



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

Office of the Secretary

Brent A. Bauer, M.D.
Director, Complementary and
Integrative Medicine Program
Mayo Clinic
200 First Street SW
Rochester, MN 55905

Re: Hi-Health Supermart Corporation, et al. (File No. 0323239)

Dear Dr. Bauer:

This responds to your letter commenting on the Federal Trade Commission's consent agreement in the above-entitled proceeding. Your letter was placed on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and was given serious consideration by the Commission.

Your comment appears to recommend that the Commission modify the proposed order to direct that the payment required to be made to the Commission be used to fund general research by an academic center that would systematically evaluate the state-of-the-science of purported dietary supplement benefits.

The Commission does not fund general research to evaluate the efficacy of alternative health care services and products. By law, any remedy the Commission obtains in its orders must

be closely related to the FTC Act violation that it addresses. We believe that the use of funds obtained in the Hi-Health order to fund general research would not satisfy that legally required