

LEGAL NOTICE

PLEASE TAKE NOTICE that the New York State Urban Development Corporation, doing business as Empire State Development (“ESD” or the “Corporation”), pursuant to Section 16(2) of the New York State Urban Development Corporation Act (Chapter 174, Section 1, Laws of 1968, as amended) (the “Act”), has adopted a General Project Plan (the “Plan”) with respect to the NBTY Capital Project (the “Project”), at the Directors' meeting on June 22, 2013. Copies of the Plan are available without charge to any person who shall make a request for the same at the office of the Corporation. The Corporation will file such Plan in the offices of the Suffolk County Clerk at 310 Center Drive, Riverhead, NY 11901 and Smithtown Town Clerk, Town Hall, 655 Main Street, Islip, NY 11751. A copy of the Plan is also on file at the principal office of the Corporation, 633 Third Avenue, New York, New York 10017 and is available for inspection by the general public Monday through Friday, between the hours of 9:00 a.m. and 5:30 p.m.

The Project includes the acquisition of machinery & equipment and renovation of a facility for manufacturing of nutritional bars at 7000 New Horizons Boulevard, North Amityville, NY 11701 by NBTY, Inc. Total Project costs are expected to be approximately \$32,100,000. ESD proposes to make a \$750,000 grant to NBTY, Inc. to assist in the financing of the Project. The Project is expected to create 200 jobs within 4 years after disbursement of the ESD funds.

PLEASE TAKE FURTHER NOTICE, that, in accordance with Section 16(2) of the Act, a public hearing, open to all persons, will be held by the Corporation at the W.H. Rogers Legislative Building, Clerks Conference Room, 725 Vets Memorial Highway, Hauppauge, NY 11787 on Tuesday, July 23, 2013, to consider the Plan.

DATED: Wednesday July 10, 2013
New York, New York
New York State Urban Development Corporation
By: Eileen McEvoy, Corporate Secretary