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17<sup>th</sup> January 2006

Reference: NFU 589

Dear Ms Sapritsky,

**OPINION ON THE EQUIVALENCE OF “HAWAIIAN NONI JUICE” PRODUCED BY AGRINOM**

The Food Standards Agency, the UK Competent Authority for all novel food issues has completed your request for an opinion on the substantial equivalence of your Hawaiian Noni juice. The basis of your request for an opinion is that your supplier Agrinom is the sole supplier of Botanical Products International (BPI, Austria) who gained a positive opinion on equivalence from the Austrian Competent Authority in January 2004.

We have reviewed the information you have supplied in support of this request, and I am pleased to inform you that we accept that your noni juice meets the criteria for equivalence as defined in article 3(4) of Regulation (EC) 258/97.

The opinion is issued on the basis that your noni juice is the same product as that marketed by BPI (Austria) and should your product differ in any way from BPI's authorised product or be obtained from any other supplier then our opinion does not apply.



You should also ensure that your product should be marketed in accordance with European Community Law and any relevant national provisions.

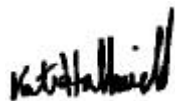
Please note that in accordance with Article 5 of Regulation (EC) 258/97, you should notify the European Commission of your intention to market your Hawaiian noni juice when it is first marketed.

You should send this to Mr Andreas Klepsch at the following address:

European Commission  
DG SANCO  
Rue de la loi 200  
B-1049  
Brussels  
Belgium

If you have any queries, please do not hesitate to contact me,

Yours Sincerely



Katherine Halliwell  
Novel Foods, Additives and Supplements Division

Cc: Sandy Lawrie - Novel Foods Additives and Supplements Division  
Mr Andreas Klepsch - European Commission

