UNITED STATES OF AMERICA

FEDERAL TRADE COMMISSION WASHINGTON, D.C. 20580

Division of Advertising Practices

December 7, 2010

VIA FEDERAL EXPRESS AND EMAIL

Claudia A. Lewis
Venable, LLP
575 Seventh Street, NW
Washington, DC 20004

Re: Dr. Frank's Joint Pain Relief for Dogs and Cats, FTC File No. P094512

Dear Ms. Lewis:

As you know, the staff of the Federal Trade Commission's Division of Advertising
Practices has conducted an investigation into advertising by your client, Dr. Frank's Pet Pain Relief, LLC ("Dr. Frank"), for possible violations of Section 5 of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 45. The staffs investigation followed a referral involving claims made about Dr. Frank's homeopathic product, Dr. Frank's Joint Pain Relief for Dogs and Cats, from the National Advertising Division of the Council of Better Business Bureaus ("NAD"). For the reasons stated below, the staff has decided to close the investigation.

The staff S inquiry focused on claims made by Dr. Frank directly and through pet
owners' success stories that the product stops or significantly reduces joint pain in pets. According to the NAD's public news release, late in the review process Dr. Frank informed the NAD it had only recently performed a parallel, double-blind, placebo-controlled trial of its product, whose results Dr. Frank claimed supported its efficacy claims. Dr. Frank provided the FTC staff with the study and after reviewing it, the staff shared its concerns about the study with you. You recently sent a letter to the staff stating that Dr. Frank has ceased the sale of the product at issue and that if Dr. Frank decides to relaunch the product, it will conduct new clinical studies.

Claudia A. Lewis, Esq.
December 7, 2010
Page 2

Given Dr. Frank's decision to cease the sale of the product at issue, the staff has decided
to close the investigation. This action 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.

cc: Andrea Levine, NAD

Very truly yours,

JtLM-~. ~k Mary KoQel Engle C - Associate Director