



Division of Advertising Practices

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

November 21, 2007

Martin J. Hahn, Esq.  
Hogan & Hartson, LLP  
555 Thirteenth St., NW  
Washington, DC 20004

Re: Cadbury Adams/Halls ProHealth Defense Dietary Supplement  
FTC File No. 082-3044

Dear Mr. Hahn:

As you know, the staff of the Federal Trade Commission conducted an investigation of your client, Cadbury Adams ("the company"), for possible violations of Sections 5 and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45 and 52. In particular, the investigation concerned Cadbury Adams's advertising and promotion of Halls ProHealth Defense ("the product"), a dietary supplement containing vitamins A, C, E, zinc, and an herbal blend, in lozenge form. Our inquiry focused on whether Cadbury Adams possessed adequate substantiation for claims, *inter alia*, that Halls ProHealth Defense provides protection during cold and flu season, and defends against sickness and germs in crowded environments.

Upon careful review of the matter, including non-public information submitted to staff, it appears that no further action is warranted by the Commission at this time. Among the factors we considered in making this determination are the limited nature of the marketing campaign and the relatively small amount of resulting sales to date, the company's commitment to change the product's advertising and packaging on a going forward basis, and the company's communications with retailers regarding potential claims that may be implied by product placement in stores.

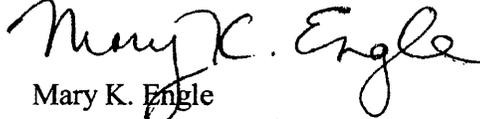
Cadbury Adams has provided Commission staff with copies of its new print advertising for Halls ProHealth Defense, which eliminates all explicit and implied references to germs and colds. The company has represented that the new print advertising will replace the previous campaign at the soonest possible opportunity. It is also our understanding that as of the date of this letter, no additional boxes of the product in its current packaging will be shipped to retailers unless the packaging is first modified as discussed with Commission staff. The company has also represented that revised packaging will be introduced by January 2008, and, at that time, all remaining current packaging inventory will be destroyed.

The staff appreciates Cadbury Adams's cooperation in the prompt resolution of this matter. This action is not to be construed as a determination that a violation has not occurred,

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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 public interest may require.

Very truly yours,

A handwritten signature in black ink that reads "Mary K. Engle". The signature is written in a cursive style with a large, looped initial "M".

Mary K. Engle  
Associate Director for Advertising Practices