



United States of America  
FEDERAL TRADE COMMISSION  
Washington, DC 20580

Division of Advertising Practices

October 8, 2015

Andrea C. Levine, Esq.  
Senior Vice President, Director  
National Advertising Division  
112 Madison Avenue, 3rd Floor  
New York, NY 10016

Re: NAD Referral of Aspire Beverages Co., LLC/Aspire sports drinks

Dear Ms. Levine:

Thank you for your July 20, 2015 letter referring the NAD's investigation of advertising claims made by Aspire Beverage Company for its Aspire sports drink. Although the company participated in the self-regulatory process, the materials you provided indicate that Aspire Beverage declined NAD's recommendation concerning certain performance and health-related claims and unqualified claims that Aspire beverages are "natural sports drinks."

Upon review of this matter, we have determined not to take additional action at this time. In arriving at this conclusion, we considered a number of factors related to resource allocation and enforcement priorities, as well as additional changes that Aspire Beverage has made to its advertising and marketing materials since NAD referred this matter to the FTC. In particular, Aspire Beverage has stopped making claims that its beverages are "natural sports drinks" and has taken additional steps to remove or further qualify performance and health-related claims for its beverages. The Commission reserves the right to take such further action as the public interest may require.

Very truly yours,

Mary K. Engle  
Associate Director for Advertising Practices

cc: Mr. John Montague, Aspire Beverage Company