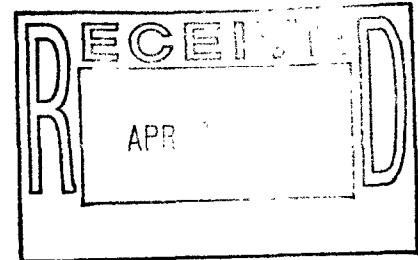




Expect Success



March 13, 2002

Food and Drug Administration  
Office of Special Nutritionals (HFS-450)  
Center for Food Safety and Applied Nutrition  
200 C Street SW  
Washington, DC 20204

Dear Sirs:

Notice is hereby given pursuant to Section 403 (r)(6)(21 U.S.C. 343(r)(6)) of the Federal Food Drug and Cosmetic Act that Apex Fitness Group, 123 Hodencamp Rd. Suite 204, Thousand Oaks CA 91360 has marketed a dietary supplement under Apex Fitness Group/ Ergogen Labs / A Better Whey bearing the following statement(s) on the label and/or in the labeling:

Enhances muscle gain and recovery

The undersigned certifies that the information contained in this notice is complete and accurate and that Apex Fitness Group has substantiation that the statement(s) is truthful and not misleading. Pursuant to 101.93 (a)(1), two copies of this notification are enclosed.

Sincerely,

Jim Starr / Product Manager

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