



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

Division of Enforcement
Bureau of Consumer Protection

March 29, 2005

Mr. Charles E. Buffon
Covington & Burling
1201 Pennsylvania Avenue, NW
Washington, DC 20004

Re: Nutramax Laboratories, Inc., Docket No. C-4116

Dear Mr. Buffon:

The Division of Enforcement staff has reviewed the submission from Nutramax, dated November 1, 2004, which was filed to show the manner and form of the respondent's compliance with the order referenced above, issued on August 27, 2004. This submission was supplemented by your letter of March 4, 2005.

The staff has reviewed the compliance report and rejects the radio ad for Senior Moment, included in Exhibit A of the report. This ad contains unsubstantiated claims that Senior Moment prevents memory loss or restores lost memory function, in violation of Parts I and II of the Order. You stated in your letter of March 4 that Nutramax has not run the radio ad since 2004 and will not be running the ad in the future.

The staff has also concluded that the package insert for Senior Moment, included in Exhibit B of the report, includes one statement that may imply that Senior Moment prevents memory loss or restores lost memory function in violation of Parts I and II of the Order. You stated in your letter of March 4 that the package insert would be modified to delete this statement once the current supply of inserts has been exhausted.

The staff has concluded, on the assumption that the information submitted is accurate and complete, that no compliance action is indicated at this time. The FTC staff will not be precluded from recommending to the Commission an appropriate action if the submitted information is inaccurate or incomplete or if the respondent violates the terms of the order.

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The opinions expressed in this letter are those of the staff and not necessarily those of the Commission or any Commissioner.

Sincerely yours,

Elaine D. Kolish
Associate Director for Enforcement

cc: Kristen E. Blanchard
Vice President for Regulatory and Government Affairs
Nutramax Laboratories, Inc.
2208 Lakeside Boulevard
Edgewood, Maryland 21040