

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

In the Matter of

**THE ERICKSON MARKETING GROUP INC.,
a corporation, d/b/a ROCKY MOUNTAIN
SUNSCREEN.**

FILE NO. 1523268

**AGREEMENT
CONTAINING
CONSENT ORDER**

The Federal Trade Commission has conducted an investigation of certain acts and practices of The Erickson Marketing Group Inc., a corporation (“proposed respondent”). Proposed respondent is willing to enter into an agreement containing a consent order resolving Rocky Mountain Sunscreen, is a Colorado corporation with its principal office or place of business at 14700 W. 66th Place, Suite 2, Arvada, Colorado 80004.

2. Proposed respondent neither admits nor denies any of the allegations in the draft complaint, except as specifically stated in the order. Only for purposes of this action, proposed respondent admits the facts necessary to establish jurisdiction.
3. Proposed respondent waives:
 - a. Any further procedural steps;
 - b. The requirement that the Commission’s decision contain a statement of findings of fact and conclusions of law; and
 - c. A002A002A0o.his agreement is accepted by the Commission, it, together with the draft complaint, will be placed on the public record for a period of days and information about it publicly released. The Commission thereafter may eit

withdraw its acceptance of this agreement and so notify proposed respondent, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision in disposition of the proceeding.

5. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of Section 2.34 of the Commission's Rules, the Commission may, without further notice to proposed respondent, (1) issue its complaint corresponding in form and substance with the attached draft complaint and its decision containing the following order in disposition of the proceeding, and (2) make information about it public. When so entered, the order shall have the same force and effect and may be altered, modified, or set aside in the same manner and within the same time provided by statute for other orders. The order shall become final upon service. Delivery of the complaint and the decision and order to proposed respondent's address as stated in this agreement by any means specified in Section 4.4(a) of the Commission's Rules shall constitute service. Proposed respondent waives any right it may have to any other manner of service. The complaint may be used in construing the terms of the order. No agreement,

- B. the extent to which such product contains any natural or synthetic ingredient or component;
- C. the ingredients or composition of such product; or
- D. the environmental or health benefits of such product,

unless the representation is non-misleading, including that, at the time such representation is made, the respondent possesses and relies upon competent and reliable evidence. (b) (6) (e) [TJ 0 Tc 0 Tw (

- B. This order's application to any respondent that is not named as a defendant in such complaint; and
- C. This order if such complaint is filed after the order has terminated pursuant to this Part.

Provided, further, that if such complaint is dismissed or a federal court rules that the respondent did not violate any provision of the order, and the dismissal or ruling is either not appealed or upheld on appeal, then the order will terminate according to this Part as though the complaint had never been filed, except that the order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

Signed this _____ day of _____, 2015

**THE ERICKSON MARKETING
GROUP INC.**

FEDERAL TRADE COMMISSION

By: _____
David C. Erickson
President

By: _____
Robert M. Frisby
Attorney, Bureau of Consumer Protection

Date: _____

By: _____
John Andrew Singer
Attorney, Bureau of Consumer Protection

APPROVED:

Laura Koss
Assistant Director
Division of Enforcement

James A. Kohm
Associate Director
Division of Enforcement

Jessica L. Rich
Director
Bureau of Consumer Protection