



United States of America  
FEDERAL TRADE COMMISSION  
Washington, D.C. 20580

Division of Advertising Practices

November 10, 2020

Via Electronic Mail (lbrett@bbbn.org)

Laura Brett, Esq.  
Vice President  
National Advertising Division  
112 Madison Avenue, 3<sup>rd</sup> Floor  
New York, NY 10016

Re: Advertising by Leptitox Nutrition for Leptitox dietary supplement

Dear Ms. Brett:

On September 22, 2020, the National Advertising Division referred to the Federal Trade Commission an NAD Decision regarding advertising by Leptitox Nutrition for Leptitox, a dietary supplement purported to cause weight loss. We understand that this past June, the Council for Responsible Nutrition filed an NAD Challenge against Leptitox Nutrition. Despite several attempts to identify and reach the advertiser, NAD received no response to its inquiry. Accordingly, you referred this matter to the FTC for review.

Upon careful review of this referral, we have determined not to take additional action at this time. In reaching this conclusion, we considered a number of factors including enforcement priorities, resource allocation, the nature of any FTC Act violation, and the type and severity of any consumer injury.

The staff's decision to forego a formal investigation at this time is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require. The FTC appreciates your referral and the opportunity to continue to assist in supporting the NAD.

Very Truly Yours,

*s/ Carolyn L. Hann*

Carolyn L. Hann  
Chief of Staff for Advertising Practices