

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



Division of Advertising Practices

August 14, 2009

Howard Coleman
Chief Executive Officer
Genelex Corporation
3000 First Avenue, Suite One
Seattle, WA 98121

Re: Genelex Corporation, FTC File No. 072-3128

Dear Mr. Coleman:

As you know, the staff of the Federal Trade Commission's Division of Advertising Practices conducted an investigation of Genelex Corporation ("Genelex") for possible violations of Sections 5 and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45 and 52. The investigation concerned Genelex's promotional activities for the MyCellf™ Program, an "at home" genetic test kit and consultation service that involved the analysis of specific genetic variations (through the MyCellf™, or Cellf™, test), a diet and lifestyle questionnaire, and health and nutrition recommendations. Specifically, FTC staff was concerned about Genelex's representations that the MyCellf™ Program could significantly impact consumers' health outcomes, including their risk of developing serious diseases, and could enable consumers to achieve long-term or permanent weight loss.

The staff recognizes that genetics-based personalized medicine, including nutrigenetics – the tailoring of diet and lifestyle recommendations to match an individual's genetic profile – represents a promising area of scientific research. The staff was concerned, however, that evidence on gene-diet interactions is still preliminary. The diseases and conditions identified through the MyCellf™ Program involve complex bodily processes and currently there is only limited scientific understanding of the impact of genetic variations on the development of these conditions, or of the ability of dietary and lifestyle interventions to alter any of the potential effects of these genetic variations. The staff was also concerned that Genelex did not possess competent and reliable scientific evidence that the diet and lifestyle recommendations provided through the MyCellf™ Program could result in consumers achieving long-term or permanent weight loss.

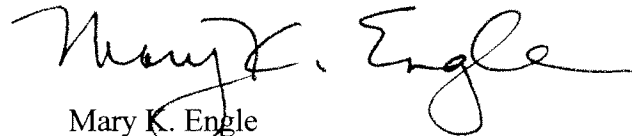
Upon careful review of the matter, including non-public information submitted to the staff, we have determined not to recommend enforcement action at this time. Among the factors we considered are Genelex's representations that the company has discontinued its marketing activities for the MyCellf™ Program, including deactivating the portions of Genelex's websites

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that promote the MyCellf™ Program, as well as Genelex's representations that the company has no plans to market nutrigenetic tests and services in the future.

This action is not to be construed as a determination that a violation has not 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 warrant.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mary K. Engle". The signature is fluid and cursive, with a large, stylized initial "M" and a long, sweeping underline.

Mary K. Engle
Associate Director