariat, US Food & Drug Administration, 5630 Fishers Lane, Room 1050, Rockville, MD 20857, E-mail: FDAFOIA@fda.hhs.gov.

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road–OGIS, College Park, MD 20740-6001; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769; e-mail at ogis@nara.gov.

Sincerely,

Sarah B. Kotler, J.D.

Director, Division of Freedom of Information

US FDA

301-796-8976