



Apex Fitness Group™
 100 Camino Ruiz
 Camarillo, CA 93012

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2739	1330	1370

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July 29, 2005

AUG - 9 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

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 3 "Intense Thermogenics" bearing the following statement(s) on the label and/or in the labeling:

- (Statement 1) Maximum strength
- (Statement 2) Burn more calories with caffeine & green tea extract
- (Statement 3) "Who" those who want calorie burn with a caffeine boost
- (Statement 4) "Caffeine" helps increase fat loss and energy expenditure
- (Statement 5) "Green Tea" may aid in enhancing energy expenditure
- (Statement 6) "L-theanine" supports the effects of green tea

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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