



United States of America
FEDERAL TRADE COMMISSION
Washington, DC 20580

Division of Advertising Practices

January 27, 2015

Robert J. Shaughnessy, Esq.
Williams & Connolly LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005-5901

Re: NAD Referral of Talking Rain Beverage Company/Sparkling ICE

Dear Mr. Shaughnessy:

As you know, the staff of the Federal Trade Commission has conducted an inquiry into certain advertising representations made by Talking Rain Beverage Company regarding its Sparkling ICE beverage. The National Advertising Division of the Council of Better Business Bureaus (NAD) referred this matter to us after the company declined to implement NAD's recommendations or to participate in any further compliance review pursuant to NAD's self-regulatory review process. Upon consideration of the matter, we have determined not to take additional action at this time. The Commission reserves the right to take such further action as the public interest may require.

Very truly yours,

A handwritten signature in blue ink that reads "Mary K. Engle". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Mary K. Engle
Associate Director

cc: Andrea Levine, Director, NAD
Brian L. Heidelberger, Winston & Strawn