UNITED STATES OF AMERICA

FEDERAL TRADE COMMISSION WASHINGTON, D.C. 20580

Division of Advertising Practices

Mary K. Engle
Associate Director

July 13, 2011

Andrea C. Levine, Esq.
Vice President, Director
National Advertising Division
Council ofBetter Business Bureaus, Inc.
70 West 36th Street
New York, NY 10018

Re: Resolution ofBene Via Referral

Dear Ms. Levine:

I am writing to report the results of your referral of advertising for Bene Via nutrition
drinks to the Federal Trade Commission. NAD referred this matter to the FTC in December 2010, after the advertiser failed to participate in the NAD's review of advertising regarding health claims that were being made for the Bene Via nutrition drinks.

In our efforts to resolve this matter, FTC staff contacted counsel for the marketers ofthe product, Healthspan Solutions, L.L.C. We have been advised that Bene Via nutrition drink is no longer being manufactured. Moreover, Healthspan Solutions, L.L.C., has closed its offices and terminated all employees. Counsel has also advised staff that while the website www.r:mbenevia.com is still accessible on the internet, the purchase link at the site is inoperable and the company has requested that the hosting company close the site. Given the company's current status, we believe that no further action is warranted.

The FTC strongly supports the NAD's self-regulatory program, which serves as an
important complement to the FTC's consumer protection efforts, and we encourage advertisers to participate fully in the program. We appreciate receiving your referral and having the opportunity to review this matter.

Very truly yours,

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