



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

Office of the Director
Bureau of Competition

October 20, 2004

VIA FACSIMILE ((816) 421-5547) & FIRST CLASS MAIL

Joseph Rebein, Esquire
Shook, Hardy & Bacon, LLP
2555 Grand Blvd.
Kansas City, MO 64108

Re: *Akzo Nobel, N.V., & Organon USA Inc.*, File Number 031-0249

Dear Mr. Rebein:

The Commission has been conducting a non-public investigation to determine whether Azko Nobel, N.V., acting through its Organon USA Inc. subsidiary, has engaged in unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act by, *inter alia*, submitting misleading information to the FDA to delay the introduction of generic competition to Organon's anti-depressant drug Remeron. The Commission has issued the attached public statement describing the circumstances of the closing.

Upon further review of this matter, it now appears that no further action is warranted by the Commission at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

Sincerely,

Susan A. Creighton
Director

Attachment: Commission Statement