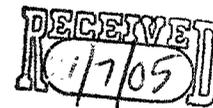




1499 High Ridge Rd., Boynton Beach, FL 33426



December 1, 2004

Food and Drug Administration
Office of Special Nutritionals (HFS-450)
Center of Food Safety and Applied Nutrition
200 C Street SW
Washington, DC 20204

Dear Sirs / Madam:

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, Vitalstate, Inc. 1499 High Ridge Road, Boynton Beach, Florida 33426 has marketed a dietary supplement under the name Vitalstate Innovative Technologies / Creatine Actijube bearing the following statement(s) on the label and/or in the labeling:

Advanced Delivery System. No mixing – Easy to Use – No Water Needed – Portable and Ready to Use. Supports Muscle Performance and Recovery.

Creatine is very susceptible to pH shift in manufacturing and becomes unstable under heated conditions This results in a conversion to creatinine which renders the creatine ineffective. The patent pending low temperature process used in the production of the Creatine Actijube secures the creatine at the molecular level, protecting it and ensuring its delivery into the system. Scientific data and clinical testing has shown the increased effectiveness of creative delivered via Actijube. The Actijube is a chewable substance with the texture and appearance of a gummy or jujube. When used in conjunction with proper diet and exercise the creatine in Creatine Actijube has been shown to promote lean muscle mass, enhance strength, boost energy and increase recovery.

The ActiJube Advanced Pharmaceutical Delivery Technology is a patent-pending low-temperature formed matrix that "secures" the active ingredient or ingredients being delivered, thus protecting them and insuring their delivery in the system. The ActiJube is a chewable substance, having the texture and appearance resembling a gummy or jujube, is not manufactured like traditional confectionary forms. It is formulated in multiple premixes and combined under exacting staging specifications and timing to insure stability of the actives.

These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease. For Adult Use Only – Keep Out of reach of children. Do not exceed recommended daily dose.

The undersigned certifies that the information contained in this notice is complete and accurate and that Vitalstate, Inc. has substantiation that the statement(s) is truthful and is not misleading. Pursuant to 101.93 (a)(1), two copies of this notification are enclosed.

Sincerely,

[Handwritten signature of Terry Giles]

Terry Giles
President
Vitalstate Inc.
1499 High Ridge Road
Boynton Beach, Florida 33426

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