



DEPARTMENT OF HEALTH & HUMAN SERVICES

Rec'd in DMB
4/3/03 H.K.N
Public Health Service

Food and Drug Administration
9200 Corporate Boulevard
Rockville MD 20850

MAR 27 2003

William B. Schultz, Esquire
Zuckerman Spaeder LLP
1201 Connecticut Avenue, N.W.
Washington D.C. 20036-2638

Dear Mr. Schultz,

This is an interim response to the petition you filed with the Food and Drug Administration (FDA) on October 24, 2002, on behalf of your client Dr. Frank Marcus regarding posting statements in response to warning letters on the FDA website.

Because of competing priorities, we have not yet completed our review of your petition and are unable to give you a final response at this time. The Agency as a whole is considering options to address the issue you have raised. We hope to send you a final response as soon as possible.

If you have any questions about this interim response, please call Joseph M. Sheehan, Director of the Regulation Staff at (301) 827-2974.

Sincerely yours,

Linda S. Kahan
Deputy Director
Center for Devices
and Radiological Health

02P-0472

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