

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

Division of Advertising Practices

April 20, 2020

Via Electronic Mail (lbrett@bbbnp.org)

Laura Brett, Esq.

Vice President

National Advertising Division

112 Madison Avenue, 3rd Floor

New York, NY 10016

Re: Advertising by Guardian Technologies, LLC, for GermGuardian and PureGuardian

Dear Ms. Brett:

Thank you for your letter referring an NAD decision regarding advertising by Guardian Technologies, LLC ("Guardian Technologies") for GermGuardian and PureGuardian air purifiers and replacement filters. The NAD decision involves a challenge filed by Guardian Technologies' competitor, Dyson, Inc. Your referral indicates that NAD recommended that Guardian Technologies discontinue certain advertising claims regarding the ability of its air purifiers and replacement filters to provide High Efficiency Particulate Air ("HEPA") filtration. Guardian Technologies has declined to comply with NAD's recommendations because it believes its product testing supports its claims of HEPA filtration for its air purifiers and replacement filters.

In addition to reviewing the NAD case record, we have examined additional evidence provided by Guardian Technologies. We also met with representatives from the company to discuss the FTC's concerns, including the HEPA filtration claims at issue. After a careful review of the relevant claims, we have determined not to take additional 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 the FTC Act violation and the type and severity

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The Commission reserves the right to take such further action as the public interest may require. We appreciate your referral and the opportunity to continue supporting the NAD self-regulatory process.

Very truly yours,

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Carolyn L. Hann

Chief of Staff for Advertising Practices

cc: Chelsea Mikula, Tucker Ellis LLP