



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

Division of Advertising Practices

August 16, 2017

Timothy A. Murphy, Esq.  
Hammell & Murphy, P.L.L.P.  
110 East Main Street, P.O. Box 149  
Caledonia, MD 55921-0149

Re: Advertising Claims for Steuart Laboratories – Steuart’s Pain Formula topical product (FTC File No. 1623217)

Dear Mr. Murphy:

As you are aware, staff of the Federal Trade Commission’s Division of Advertising Practices conducted an investigation into whether you client, Steuart Laboratories, violated Sections 5 and 12 of the FTC Act, 15 U.S.C. §§ 45 and 52. This matter came to our attention when the National Advertising Division referred to the FTC an NAD compliance investigation of Steuart Laboratories’ claims that its topical product, Steuart’s Pain Formula, relieves joint and muscle pain associated with arthritis and injuries. The NAD’s referral indicated that your client agreed to participate in NAD’s self-regulatory process, but then failed to produce substantiation for its claims. Accordingly, the NAD referred this matter to the FTC for our review.

Upon thorough review of this matter, including a review of non-public documents and information submitted to the FTC, we have determined not to recommend enforcement action at this time. In coming to this conclusion, we considered a number of factors related to resource allocation and enforcement priorities, as well as the nature of any FTC Act violation and the type and severity of any consumer injury.

This action is not to be construed as a determination that a violation of law did not occur, 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.

Very truly yours,

A handwritten signature in black ink, appearing to read "Devin W. Domond".

Devin W. Domond  
Chief of Staff for Advertising Practices

cc: Laura Brett, Director, National Advertising Division