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MCDERMOTT, WILL & EMERY

January 14, 2003

VIA FACSIMILE

Mr. Lyle D. Jaffe
Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane (Room 1061)
Rockville, Maryland 20852

Re: In the Matter of Notice of Hearing: Proposal to Withdraw
Approval of New Animal Drug Application for Enrofloxacin
for Poultry ("Enrofloxacin Hearing")
FDA Docket: 00N-1571

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Dear Mr. Jaffe:

This letter is to confirm that Exhibit B-1169, pages 200-213 and 375-384 need not be treated as confidential materials by the Docket. These documents are marked "Confidential" and appear to have been written by employees of the Upjohn Company. These documents were given to an individual who is now a Bayer employee (though he was not at the time he obtained the documents) by an employee of Upjohn and was not asked to keep the documents confidential. Thus, to the best of Bayer's knowledge, these documents are in the public domain and no longer are held as confidential by the Upjohn Company.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Nathan A. Beaver