



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

Division of Advertising Practices

April 8, 2022

Via Electronic Mail (lbrett@bbbnp.org)

Laura Brett, Esq.

Vice President

National Advertising Division

112 Madison Avenue, 3<sup>rd</sup> Floor

New York, NY 10016

Re: Advertising by Simply Gum, Inc.

Dear Ms. Brett:

On February 15, 2022, the National Advertising Division referred to the Federal Trade Commission an NAD Challenge regarding advertising by Simply Gum, Inc. ("SGI") for its chewing gum, Simply Gum. The Challenger, Perfetti Van Mette USA, alleged that SGI falsely or deceptively claimed that Simply Gum contains natural chicle and is biodegradable, and that conventional chewing gum is unsafe or unhealthy. Although SGI initially agreed to participate in the NAD Challenge, the advertiser soon withdrew entirely from the NAD process. Accordingly, you referred this matter to the Federal Trade Commission for our review.

After FTC staff explained the reason for NAD's referral and its potential consequences, the company agreed to re-engage with NAD. We understand from recent communications with your staff that SGI is actively cooperating with NAD.

Accordingly, it appears no additional FTC action is warranted at this time. Our decision is not to be construed as a determination that a violation has not occurred. The Commission reserves the right to take such further action as the public interest may require. The FTC fully

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supports NAD's self-regulatory process, and we sincerely appreciate your referral and the opportunity to continue to assist in supporting NAD.

Very truly yours,

*s/ Carolyn L. Hann*

Carolyn L. Hann  
Chief of Staff for Advertising Practices