



United States of America
FEDERAL TRADE COMMISSION
East Central Region

Jon Miller Steiger
Director
East Central Region

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June 16, 2020

VIA ELECTRONIC MAIL

Vice President
National Advertising Division
112 Madison Avenue
New York, NY 10016

Re: Advertisement

Dear Ms. Brett:

We have reviewed the National Advertising Division's referral of Capillus LLC's advertising claims. Your referral indicated that Capillus agreed to comply with NAD's recommendations in August 2017, but then was unwilling to make modifications to its advertisements in 2018 in accordance with those recommendations. Accordingly, you referred this matter to the FTC for our review.

Upon careful review of this referral, including non-public information Capillus provided during our investigation, we have determined that Capillus's advertising practices are not deceptive. In coming to this conclusion, we considered a number of factors, including the absence of any consumer complaints and the fact that Capillus's discontinuation of its advertising in 2018 was a voluntary decision.

Staff's decision not to recommend enforcement action in this investigation is not to be construed as a determination that a violation has occurred, as the pendency of an investigation should not be construed as a determination that a violation has occurred.

Laura Br...
June 16, 2020
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warrant. The TIC appreciates yo
supp...

Sincerely,



Michelle Galt
Director, East Central Region

cc: An... E. DIR... ES...