



APR - 3 2007

Ms. Darcy Manning
DHC USA, Inc.
450 Townsend
San Francisco, California 94107-1510

Dear Ms. Manning:

This is in response to your letter of March 20, 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)). Your submission states that DHC USA, Inc. is making the following claims, among others, for the following products:

DHC Vitamin C Hard Capsules

"[B]oosts immunity to help fight infections."

DHC Vitamin E

"[H]elp protect cells from free radicals, which can contribute to chronic conditions, including heart disease, high cholesterol...certain cancers."

DHC Echinacea (with Vitamin E)

"[H]elp stave off cold and flu symptoms...."

"Helps reduce Blood Cholesterol."

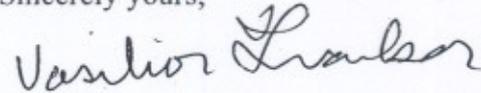
"Lowering Cholesterol."

21 U.S.C. 343(r)(6) makes clear that a statement included in labeling under the authority of that section may not claim to diagnose, mitigate, treat, cure, or prevent a specific disease or class of diseases. The statements that you are making for these products suggest that they are intended to treat, prevent, or mitigate diseases. These claims do not meet the requirements of 21 U.S.C. 343(r)(6). These claims suggest that these products are intended for use as drugs within the meaning of 21 U.S.C. 321(g)(1)(B), and that they are subject to regulation under the drug provisions of the Act. If your client intends to make claims of this nature, they should contact FDA's Center for Drug Evaluation and Research (CDER), Office of Compliance, HFD-310, Montrose Metro II, 11919 Rockville Pike, Rockville, Maryland 20852.

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Please contact us if we may be of further assistance.

Sincerely yours,

A handwritten signature in cursive script that reads "Vasilios Frankos".

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, San Francisco District Office, Office of Compliance, HFR-PA140

DHC USA Incorporated
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TEL: 415-908-1400 FAX: 415-318-2483
www.DHCcare.com



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Tokyo 106 JAPAN
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**NOTIFICATION PURSUANT TO
SECTION 6 OF DSHEA**

In compliance with Section 6 of the Dietary Supplement Health Education Act (DSHEA) and Rule 21 C.F.R. 101.93, this Notification is filed on behalf of:

DHC USA Incorporated
115 Sansome Street, Suite 400
San Francisco, CA 94104

DHC USA Incorporated is the distributor of the products which bear the statements identified in this Notification. The brand names for the products whose labels and/or labeling will bear the statements are: DHC Vitamin C Hard Capsules, DHC Vitamin E, and DHC Echinacea.

The text of each structure function claim for the supplements identified below is as follows:

<u>Statement</u>	<u>Supplement</u>
Statement 1: Fights free radicals	Vitamin C Hard Capsules
Statement 2: Promotes a healthy immune system	Vitamin C Hard Capsules
Statement 3: Vitamin C is essential to the body for collagen production, which helps you maintain healthy teeth, bones, and joints.	Vitamin C Hard Capsules
Statement 4: Vitamin C is an antioxidant that fights free radicals and is believed to boost immunity to help fight infections.	Vitamin C Hard Capsules
Statement 5: Fights free radicals	Vitamin E
Statement 6: Helps slow the oxidation of bad (LDL) cholesterol	Vitamin E

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Statement

Supplement

Statement 7: Vitamin E is a powerful antioxidant believed to help protect cells from free radicals, which can contribute to chronic conditions, including heart disease, high cholesterol, afflictions to the nervous system and eyes, and certain cancers.

Vitamin E

Statement 8: Promotes a healthy immune system

Echinacea (with Vitamin E)

Statement 9: Echinacea is an herb that has long been credited with stimulating the immune system to help stave off cold and flu symptoms and maintain good health.

Echinacea (with Vitamin E)

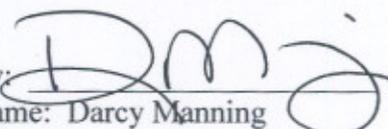
Statement 10: Antioxidant vitamin E is added as an additional immunity booster and free radical fighter.

Echinacea (with Vitamin E)

I, Darcy Manning, am authorized to certify this Notification on behalf of DHC USA Incorporated. I certify that the information presented and contained in this Notification is complete and accurate and that DHC USA Incorporated has substantiation that each statement is truthful and not misleading.

Date: March 20, 2007

DHC USA Incorporated

By: 
Name: Darcy Manning
Title: Corporate Counsel