

Kurt Cahill
Agrolabs
P.O box 278
225 Long Avenue
Hillside
USA
By e-mail: k.cahill@ibiopharma.com

18th February 2005

Reference: NFU 541

Dear Mr Cahill

**OPINION ON THE EQUIVALENCE OF “NATURALLY NONI” PRODUCED BY
AGROLABS INC.**

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 “Naturally Noni” Juice. The basis of your request for an opinion is that you are the sole supplier of “Naturally Noni” Juice to Trisana GmbH, who recently gained a positive opinion on equivalence from the German Competent Authority in September 2004. This opinion was offered on the basis of a comparison of Trisana’s Product with the Morinda Inc, approved in June 2003

We have reviewed the information you have supplied in support of this request, including the clarification that the juice originates from the island groups of Samoa,



Tahiti and Tonga, and I am pleased to inform you that we accept that your “Naturally Noni” Juice meets the criteria for equivalence as defined in Article 3(4) of Regulation (EC) 258/97.

This opinion is issued on the basis that your “Naturally Noni” Juice is the same product as that marketed by Trisana GmbH. Should your product differ in anyway from Trisana’s product, as described in the opinion of equivalence given by the German Competent Authority then our opinion does not apply.

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

Please note that, in accordance with Article 5 of (EC) 258/97, you should notify the European Commission of your intention to market your “Naturally 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 other queries, please do not hesitate to contact me.

Yours sincerely,
(By e-mail)

Katherine Halliwell

Novel Foods, Additives and Supplements Division

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