



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

Division of Advertising Practices

December 11, 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 Health Energetic Labs' HeightGrowth Plus Product

Dear Ms. Levine:

In October 2015, you referred to the FTC the NAD's compliance investigation of Health Energetic Labs and related companies for claims that their HeightGrowth Plus dietary supplement product was, among other things, "scientifically proven to make you taller." The product's marketers failed to file a substantive response after the NAD's initial and follow-up requests for substantiation.

After receiving your referral, FTC staff attempted to contact Health Energetic Labs and related companies to discuss their failure to file a substantive response to the NAD's requests. In mid-November, after receiving no response to our repeated calls and emails, upon revisiting the Health Energetic Labs' website, we discovered that the companies had replaced the website with a webpage stating "Under Construction." Moreover, the companies had discontinued selling products through this website. At the time of this letter, this website remains inactive.

The FTC fully supports the NAD's self-regulatory process, and the staff is concerned that Health Energetic Labs and related companies did not file a substantive response after the NAD's requests for substantiation. After you referred this matter, however, the companies deactivated and discontinued selling products through the HeightGrowth Plus website. While we will continue to monitor this website and other advertisements for HeightGrowth Plus, 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