



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

Division of Advertising Practices

Mary K. Engle
Associate Director

November 17, 2011

Mr. Courtland L. Reichman
King & Spalding
1180 Peachtree Street, N.E.
Atlanta, GA 30309-3521

Re: NAD Referral of Merial LLC

Dear Mr. Reichman:

The staff of the Federal Trade Commission has conducted an inquiry into certain advertising representations made by Merial LLC regarding Frontline Plus. The National Advertising Division of the Council of Better Business Bureaus ("NAD") referred this matter to us after a compliance proceeding concluded that Merial failed to modify its advertising as recommended by NAD and the National Advertising Review Board of the Council of Better Business Bureaus.

Upon review of the matter, we have determined not to take additional action at this time. Among the factors we considered are the current pendency of federal litigation regarding the advertising at issue in the NAD referral. *See Merial LLC v. Bayer Healthcare, LLC* (N.D. Ga.) (complaint filed Sept. 21, 2011). The Commission reserves the right to take such further action as the public interest may require.

Very truly yours,

Mary K. Engle
Associate Director

cc: Andrea C. Levine, National Advertising Division