



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

Division of Enforcement  
Bureau of Consumer Protection

March 21, 2005

Elaine D. Kolish  
Associate Director

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Mr. Claude C. Wild III  
Greenberg Traurig  
The Tabor Center  
1200 17<sup>th</sup> Street, Suite 2400  
Denver, Colorado 80202

Re: MaxCell Bioscience, Inc.  
Docket No. C-4017

Dear Mr. Wild:

The Division of Enforcement staff has completed its review of respondents' submission, which they have filed to show the manner and form of their compliance with the above-referenced Order. As you know, the staff also conducted an investigation involving the respondents' possible violations of the Order.

The staff has determined that respondents' packaging and advertising for the ACI Test, Longevity Signal Formula, Hilltop Aloe, and Aloe Gold violated Parts I, II, III and V of the Order, and their providing of these materials to their consultants violated Part IV of the Order. Accordingly, the staff is rejecting all of the packaging and advertising for these products the respondents submitted on October 5, 2001. Respondents, however, have advised the staff that they have stopped selling Hilltop Aloe and the ACI Test, and stopped disseminating the referenced packaging and advertising for Longevity Signal Formula and Aloe Gold.

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 if the submitted information is inaccurate or incomplete or if the respondents violate the terms of the Order.

Please be advised that the opinions expressed in this letter are those of the staff and not necessarily those of the Commission or of any Commissioner.

Sincerely,

Elaine D. Kolish  
Associate Director for Enforcement