



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

Division of Advertising Practices

June 20, 2019

Peter C. Marinello
Director
Electronic Retailing Self-Regulation Program
112 Madison Avenue, 3rd Floor
New York, NY 10016

Re: Advertising by Alo, LLC d/b/a Alo Yoga

Dear Mr. Marinello:

The Electronic Retailing Self-Regulation Program referred to the Federal Trade Commission an ERSP compliance investigation involving online and social media advertising by Alo, LLC d/b/a Alo Yoga (“Alo Yoga”). Your referral indicated that ERSP identified endorsement claims on Instagram by Alo Yoga “ambassadors” who received free products or other consideration but failed to disclose their material connections. Your referral noted that Alo Yoga participated in ERSP’s self-regulatory process and agreed to voluntarily prepare guidelines for its ambassadors about endorsements, but failed to submit further information to ERSP regarding its guidelines or modify the challenged advertisements to disclose material connections. Accordingly, you referred this matter to the FTC for our review.

After we alerted Alo Yoga to the ERSP’s referral to the FTC, the company eventually agreed to engage with the ERSP. We understand from recent conversations with you that Alo Yoga has actively cooperated with ERSP. We further understand that ERSP issued its Decision regarding this compliance investigation on June 18.

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

Very truly yours,



Carolyn L. Hann
Chief of Staff for Advertising Practices

cc: Andrew P. Holland, Esq., Thoits Law
Misasha S. Graham, Esq., Thoits Law