



OCT - 7 2004

Mr. Jonathan W. Emord  
Emord & Associates, P.C.  
5282 Lyngate Court  
Burke, Virginia 22015 .

Re: Docket No. 2004P-0129

Dear Mr. Emord:

This letter responds to your citizen petition dated April 8, 2004 submitted on behalf of American Longevity, Inc., requesting that the Food and Drug Administration (FDA) modify 21 CFR Pt. 101.93 to include structure/function claims with disclaimers that eliminate perceived disease connotations.

In accordance with Title 21 of the Code of Federal Regulations (21 CFR) 10.30(e)(2), this letter is to advise you that we have not been able to reach a decision on your petition within the first 180 days of its receipt because of other Agency priorities and the limited availability of resources.

Sincerely yours,

Barbara O. Schneeman, Ph.D.  
Director  
Office of Nutritional Products, Labeling  
and Dietary Supplements  
Center for Food Safety  
and Applied Nutrition

2004P-0129

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