



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Enforcement
Bureau of Consumer Protection

December 27, 2004

Jonathan Shapiro, Esq.
Moon, Moss, McGill & Shapiro, P.A.
Ten Free Street
P.O. Box 7250
Portland, Maine 04112-7250

Re: Vital Basics, Inc.
FTC Docket No. C-4107

Dear Mr. Shapiro:

The Division of Enforcement has reviewed your submissions dated July 6, 2004, and October 27, 2004, which you filed pursuant to Part XIII of the above referenced order issued on April 26, 2004, to show the manner and form of the respondents' compliance with the order.

Staff has reviewed the compliance submissions and rejects the telemarketing script submitted as Exhibit VBI-FTC 07/04 0000344. This script contains an unsubstantiated claim that the respondents' VB Omega-3 product will significantly reduce the risk of death from a sudden heart attack, in violation of Part II of the Order.

The respondents have stated that they have discontinued the rejected telemarketing script, and that they will fully conform any future telemarketing scripts or other promotional materials to the requirements of the Order. The staff has concluded, on the assumption that the information submitted is accurate and complete, that no compliance action is indicated at this time. We will not be precluded, however, from recommending to the Commission an appropriate action, should it subsequently appear that such information is inaccurate or incomplete, or if action has been taken in violation of the terms of the Order. The opinions expressed in this letter are those of the staff and do not necessarily reflect the views of the Commission or of any Commissioner.

If we receive a request for confidential treatment of portions of your compliance submissions, you will be advised of the General Counsel's determinations by separate letter.

Sincerely,

Elaine D. Kolish
Associate Director