



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
Rockville MD 20857

January 28, 2011

Charles J. Raubicheck
Fommer Lawrence & Haug LLP
745 Fifth Avenue
New York, NY 10151

Re: Docket Nos. FDA-2000-P-0102, FDA-2000-P-0133,
and FDA-2006-P-0033, NPR, December 8, 2010

Dear Mr. Raubicheck:

Your petition to the Food and Drug Administration submitted on behalf of Pharmachem Laboratories, Inc., requesting to stay revocation of the 2003 letter, and continue to permit dietary supplements containing free phytosterols pending the agency's issuance of a final rule, was received by this office on 1/28/2011. It was assigned docket number FDA-2006-P-0033/PSA, and it was filed on 1/28/2011. Please refer to this docket number in future correspondence on this subject with the Agency.

Please note that the acceptance of the petition for filing is a procedural matter in that it in no way reflects an agency decision on the substantive merits of the petition.

Sincerely,

Gloria Ortega
Division of Dockets Management
Office of Public Information and Library Services
Office of Shared Services
Office of Management

FDA-2006-P-0033

ACK