

To:  
FTC

Office of the Secretary  
600 Pennsylvania Ave., NW  
Washington DC 20580



From

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Thousands Oats, May 14<sup>th</sup> 2003

From "FTC Settles with MED GEN" 4/30/01  
to "FTC Targets SnoreFormula Maker" 4/28/03

It tooked 2 full years to catch the small fish: SnoreFormula will be out of the market place by the end of this year <sup>with or without the</sup> FTC. Its sales are dismal so, the consequence of the deceiptive claims to the consumer are limited if not minimal.

When will the FTC effectively protect consumers by getting on the two most prosperouj corporations making millions of dollar based on false claims and <sup>on their</sup> ~~their~~ <sup>health</sup> ~~Bruska~~?  
(see last document)  
for substantiation

# How many people in this hotel snored last night?



We can now help 85% of them.

Introducing new Breathe Right® Snore Relief® throat spray. 86% of sales will come from new, incremental customers. And that will combine with Breathe Right® nasal strips to significantly grow the \$37 million snoring category. Find out more at booth #951.

Claims made on TV commercial airing on prime time Daleline and CSI and morning show (ABC)  
"Clinical studies with 85% of users"

# OTC PRODUCT NEWS

## ► Alpha Clear Combined Acne and Dry Skin Treatment

**Niora** (Sweet Home, OR) presents the first product to effectively treat acne and rosacea while moisturizing the skin through natural, fruit-derived alpha hydroxy acids. Particularly problematic in aging skin, acne medications cause excessive dryness, leading to wrinkles. Moisturizers used to counteract this problem in turn clog pores and cause acne. Alpha Clear provides an alternative. The 2-step process cleans, tones, and moisturizes, encouraging the skin's ability to heal acne while normalizing its pH level. The skin's surface is exfoliated and improved, wrinkles and age spots reduced. The product can be used with treatments prescribed by dermatologists. The 8-oz cleanser and 4-oz exfoliant set may be purchased for a suggested retail price of \$19.95 from select health food stores. For more information or to purchase Alpha Clear, call 800-882-9887, or visit <http://www.niora.com>.



## ▼ New Indication for Claritin

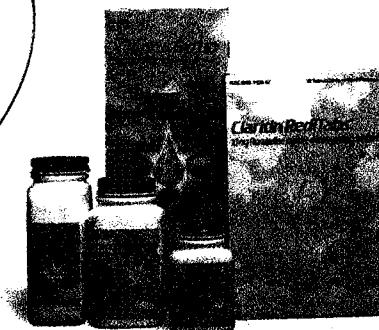
**Schering-Plough** (Kenilworth, NJ) A federal advisory panel announces its recommendation for the approval of nonprescription Claritin, or loratadine, to treat the same allergies as its prescription version, including chronic hives. This adds to the advisory panel's recommendation last May of Claritin's OTC indication for seasonal nasal allergies. If the FDA accepts the panel's recommendation and establishes Claritin's OTC status, this would make the product the first OTC treatment approved for chronic hives. For additional product information, visit [www.claritin.com](http://www.claritin.com).



## ◀ Breathe Right Snore Relief Throat Spray

**CNS, Inc.** (Minneapolis, MN) presents a cure for the snorer and the snoring partner's sleeping troubles.

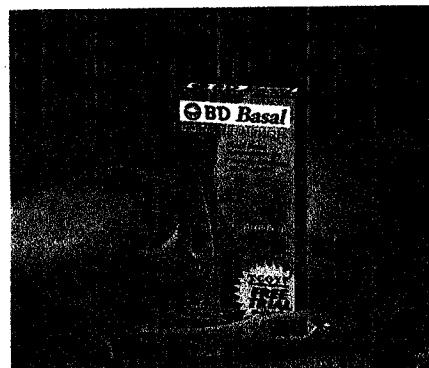
Breathe Right throat spray complements its developer's nasal strips, which alleviate snoring related to congested nasal passages. The spray reduces snoring by toning and quieting vibrating throat tissues. Both are composed of a safe, drug-free formula. CNS plans to package a total snoring relief system, combining the strips and the spray. The throat spray will be available in July 2002 in a 2-oz bottle for approximately \$10.99. For additional product information, call 612-820-9969.



## ► Drinkables Liquid Supplements

**Remington Health Products, LLC** (Fort Worth, TX) has introduced a new choice in nutritional supplements with Drinkables Liquid Calcium 3, Liquid Joint Care, and Liquid Colloidal Minerals.

These supplements' special liquid formulation allows users to ingest high levels of important supplements in single doses, compared with the several doses that are often required for the same level of nutrition with tablets. The easy-to-swallow supplements do not require accompanying liquids or food, as their liquid base provides high absorption and fast bioavailability. The liquid product also diminishes the risk of gastric distress. The 3 Drinkables Liquid products will be available in grocery, drugstore, and mass merchandising outlets in July for a suggested retail price of \$9.99 for each 16-oz bottle of Colloidal Minerals and Calcium 3, and \$18.99 for the 16-oz bottle of Joint Care. For more information, visit [www.drinkables.com](http://www.drinkables.com).



## ▲ TCOYF Fertility Planning Software

**Toni Weschler, MPH, and Ovusoft, LLC** (Hampton, VA) announce the FDA



OTCs /Natural Health



Snore-relief makes noise  
Pg 29

and unsubstantiated claims

50,000 stores  
carry  
this product

They sold \$15 million  
of it in 6 months  
09/02 - 03/03

can be a leader in root care rather

market, perhaps through the introduction of one  
CONTINUED ON PAGE 30

**WHAT'S HOT**

**Snore-free night's rest**

Sales of snore throat sprays are prepared to rumble through drug store aisles, as men and women seek to quiet their partners' nighttime symphonies. CNS, which has been serving the sleeping partners of snorers with its Breathe Right nasal strips for some time, places the number of snorers in the United States at more than 85 million. And they're snoring for a number of health-related reasons, including breathing difficulties or vibrating throat issues. Excessive snoring also is a symptom of sleep apnea.

CNS' latest entry into the snore market, the Breathe Right Snore Relief Throat Spray (\$10.99 for 2 ounces), contains a blend of natural oils that lubricate and smoothe throats and an astringent that firms loose tissues.

"Our research indicates that more than 85 percent of throat spray sales could

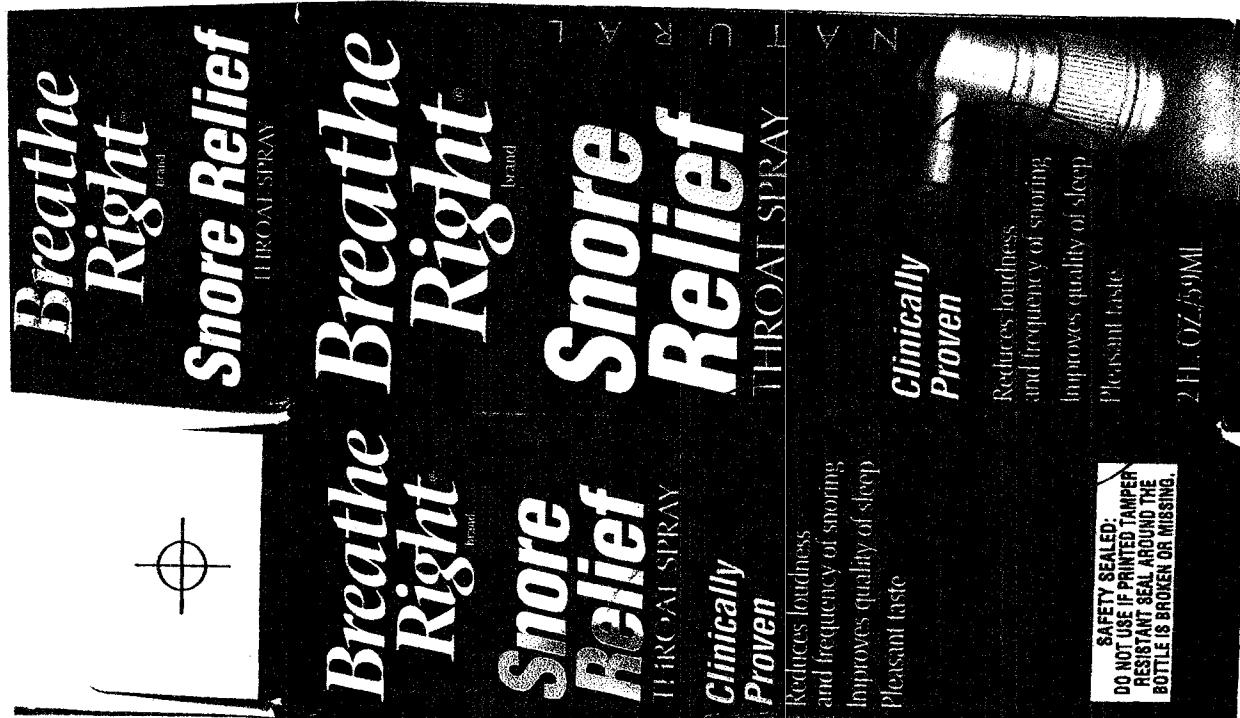
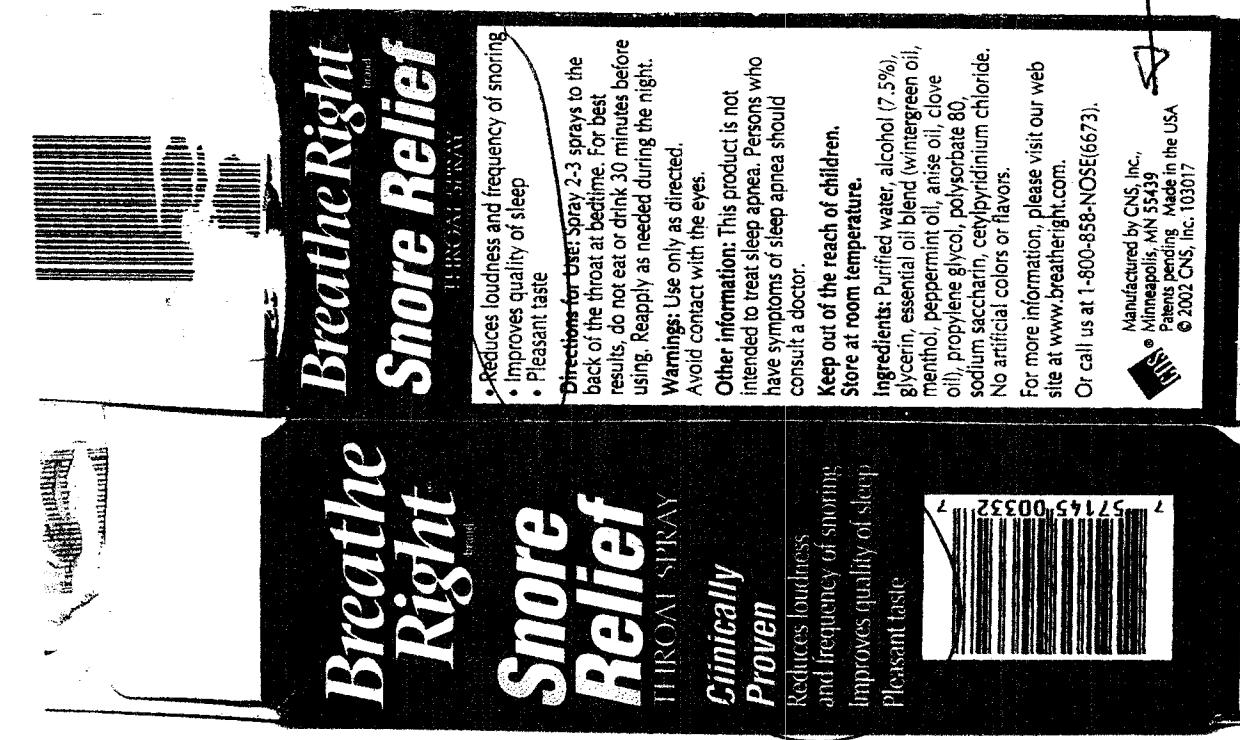
come from new and incremental customers," stated Marti Morfitt, CNS president and chief executive officer. To support its snore relief position, CNS has developed a \$20 million marketing campaign for 2002-2003. The throat spray campaign kicks off with a direct mailer early next month and soon thereafter will be supported on TV with primetime network advertising in November. ABC + CBS



CNS  
Breathe Right

clinically proven?

Deephotos claims  
my every ride  
of packaging  
as well  
as in  
the insert  
inside



YOUR HEALTH

# Snore-Free Nights-Guaranteed!

"Now Clinical Studies Have Proven There Is A Quick, Safe, Natural And Affordable Approach To Snoring And Getting A Great Night's Sleep"

## NEW SPRAY SOLVES SNORING PROBLEMS INSTANTLY-GUARANTEED!

Guaranteed! Spray before bed and you'll sleep like a baby all night long! This unique, fast-acting, all-natural formula instantly moistens the membranes of the soft palate to allow free and easy breathing that lasts. Forget surgery, special pillows, and all the other contraptions. D-Snore is the safe, affordable solution you've been looking for. In fact, in Clinical Studies, people using D-Snore showed an increase in their deep sleep. That means feeling more rested when you wake.

It's just what the doctor ordered!



Sleep snore-free all night long... it's free! Guaranteed!

Order now and get a  
free D-Snore Spray  
and a free sample of  
D-Snore.

### MEN AND WOMEN ARE TALKING ABOUT IT, AND HERE'S WHAT THEY'RE SAYING:

Couples across the nation have been raving about D-Snore. "I can't believe it. Not a sound, it's wonderful," said Charlotte used to wake me up all the time to tell me I'm snoring. But since I started using D-Snore, I don't snore at all. We're both much happier."

Guaranteed Snore-Free nights! One quick spray with D-Snore and you and your loved ones will sleep snore-free for a great night's sleep. We guarantee it! Try D-Snore—if you don't stop snoring the very first night, just send it back for a full, prompt refund.

Let D-Snore work for you too. Call now and order D-Snore—for yourself and for the ones you love. And don't forget to ask how you can get one full month's supply of D-Snore absolutely free.

Fast Service Call Toll Free...

**1-800-642-8048**

24 hours a day ~ 7 days a week

ACTUAL RESULTS TAKEN FROM THE CLINICAL STUDY. "Since using D-Snore spray on a nightly basis, (one of the subjects) wife has been able to sleep the whole night next to him. This subject has extremely pleased with the D-Snore spray and continues to use it with consistent good results."

—Mark J. Buchfuhrer, M.D.

AS SEEN  
ON  
**TV**

SAFE  
All-Natural  
Throat Spray

FAST  
Treats  
Snoring  
Instantly

EFFECTIVE  
One Quick  
Spray Lasts  
All Night

**D-SNORE**  
NATURAL  
DEHYDRATION  
SUPPLEMENT  
2.9 OZ. (85 ml)

Clinical Study Using U.S. Regulatory Agencies Established Guidelines Indicate Remarkable Results From New Therapy

# VANISH UNSIGHTLY SPIDER VEINS!

## Spider Veins Gone Safely & Naturally

Stop hiding your legs and being embarrassed by unsightly spider veins. Now there's a safe way to virtually eliminate or fade spider veins in as little as just a few weeks! Developed by a Swedish pharmacist, this amazing patented formula is not a cover-up, it's made of herbal compounds, natural and botanical ingredients to work on spider veins. Ugly spider veins fade and your legs will look so good you'll want to show them off!

Unbelievable but true 90% Proven success rate  
in clinical studies

This remarkable, all natural, penetrating lotion was proven to significantly reduce the appearance of spider veins with regular use—even the bright red ones! Here's just a few of the excited comments we heard: "Easy to use & all natural", "Fast results", "Not greasy", "My legs feel softer", "I felt better about wearing shorts in the summer", and "It does the job".

Veinish has also been tested on hundreds of both men and women over a two year period with significant results.

## Actual Digital Photographs Of Subjects Skin Taken Right From The Clinical Study:

Before:

After:

No Doctors,  
No Surgery,  
No Pain,  
just Amazing Veinish

### Actual Testimonial

"I feel better about wearing shorts in the summer!"

—Carol K.

Spider Veins are actually clogged veins—the blood gets trapped near the surface of the skin, creating an ugly spider pattern. Simply rub Veinish on those spider veins—it deeply penetrates the skin to make those spider veins virtually vanish. In just weeks, spider veins are significantly reduced and you have healthy, younger looking legs!

After Just One Treatment With Veinish, You'll Want to Show Off Your Legs

Don't go another day covering your legs, because you're embarrassed of spider veins. Now you can have healthy looking legs that you can be proud of. Safe, natural and with fast results, Veinish is the solution to your spider vein problem.

Order today. Your satisfaction is guaranteed or money back. Don't forget to ask how to get a 30 Day supply of Veinish Free!

AS SEEN  
ON  
**TV**

**VEINISH**  
A natural formula  
to reduce the appearance  
of spider veins.  
ONE FLUID OUNCE

Fast Service Call Toll Free...

**1-800-636-0423**

24 hours a day ~ 7 days a week

Actual photographs of subjects legs in the area afflicted with spider veins (telangiectasia), before & after treatment with Veinish, the swedish vein lotion.

Call & Ask  
How To Get A  
**30 DAY  
SUPPLY  
FREE!**

## ENER-X™ IS A NATURAL, NON-HABIT FORMULA APPROACH TO ENHANCING MALE SEXUAL ENERGY & STRENGTH

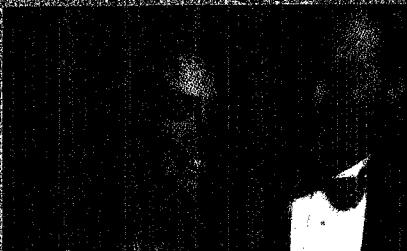
*As Seen On TV*

**M**odern technology and ancient herbal science has come up with a product that battles and wins the fight for male virility. Now millions of adult Americans men have **natural, non-habit forming** sexual energy and strength in their veins when they want it. Safely enhancing sexual performance and sexual enjoyment without side effects, **ENER-X™** contains ingredients to enhance sexual energy and performance when taken on a regular basis.



No dangerous side effects or loss of sex drive.

No more expensive prescription drugs which are notorious for causing dangerous side effects. **ENER-X™** is a safe, NATURAL, non-habit forming herbal supplement, a powerful effective alternative that provides maximum energy, endurance and a positive results enhancement.



### Testimonials From Our Many Satisfied Customers:

"Our whole life is different. He has more energy... There is more lovemaking. Ener-X is great." - Georgiom T.  
"After being married for over 25 years, love making wasn't the same... The desire was gone...but after taking Ener-X, I felt and acted like I did the first few years." - Harris H.  
"I can't believe the new man I am. At 58, I have the drive when I was 18 and 28. I found what was missing the last 10 years. We both love it!" - Bobbie S.

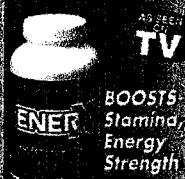
**A BURST OF ENERGY AT CRITICAL MOMENTS** **Ener-X™** stimulates sexual energy by expanding blood vessels causing increased blood flow to specific areas of the body. Men are amazed that with **Ener-X™** they can actually feel the increase in sexual confidence.

Call & Ask  
How To Get A  
**30 DAY  
SUPPLY  
FREE!**

Our customers are also greatly pleased with the discretion in which **Ener-X™** is delivered - right to their doorstep. Convenient delivery is available in an unopened discreet package.

### AS SEEN ON TV

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NOT  
available in  
stores!

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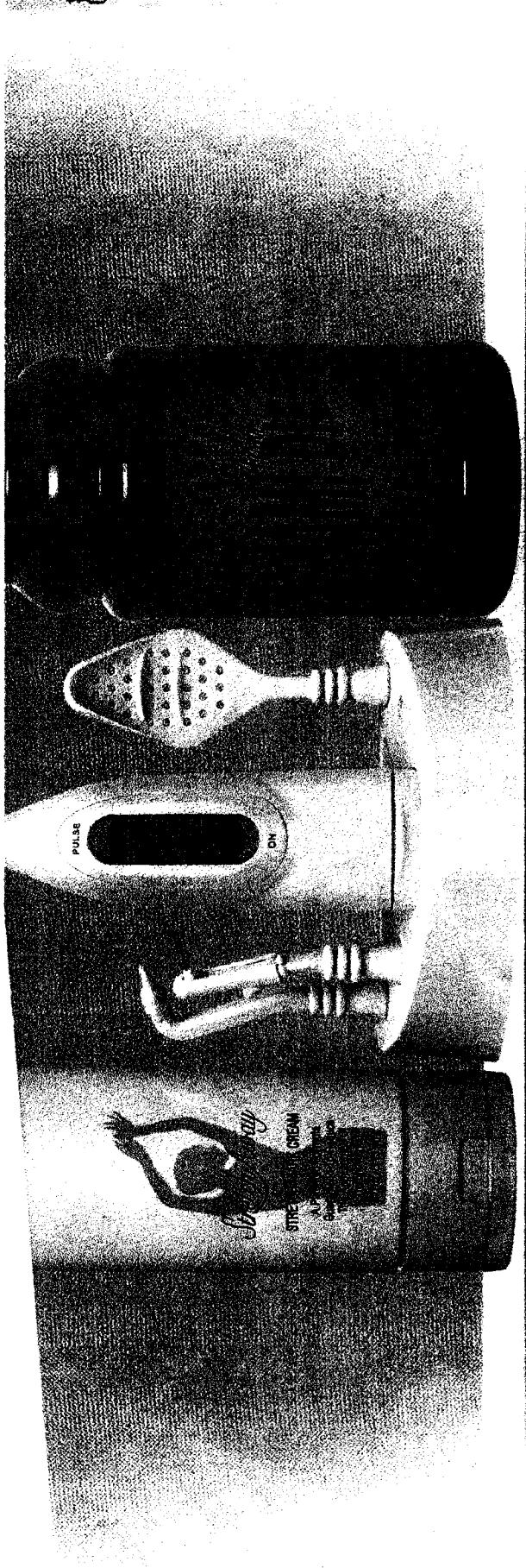
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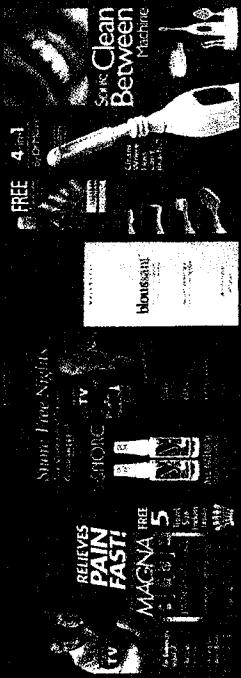
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~~This is where  
you find them~~

## *Clinical Practice Review Committee*



The Clinical Practice Review Committee (CPRC) has been addressing issues important to everyone practicing sleep medicine. In the last year, the committee has addressed risk factors in teenage driving, evaluated over the counter snoring cures, developed a position paper defining hypopnea and worked on a paper addressing the risks of OSA patients having surgical procedures under anesthesia.

Amy McCall

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One task the CPRC addressed this year was the use of over the counter sprays claiming to cure snoring. After reviewing a newspaper advertisement for such sprays, the committee looked into the validity of these products. Many of these spray manufacturers claimed their products would cure the user's snoring and would allow a peaceful night's sleep. The CPRC worried that many of the people using these products could be treating a symptom of OSA and delaying possible treatment. Also, many of these sprays contain oils wetting the

esophagus which may lead to impure precursors. The CPRC contacted companies making nia. The CPRC contacted companies making and distributing these products and asked for any clinical studies and data supporting their claims. Most companies contacted were unwilling to share their study information or give the names of researchers involved. The committee wrote a brief statement regarding the use of these sprays and hopes to have it published. The goal is to distribute the statement to physicians and the general public to inform everyone about the risk associated with these products.

Working with the Health Policy Committee on the Medicare 30 Apnea rule, the CPRC drafted a position paper defining hypopnea. Working closely with members of the Health Policy Committee, varying definitions of hypopnea were researched to develop a universally accepted definition.

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