



DEPARTMENT OF HEALTH & HUMAN SERVICES

4553 Public Health Service

Food and Drug Administration
College Park, MD 20745-73

JUL 25 2007

Ms. Sally Ganley
Director-Quality Control
Microgravity Enterprises, Inc.
3200 Carlisle Blvd. NE
Albuquerque, New Mexico 87110

Dear Ms. Ganley:

This is in response to your letter of June 29, 2007 to the Food and Drug Administration (FDA) pursuant to 21 U.S.C. 343(r)(6) (section 403(r)(6) of the Federal Food, Drug, and Cosmetic Act (the Act)) for the product **The Antimatter Energy**.

21 U.S.C. 321(ff) defines the term "dietary supplement." As defined by the Act, a dietary supplement does not include a product represented for use as a conventional food or as a sole item of a meal or the diet (21 U.S.C. 321(ff)(2)(B)). The product identified above appears to be represented for use as a conventional food, namely it is promoted as an energy drink. Energy drinks are conventional foods. Therefore, in that it appears to be represented for use as a conventional food (i.e., an energy drink or beverage), it does not appear to be a dietary supplement within the meaning of 21 U.S.C. 321(ff) and claims made for it are not subject to 21 U.S.C. 343(r)(6).

Instead, this product appears to be a conventional food that must meet the regulatory requirements that apply to conventional foods rather than those requirements that apply to dietary supplements. Briefly, it must bear nutrition labeling in accordance with 21 CFR 101.9 and claims may be made for the product in its labeling if they are claims defined by 21 U.S.C. 343(r)(1) or 21 U.S.C. 321(g)(1)(C) that may be made for conventional foods. Additionally, under the Act, any ingredient intentionally added to a conventional food must be used in accordance with a food additive regulation unless it is generally recognized as safe (GRAS) among qualified experts for its intended use in food. Use of a food ingredient that is not GRAS or an approved food additive causes a food to be adulterated under 21 U.S.C. 342(a)(2)(C) and cannot be legally marketed in the U.S. If you intend to market this product as a conventional food and you have any questions about the status of any of its ingredients, you should direct them to FDA's Office of Food Additive Safety (HFS-200), 5100 Paint Branch Parkway, College Park, MD 20740.

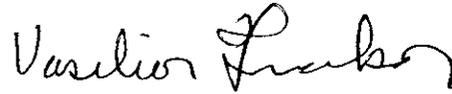
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Page 2 - Ms. Sally Ganley

Please contact us if you require further assistance.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Vasilios Frankos". The signature is fluid and cursive, with a large initial "V" and a long, sweeping tail.

Vasilios H. Frankos, Ph..D.
Director
Division of Dietary Supplement Programs
Office of Nutrition, Labeling
and Dietary Supplements
Center for Food Safety
and Applied Nutrition

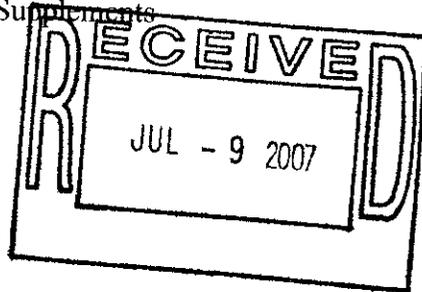
Copies:

FDA, Center for Drug Evaluation and Research, Office of Compliance, HFD-310
FDA, Office of the Associate Commissioner for Regulatory Affairs, Office of
Enforcement, HFC-200
FDA, Dallas District Compliance, HFR-SW140



June 29, 2007

Dr. Barbara O. Schneeman
Director
Office of Nutrition Products, Labeling, and Dietary Supplements
Center for Food Safety and Applied Nutrition
CFSAN/OCD/ONLDS, HSF 800
Food and Drug Administration
5100 Paint Branch Parkway
College Park, MD 20740



Ref: 30 day notification for use of the disclaimer statement provided in section 403(r)(6) of the Food, Drug, and Cosmetic Act on the label of Antimatter Energy Drink

Dear Dr. Schneeman:

Pursuant to 21CFR§101.93(a), this letter is notification that Microgravity Enterprises, Inc. will begin distributing and marketing Antimatter Energy Drink on June 30, 2007.

The Antimatter Energy Drink label contains the following verbiage (see attachment for a copy of the label):

“Antimatter is produced from ingredients flown in space and is designed to help improve your mental focus, reaction time, and physical stamina.”

The product label bears the required DSHEA disclaimer statement: “This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.”

The information contained in this notification is, to the best of my knowledge, complete and accurate. We have substantiation on file that these claims are truthful and not misleading.

Please contact me at (505) 250-5657 if you have any questions.

Sincerely,

Sally Ganley
Director-Quality Control
Microgravity Enterprises, Inc.
Sally.ganley@MicrogravityEnterprises.com

2007-4603

3200 Carlisle Blvd. NE
Suite 200
Albuquerque, NM 87110
(505) 889-4566
www.MicrogravityEnterprises.com

722



WARNING! Open With Caution... Contents have been subjected to microgravity during space flight.

antimatter™

Space Flight Activation
 Launch Date: 04/28/07
 Location: Spaceport America, NM
 Vehicle: ST-2
 See our website for flight info



With Spaceflight-
 Enriched Vitamin
 Power Complex

ANTIMATTER™
 8.4 FL OZ (250ml)

Thank You! Your purchase supports our education outreach initiative. MEI is donating a portion of our payload mass on each launch for research and education experiments. Visit our website for details and how you can participate. www.AntimatterToADrink.com

ANTIMATTER™ is produced from ingredients flown in space and is designed to help improve your mental focus, reaction time, and physical stamina.*



Supplement Facts

Serving Size 8.4 fl oz (250 ml)
 Servings Per Container 1

	Amount Per Serving	% Daily Value
Calories	160	
Total Fat	0 g	0%
Total Carbohydrate	40 g	13%
Sugars	37 g	
Vitamin C	60 mg	100%
Niacin	20 mg	100%
Vitamin B6	7 mg	350%
Vitamin B12	11 mcg	180%
Pantothenic Acid	5 mg	50%
Sodium	5 mg	0%
L-Arginine	50 mg	**
Caffeine	80 mg	**
Taurine	75 mg	**
Panax Ginseng Extract	50 mg	**
Guarana Extract	50 mg	**
Glucuronolactone	75 mg	**
Inositol	25 mg	**
Ginkgo Biloba Extract	50 mg	**
Milk Thistle Extract	50 mg	**
Grape Seed Extract	50 mg	**
Gotu Kola Extract	50 mg	**
Cinnamon Extract	50 mg	**

** Daily Value not established
 *Percent Daily Values are based on a 2,000 calorie diet.

Not recommended for children, pregnant or nursing women, or those sensitive to caffeine.

* This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.

INGREDIENTS: Carbonated Water, High Fructose Corn Syrup, Citric Acid, Natural Flavors, Caffeine, Taurine, Glucuronolactone, Ascorbic Acid, L-Arginine, Panax Ginseng Extract, Ginkgo Biloba Extract, Guarana Extract, Cinnamon Extract, Grape Seed Extract, Gotu Kola Extract, Milk Thistle Extract, Guaran Berberine, Potassium Sorbate, Inositol, Niacin, Vitamin B6, Pantothenic Acid, Vitamin B12.

Distributed by:
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 Albuquerque, NM 87122
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www.AntimatterToADrink.com



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