



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

Division of Advertising Practices

Mary Koelbel Engle
Associate Director

June 23, 2004

John R. Fleder, Esq.
Hyman, Phelps & McNamara, P.C.
700 Thirteenth Street, NW, Suite 1200
Washington, D.C. 20005

Re: Advanced Bionutritionals, et al.,
File No. 042 3123

Dear Mr. Fleder:

As you know, the staff of the Federal Trade Commission conducted an investigation into whether Soundview Publications, Inc., Advanced Bionutritionals, Inc., Wallis W. Wood, and Robert J. Rowen, M.D. (collectively "Soundview") violated Sections 5 and 12 of the FTC Act in connection with certain claims made in their advertising and promotion of the Carb Zapper Plus dietary supplement product. Our inquiry focused on whether Soundview possessed adequate substantiation for claims, among others, that: the product enabled users to lose excess fat in targeted areas of the body and lose weight quickly without dieting or increasing exercise; and that the product is 100% safe with no dangerous side effects.

Upon review of this matter, we have determined not to recommend enforcement action at this time. Among the factors we considered are the volume of sales of the product and that Soundview has ceased and will not resume all advertising and promotion of the Carb Zapper Plus product and two related products, Carb Reducer and Carb Reducer Plus.

Accordingly, it now appears that no further action is warranted by the Commission at this time and the investigation is closed. The staff appreciates Soundview's cooperation in the prompt resolution of this matter. 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.

Very truly yours,

Mary K. Engle
Associate Director