



GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



LOURDES A. LEON GUERRERO
GOVERNOR, MAGA'ĦĦA'Ŧ

MAY 21 2020

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Dear Mr. Kerrigan:

Please see below the Department's written response to your questions emailed to Mr. Tom Nadeau of the Division of Environmental Health on Thursday, May 21, 2020 regarding "150  mot CHamoru kits used to treat COVID-19 symptoms." *Your question:* Are these kits subject to Public Health or FDA approval for treatment of COVID-19? Please see the Division of Environmental Health's response below:

The Division of Environmental Health (DEH) of DPHSS regulates the importation, distribution, and sale of food, drugs, medical devices, and cosmetics pursuant to local and federal laws. This may include the  mot CHamoru kits that you reference, if these items claim to "diagnose, cure, mitigate, treat, or prevent disease." Making such claims would deem the article to be a drug, and there is no evidence that IHFG has registered their establishment as a drug manufacturer or listed the  mot CHamoru kit as an approved drug product with the U.S. Food and Drug Administration (USFDA). While USFDA's Dietary Supplement Health and Education Act of 1994 categorizes herbs as dietary supplements, there cannot be any drug claim attached to the product.

DEH has been in communication with a representative of IHFG. The Division has learned that IHFG has not started manufacturing any of the  mot CHamoru kits for distribution. Thus, there are currently no kits available for compliance review by DEH. IHFG representative has been informed about the drug requirements and the individual responded that DEH will be contacted after the meeting with the Suruh nus to address the packaging and claims of the  mot kits, as well as the distribution requirements. DEH will be assisting IHFG, where possible, in their endeavor.

If you should have any questions, please send me an email to Linda.DeNorcey@dphss.guam.gov or you can call me at 638-4512. You may also contact Bertha.Taijeron@dphss.guam.gov to follow up.

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