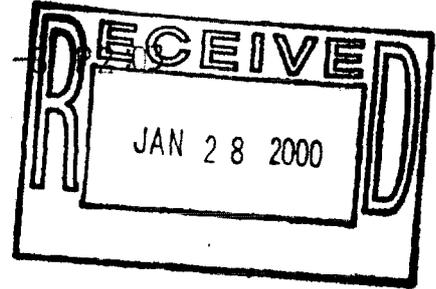


LAW OFFICES

W. PATRICK NOONAN
A PROFESSIONAL CORPORATION

8054 '00 FEB
WARNER CENTER PLAZA, SUITE 840
21800 OXNARD STREET
WOODLAND HILLS, CALIFORNIA 91367
TELEPHONE (818) 887-5600
TELECOPIER (818) 887-7099



January 24, 2000

BY FEDERAL EXPRESS

Lynn A. Larsen, Ph.D.
Director
Division of Programs and Enforcement Policy
Office of Special Nutritionals
Center for Food Safety and Applied Nutrition
Food and Drug Administration HFS-455
Federal Building 8, 200 C Street, S.W.
Washington, D.C. 20204

Re: Performance Labs, Inc.

Dear Dr. Larsen:

We have been requested by Performance Labs, Inc. (PLI) located at 5115 Douglas Fir Road, Unit #1, Calabasas, California 91302-1441 to respond to your letter dated November 17, 1999 concerning the notification required by Section 403 (r)(6) of the Federal Food Drug and Cosmetic Act (FDC) and a Food and Drug Administration (FDA) regulation at 21 CFR 101.93.

In response to your concern that the prior Section 403(r)(6) notifications previously sent to FDA by PLI did not comply with 21 CFR § 101.93(a)(3), enclosed are the following properly certified notifications:

- (1) Vitalert®
- (2) RelaxMax®
- (3) ImmuMax™
- (4) GarliMax®
- (5) AcidFree™
- (6) CardioMax™

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LET 4926

W. PATRICK NOONAN, P.C.

January 24, 2000
Lynn A. Larsen, Ph.D
Page 2

Please note that the composition and labeling for the PLI AcidFree™ product will comply with the requirements of 21 CFR 101.72 for a health claim on the relationship between Calcium and osteoporosis. The enclosed 403 (r)(6) notification for the AcidFree™ product further responds to your November 17, 1999 communication concerning the products' ability to defend against harmful bacteria. The new labeling for AcidFree™ should be in the marketplace by mid-year.

Please further note that the Section 403(r)(6) notifications for the CardioMax™ and the RelaxMax™, PLI products include dietary supplement structure and function claims that will be utilized in future labeling. We anticipate the labeling for these products will also be in the marketplace by mid-year. Our review of the CardioMax™ and RelaxMax™ structure and function label claims indicate they are in compliance with FDA's final rule at 21 CFR 101.93 (f)(g).

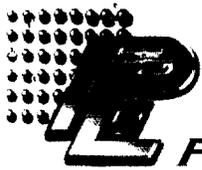
If you should have any further questions concerning the enclosed Section 403(r)(6) notifications submitted by PLI, please contact me.

Sincerely,



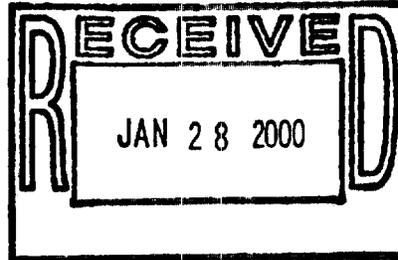
W. Patrick Noonan

WPN:seh



PERFORMANCE LABS, INC.

January 7, 2000



Office of Special Nutritionals (HFS-450)
FDA-CFSAN
200 C Street, S.W.
Washington, DC 20204

Dear Sirs:

In accordance with the statutory provisions of 21 USC 343(r)(6), we are providing you with notice of the type of statement(s) to which that section refers.

Distributor's name and address:

Performance Labs, Inc., 5115 Douglas Fir Road, Unit I, Calabasas, CA 91302-1441.

Statements:

Complete High Potency Formula with Energizing Herbs

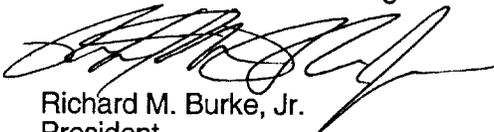
Made to exceed USP standards, adult strength Vitalert combines Natural Herbs and Bee Pollen with more Vitamins, Minerals and Electrolytes than any leading multivitamin available. Take Vitalert every day -- it's the original *Energizing Multivitamin!*TM

- Potency TestedTM by independent laboratories.
- Suitable for vegetarians and diabetics.

Name of the supplement bearing the label or associated with the labeling:

Performance Labs Inc.-**Vitalert**®

I, Richard M. Burke, Jr., President, certify that the information contained in the notice is complete and accurate, and that Performance Labs., Inc. has substantiated that the statement is truthful and not misleading.



Richard M. Burke, Jr.
President



January 7, 2000

Office of Special Nutritionals (HFS-450)
FDA-CFSAN
200 C Street, S.W.
Washington, DC 20204

Dear Sirs:

In accordance with the statutory provisions of 21 USC 343(r)(6), we are providing you with notice of the type of statement(s) to which that section refers.

Distributor's name and address:

Performance Labs, Inc., 5115 Douglas Fir Road, Unit I, Calabasas, CA 91302-1441.

Statement(s):

Naturally Promotes Relaxation & Stress Reduction; Safe & Natural Mood Boosters*

Fast-Acting Relaxation Formula; Won't Dampen Mental Alertness*

RelaxMax combines the herbs and micronutrients most closely associated with stress reduction and mood enhancement - without the drowsiness.*

RelaxMax helps you manage stress while staying focused through a remarkable blend of herbs and micronutrients that quickly and naturally promote relaxation without depleting your energy.*

Clinical studies on the ingredients in RelaxMax support their effectiveness in relieving stress and improving your mental outlook.* RelaxMax provides these benefits safely - without unpleasant side effects.*

Kava Kava—a South Pacific shrub cultivated for thousands of years, has a fast-acting, relaxing influence on the central nervous system.*

St. John's Wort—used for centuries in Europe for its beneficial effects on mood.*

Ginkgo Biloba—an ancient Chinese herbal brain-booster, improves memory and cognitive function.*

Siberian Ginseng—adaptogenic properties help to balance body functions under stress.*

Gotu Kola—used in India to increase mental alertness and rejuvenate the brain.*

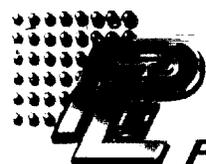
Bacopa Monniera—popular in both India and Japan as a nerve tonic.*

Name of the supplement bearing the label or associated with the labeling:

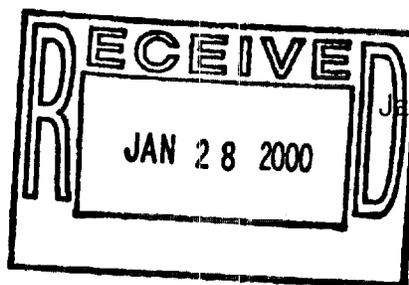
Performance Labs Inc.—**RelaxMax™**

I, Richard M. Burke, Jr., President, certify that the information contained in the notice is complete and accurate, and that Performance Labs., Inc. has substantiated that the statement is truthful and not misleading.

Richard M. Burke, Jr.
President



PERFORMANCE LABS, INC.



January 7, 2000

Office of Special Nutritionals (HFS-450)
FDA-CFSAN
200 C Street, S.W.
Washington, DC 20204

Dear Sirs:

In accordance with the statutory provisions of 21 USC 343(r)(6), we are providing you with notice of the type of statement(s) to which that section refers.

Distributor's name and address:

Performance Labs, Inc., 5115 Douglas Fir Road, Unit I, Calabasas, CA 91302-1441.

Statement(s):

Naturally Boosts Your Body's Defenses*

Nutritional Defense Health Formula*

ImmuMax combines the herbs and micronutrients most closely associated with healthy immune system function.*

ImmuMax's powerful formula uses EchinaceaDX™ with 8% phenolic compounds-double the amount of standard extracts-in combination with the herbs and micronutrients most closely associated with immune system vitality.* Clinical studies have demonstrated their effectiveness in supporting the body's natural defenses-without unpleasant side effects.*

Echinacea - Extensive German research has demonstrated the powerful immune system support of this North American wildflower.*

Goldenseal - This native American plant, known for its health-promoting properties, is especially effective when used in combination with Echinacea.*

Goldthread - Like Goldenseal, Goldthread contains beneficial alkaloids that support the body's natural defenses.*

Astragalus - An important Chinese herb with a 2,000-year-old reputation as an immune system tonic.*

Name of the supplement bearing the label or associated with the labeling:

Performance Labs Inc.-**ImmuMax™**

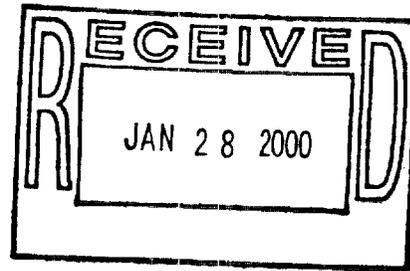
I, Richard M. Burke, Jr., President, certify that the information contained in the notice is complete and accurate, and that Performance Labs., Inc. has substantiated that the statement is truthful and not misleading.

Richard M. Burke, Jr.
President



PERFORMANCE LABS, INC.

January 7, 2000



Office of Special Nutritionals (HFS-450)
FDA-CFSAN
200 C Street, S.W.
Washington, DC 20204

Dear Sirs:

In accordance with the statutory provisions of 21 USC 343(r)(6), we are providing you with notice of the type of statement(s) to which that section refers.

Distributor's name and address:

Performance Labs, Inc., 5115 Douglas Fir Road, Unit I, Calabasas, CA 91302-1441.

Statements:

* FOS for healthy digestion

AcidFree™ The Acid-Neutralizing Digestive Aid™

AcidFree is an advanced, non-drug digestive aid that helps you maintain everyday stomach comfort.* In fact, regular use of AcidFree may actually promote a healthy GI tract.*

Taken before or after a meal, calcium-rich AcidFree neutralizes acidic foods, while natural plant enzymes help you absorb the important nutrients your body needs to stay healthy.*

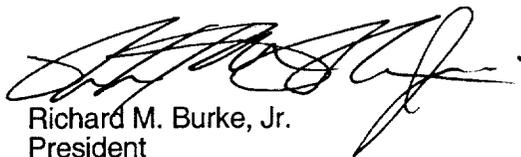
Studies indicate that FOS stimulate the growth of beneficial intestinal flora - a natural part of your body's defenses.*

AcidFree contains precipitated calcium carbonate - one of the purest and most easily absorbed forms of dietary calcium.*

Name of the supplement bearing the label or associated with the labeling:

Performance Labs Inc.-**AcidFree™**

I, Richard M. Burke, Jr., President, certify that the information contained in the notice is complete and accurate, and that Performance Labs., Inc. has substantiated that the statement is truthful and not misleading.



Richard M. Burke, Jr.
President