



United States of America  
FEDERAL TRADE COMMISSION  
Washington, DC 20580

Division of Advertising Practices

November 20, 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 Pursuit of Research/Nutriiveda Dietary Supplement

Dear Ms. Levine:

In May 2015 you referred to the FTC the NAD's compliance investigation of Pursuit of Research in connection with its claims concerning Nutriiveda whey powder dietary supplement. Pursuit of Research had participated in the self-regulatory process and had agreed to NAD's recommendation to discontinue certain health claims and testimonials. Contrary to this agreement, Pursuit of Research continued claiming that Nutriiveda could cure or treat neurological disorders, especially in children with apraxia, autism, and epilepsy. Accordingly, you referred the matter to the FTC.

The FTC fully supports the NAD's self-regulatory process, and the staff is concerned that Pursuit of Research did not discontinue the challenged claims after it told NAD it would do so. After the matter was referred, however, Pursuit of Research and its owner changed their advertising and marketing materials to bring them into compliance with NAD's initial recommendation. In addition to removing claims and testimonials that NAD previously requested they discontinue, they have stopped distributing and marketing Nutriiveda and have taken steps to better ensure that they do not make unsubstantiated health-related claims for their new dietary supplement. Accordingly, it appears that no additional FTC action is warranted at this time. 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: Michael Fernandez, Esq.