

iovate Health Sciences U.S.A. Inc.
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Oct 17, 2005

Office of Nutritional Products, Labeling, and Dietary Supplements (HFS-800)
Center for Food Safety and Applied Nutrition
Food and Drug Administration
5100 Paint Branch Parkway
College Park, MD 20740

NOTIFICATION OF STATEMENT OF NUTRITIONAL SUPPORT

Dear Sir or Madam:

In accordance with Section 403(r)(6) of the Federal Food, Drug, and Cosmetic Act, and pursuant to 21 C.F.R. § 101.93, we hereby provide the following notice with regard to the marketing of the Dietary Supplement described below:

Distributor: Iovate Health Sciences U.S.A. Inc., 3880 Jeffrey Blvd., Blasdell, NY 14219

Name of Supplement: **VIVABODY™**

Statement of Nutritional Support:

ALL-DAY ENERGY + CALORIE BURNING
EXTENDED RELEASE

WORKS FAST. LASTS ALL DAY.
Burn through life and calories too

Introducing VivaBody – the new, time-release all-day energy product that noticeably increases your energy levels as well as your calorie burning potential throughout the day. The advanced, pharmaceutical-grade extended-release technology in VivaBody helps to provide you, the modern woman, the sustained energy you need throughout your busy day, while burning calories at the same time. All in one easy serving in the morning!

EnergyCal™ – a proprietary blend of green tea, oolong tea and white tea extracts plus caffeine – is delivered via a patented extended time-release delivery system that helps you sustain energy for your workday and also burn calories. In fact, scientific studies support the effectiveness of tea extracts and caffeine in increasing daily caloric expenditure. In conjunction with a calorie-reduced diet and a regular exercise program, VivaBody helps you burn more calories, which is essential in helping you stay slim.

To the best of my knowledge, the information contained in this notice is complete and accurate, and Iovate Health Sciences USA Inc. has substantiation that the statements are truthful and not misleading.

Sincerely,

Shan Chaudhuri
Regulatory Affairs Manager

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