



Apex Fitness Group™
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July 29, 2005

Food and Drug Administration
Office of Special Nutritionals (HFS-450)
Center for Food Safety and Applied Nutrition
200 C Street SW
Washington, DC 20204

AUG - 9 2005

Dear Sirs:

Notice is hereby given pursuant to Section 403 (r)(6)(21 U.S.C. 343(r)(6)) of the Federal Food Drug and Cosmetic Act that Apex Fitness Group, 100 Camino Ruiz, Camarillo, CA 93012 has marketed a dietary supplement under Apex Fitness Group Fat Burn 2 "Expenditure (Pyruvate)" bearing the following statement(s) on the label and/or in the labeling:

- (Statement 1) Accelerated fat loss & enhanced calorie burn for all body types
- (Statement 2) "Who" Anyone looking to increase calorie burn with-out caffeine or other nervous system stimulants
- (Statement 3) "Burn more calories" Study participants on a low calorie diet lost more fat and weight when using Pyruvate than those who did not
- (Statement 4) "Advanced delivery system" Unique slow-release extends delivery of active ingredients up to 10 hours

The undersigned certifies that the information contained in this notice is complete and accurate and that Apex Fitness Group has substantiation that the statement(s) is truthful and not misleading. Pursuant to 101.93 (a)(1), two copies of this notification are enclosed.

Jim Starr
Director Product Development

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