



# The Legal Agency, LLC.

Based in Los Angeles, CA | [Brittany.Peck@TheLegalAgency.net](mailto:Brittany.Peck@TheLegalAgency.net)

September 11, 2023

**RE:** Legal Opinion on the Compliance of the Dietary Supplement "Dr. Matteo Bertelli's Immune System Spray" Lot Number B21306 with Microbiological, Heavy Metal, Pesticide, and Aflatoxin Parameters

To Whom It May Concern:

I am writing this legal opinion letter in my official legal capacity as a US licensed attorney.

## FOREWORD

"MAGI'S LAB SRL is an Italian company that sells dietary supplements in the USA and holds FDA certification (ATTACHMENT 1). Additionally, it operates a connected spin-off company, MAGISNAT OMICS LLC, based at Atlanta Tech Park, 107 Technology Parkway Suite 993, Peachtree Corners, GA 30092, USA."

The company has centralized its dietary supplement production in Italy. Upon obtaining the finished product, it undergoes analysis in both a certified Italian laboratory and a certified laboratory in the USA. This legal opinion pertains to the Analysis Certificate (CoA) obtained on 02-06-2023 for the dietary supplement "Dr. Matteo Bertelli's Immune System Spray" Lot Number B21306, analyzed in the US laboratory DYAD LABS (A MERIEUX NUTRISCIENCES CO.); 1945 Fremont Drive; Salt Lake City, UT 84104, USA.

## ATTACHMENTS

ATTACHMENT 1 - FDA Certificate

## OPINION

The dietary supplement "Dr. Matteo Bertelli's Immune System Spray" Lot Number B21306 underwent analysis at DYAD LABS on various parameters, including Microbiological Panel, Heavy Metals Panel, Pesticides Panel, and Aflatoxins Panel, considering the Serving Size: 1 ml, and they are summarized in the following table:

Test Method Description	Analyte	Specification	Result	U/M	Completion Date
AOAC 2014.05/GL-451 Rapid Yeasts and Molds*	Yeasts and Molds	<100	<10	CFU/g	01/12/23
AOAC 991.14/GL-420 Coliforms*	Coliforms	Report	<10	CFU/g	01/11/23
USP <2021>/GL-411 Aerobic Plate Count*	Aerobic Plate Count	<10000	<100	CFU/g	01/12/23
USP <2022>/GL-423 E. coli*	E. coli	In: Negative	Negative	/10g	01/12/23
USP <2022>/GL-441 Staphylococcus aureus*	Staph aureus	In: Negative	Negative	/10g	01/12/23
USP <2022>/GL-461 Salmonella*	Salmonella	In: Negative	Negative	/25g	01/12/23
GL-500 Determination of Arsenic by ICP*	Arsenic (As)	Report	0.0185	ppm	01/11/23
GL-500 Determination of Cadmium by ICP*	Cadmium (Cd)	<1	<0.0048 1	ppm	01/11/23
GL-500 Determination of Lead by ICP*	Lead (Pb)	<3	<0.0024 1	ppm	01/11/23

GL-585 Direct Mercury Analysis*	Mercury (Hg) Result	<0.1	<0.0010 0	ppm	01/12/23
GL-800 Determination of Mycotoxins Aflatoxin by LC-MS/MS*	Aflatoxin B1	Report	<1.00	ppb	01-16-23
GL-800 Determination of Mycotoxins Aflatoxin by LC-MS/MS*	Aflatoxins	<20	<4.00	ppb	01-16-23
GL-901 Pesticides	Alachlor	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Aldrin and dieldrin (sum of)	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Azinphos-ethyl	< 0.1	< 0.1	mg/kg	01-17-23
GL-901 Pesticides	Azinphos-methyl	< 1	< 1	mg/kg	01-17-23
GL-901 Pesticides	Bromophos-ethyl	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Bromophos-methyl	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Bromopropylate	< 3	< 3	mg/kg	01-17-23
GL-901 Pesticides	Chlordane (sum of)	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Chlorfenvinphos	< 0.5	< 0.5	mg/kg	01-17-23
GL-901 Pesticides	Chlorpyrifos-ethyl	< 0.2	< 0.2	mg/kg	01-17-23
GL-901 Pesticides	Chlorpyrifos-methyl	< 0.1	< 0.1	mg/kg	01-17-23

GL-901 Pesticides	Chlorthal- dimethyl	< 0.01	< 0.01	mg/kg	01-17-23
GL-901 Pesticides	Cyfluthrin (sum of)	< 0.1	< 0.1	mg/kg	01-17-23
GL-901 Pesticides	Lambda- Cyhalothrin	< 1	< 1	mg/kg	01-17-23
GL-901 Pesticides	DDT (sum of)	< 1	< 1	mg/kg	01-17-23
GL-901 Pesticides	Deltamethrin	< 0.5	< 0.5	mg/kg	01-17-23
GL-901 Pesticides	Diazinon	< 0.5	< 0.5	mg/kg	01-17-23
GL-901 Pesticides	Dichlofluani d	< 0.1	< 0.1	mg/kg	01-17-23
GL-901 Pesticides	Dichlorvos	< 1	< 1	mg/kg	01-17-23
GL-901 Pesticides	Dicofol	< 0.5	< 0.5	mg/kg	01-17-23
GL-901 Pesticides	Endosulfan (sum of)	< 3	< 3	mg/kg	01-17-23
GL-901 Pesticides	Endrin	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Ethion	< 2	< 2	mg/kg	01-17-23
GL-901 Pesticides	Etrimphos	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Fenchloroph os (sum of)	< 0.1	< 0.1	mg/kg	01-17-23
GL-901 Pesticides	Fenitrothion	< 0.5	< 0.5	mg/kg	01-17-23
GL-901 Pesticides	Fenpropathri n	< 0.03	< 0.03	mg/kg	01-17-23
GL-901 Pesticides	Fenvalerate	< 1.5	< 1.5	mg/kg	01-17-23

GL-901 Pesticides	Flucythrinate	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Tau- Fluvalinate	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Fonophos	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Heptachlor (sum of)	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Hexachlorbe nzene	< 0.1	< 0.1	mg/kg	01-17-23
GL-901 Pesticides	Hexachloroc yclohexane (sum of)	< 0.3	< 0.3	mg/kg	01-17-23
GL-901 Pesticides	Lindan (gamma- hexachlorocy clohexane)	< 0.6	< 0.6	mg/kg	01-17-23
GL-901 Pesticides	Malathion and Malaoxon (sum of)	< 1	< 1	mg/kg	01-17-23
GL-901 Pesticides	Mecarbam	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Methacripho s	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Methidathion	< 0.2	< 0.2	mg/kg	01-17-23
GL-901 Pesticides	Methoxychlo r	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Mirex	< 0.01	< 0.01	mg/kg	01-17-23
GL-901 Pesticides	Parathion- ethyl and Paraoxon- ethyl (sum)	< 0.5	< 0.5	mg/kg	01-17-23
GL-901 Pesticides	Parathion- methyl and	< 0.2	< 0.2	mg/kg	01-17-23

	Paraoxon-methyl				
GL-901 Pesticides	Pendimethalin	< 0.1	< 0.1	mg/kg	01-17-23
GL-901 Pesticides	Pentachloran isole	< 0.01	< 0.01	mg/kg	01-17-23
GL-901 Pesticides	Permethrin and isomers (sum of)	< 1	< 1	mg/kg	01-17-23
GL-901 Pesticides	Phosalone	< 0.1	< 0.1	mg/kg	01-17-23
GL-901 Pesticides	Phosmet	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Piperonyl butoxide	< 3	< 3	mg/kg	01-17-23
GL-901 Pesticides	Pirimiphos-ethyl	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Procymidone	< 0.1	< 0.1	mg/kg	01-17-23
GL-901 Pesticides	Profenophos	< 0.1	< 0.1	mg/kg	01-17-23
GL-901 Pesticides	Prothiophos	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Quinalphos	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Quintozene (sum of)	< 1	< 1	mg/kg	01-17-23
GL-901 Pesticides	S-421	< 0.02	< 0.02	mg/kg	01-17-23
GL-901 Pesticides	Tecnazene	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Tetradifon	< 0.3	< 0.3	mg/kg	01-17-23
GL-901 Pesticides	Vinclozolin	< 0.4	< 0.4	mg/kg	01-17-23

GL-901 Pesticides	Conforms	Report	Conform	Conform	01-17-23
GL-901 Pesticides	Acephate	< 0.1	< 0.1	mg/kg	01-17-23
GL-901 Pesticides	Cypermethrin and isomers (sum of)	< 1	< 1	mg/kg	01-17-23
GL-901 Pesticides	Dimethoate and Omethoate (sum of)	< 0.1	< 0.1	mg/kg	01-17-23
GL-901 Pesticides	Dithiocarbamates (expressed as CS <sub>2</sub> )	< 2	< 2	mg/kg	01-17-23
GL-901 Pesticides	Fensulfothion (sum of)	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Fenthion (sum of)	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Methamidophos	< 0.05	< 0.05	mg/kg	01-17-23
GL-901 Pesticides	Monocrotophos	< 0.1	< 0.1	mg/kg	01-17-23
GL-901 Pesticides	Pirimiphos-methyl (sum of)	< 4	< 4	mg/kg	01-17-23
GL-901 Pesticides	Pyrethrum (sum of)	< 3	< 3	mg/kg	01-17-23

\* - ISO/IEC 17025:2017 Accredited Test

The table above captures the parameters, condensed based on my review of the Certificate of Analysis (CoA) issued by DYAD LABS. The results pertaining to Microbiological, Heavy Metal, Pesticide, and Aflatoxin parameters all demonstrate compliance. Therefore, it is in my opinion that the dietary supplement "Dr. Matteo Bertelli's Immune System Spray" Lot Number B21306 conforms to the requirements stipulated by the U.S. Food and Drug Administration (FDA).

## CONCLUSIONS

In conclusion, the analytical results for the dietary supplement "Dr. Matteo Bertelli's Immune System Spray" Lot Number B21306 are compliant with the requirements of the U.S. Food and Drug Administration. The results for the microbiological, heavy metal, pesticide, and aflatoxin parameters are all compliant, therefore the dietary supplement is compliant.

After reviewing the Certificate of Analysis (CoA) issued by DYAD LABS, I can affirm the compliance of the dietary supplement with the FDA requirements. The CoA for "Dr. Matteo Bertelli's Immune System Spray" Lot Number B21306 shows that the levels of microbiological, heavy metal, pesticide, and aflatoxin parameters are within the acceptable limits set by the FDA. The results of the analysis and the CoA confirm that the dietary supplement "Dr. Matteo Bertelli's Immune System B21306 " Lot Number B20033A is safe and compliant with the FDA requirements.

The Certificate of Analysis (CoA) was issued under the name "Garlive Oral Spray" instead of "Dr. Matteo Bertelli's Immune System Spray". This modification to the product's denomination was made following the initial production and labeling of the dietary supplement. It is emphasized that the production batch remains unchanged, identified by the number B21306. This batch was originally associated with the product named "Garlive Oral Spray", later renamed to "Dr. Matteo Bertelli's Immune System Spray". It is clarified that no changes have been made to the product's formulation; the denomination change is solely attributed to a rebranding of the company and is supported by my legal opinion, available upon request.

Thank you,

DocuSigned by:  
  
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Brittany Peck, Esq.  
Bar # 72456





**ExportUSA**

# *Certificate of Registration*

EXPORTUSA NEW YORK CORP. CERTIFIES THAT:

MAGI'S LAB SRL  
VIA PORTO SAN FELICE 23-25  
SAN FELICE DEL BENACO, (BS) 25010

IS REGISTERED WITH THE U.S. FOOD AND DRUGS ADMINISTRATION  
PURSUANT TO TITLE 21-FOOD AND DRUGS  
CHAPTER I-FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH  
AND HUMAN SERVICES SUBCHAPTER A - GENERAL

PART 1 GENERAL ENFORCEMENT REGULATIONS'S

Subpart H - Registration of Food Facilities

**Establishment Registration Number:** FFRN: 17695829612 - DUNS: 43-924-7684

Registration Date: 03/03/2022

Renewal Date: 12/22/2022

Expiration Date: 12/31/2024

## **Official Correspondent and U.S. Agent:**

EXPORTUSA NEW YORK CORP - 18 BRIDGE STREET UNIT 2A - BROOKLYN (NY) 11201

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**Date:**

12/22/2022

**Lucio Miranda**

President  
ExportUSA New York Corp.