



1499 High Ridge Rd., Boynton Beach, FL 33426 • tel. 561.375.6333 fax. 561.375.6003

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March 15, 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 / Command Performance Kit for Athletes / Actijube bearing the following statement(s) on the label and/or in the labeling:

The Command Performance Kit for Athletes was developed for the individual dedicated to winning, dedicated to defeating the enemy – no matter who or what it is, whether it's the last rep, the last mile or the opponent's face staring back at you. Scientifically advanced formulations to support endurance, performance and recovery. For the athlete and weekend warrior. Command Performance when you are ready to win.

For Strength, Endurance and 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,

Terry Giles  
Chief Operating Officer  
Vitalstate Inc.  
1499 High Ridge Road  
Boynton Beach, Florida 33426

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