



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

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ATTORNEY GENERAL
OF
WASHINGTON

Food and Drug Administration
Center for Devices and
Radiological Health
9200 Corporate Blvd
Rockville, MD 20850

Mr. Rob McKenna
Attorney General of Washington
1125 Washington Street SE
Post Office Box 40100
Olympia, Washington 98504-0100

Dear Mr. McKenna:

Thank you for your December 20, 2007 letter regarding the Food and Drug Administration's (FDA) actions regarding a matter of mutual public health concern. Please excuse the delay in our response.

You ask that we be vigorous in our enforcement of laws and regulations, particularly in regard to some specific devices. FDA is always active in its surveillance of the medical device industry and watchful for risks to health. We triage the risks to health that we detect or that come to our attention and allocate our resources depending on the degree of risk.

I've increased our surveillance of internet promotion and advertising. Consumers must also be vigilant, and any educational communications you can make available will help.

I can assure you that the observations you have provided to me have my full attention. Again, thank you for your letter.

Sincerely yours,

Timothy A. Ulatowski
Director
Office of Compliance
Center for Devices and
Radiological Health