

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

Division of Advertising Practices

July 8, 2020

VIA EMAIL

Linda A. Goldstein, Esq.
Baker Hostetler
45 Rockefeller Plaza
New York, NY 10111-0100
lgoldstein@bakerlaw.com

Randal M. Shaheen, Esq.
Baker Hostetler
1050 Connecticut Avenue, NW
Suite 1100
Washington, D.C. 20036-5304
rshaheen@bakerlaw.com

Re: Relion Group (FTC Matter No. 192-3253)

Dear Ms. Goldstein and Mr. Shaheen:

As you know, the staff of the Federal Trade Commission's Division of Advertising Practices has conducted an investigation into whether your client, Relion Group, Inc., violated Sections 5 and 12 of the Federal Trade Commission Act, 15 U.S.C. § 45 and 52, in connection with television ads that solicited potential clients for personal injury lawsuits against manufacturers of the pharmaceutical drug Valsartan. The investigation was premised on concerns the ads might convey the following false or deceptive claims: (1) FDA has recalled all Valsartan from the market; (2) FDA has warned that Valsartan contains a possible cancer-causing chemical; (3) Valsartan presents a substantial risk of bladder cancer, pancreatic cancer, kidney cancer, colorectal cancer, liver cancer, or liver injury; and (4) the risks from taking Valsartan outweigh it

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has an effect on drug or device sales violates Section 12(a)(2) of the FTC Act, 15 U.S.C. § 52(a)(2).

Upon careful review of this matter, including non-public information submitted to staff, we have determined not to recommend enforcement action at this time. In coming to this conclusion, we considered, among other factors, your client's discontinuance of the ads at issue prior to being contacted by the FTC and, with respect to any future drug lawsuit advertising, its commitment to incorporate clear and conspicuous, audiovisual disclosures; specify the scope of any recalls; and avoid suggesting the ads are medical alerts or government-sanctioned messages. The FTC staff also expects that the Relion Group will ensure that any future drug lawsuit ads do not overstate the risks of taking a prescription medicine.

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

Serena Viswanath