



TOGETHER, BUILDING PEOPLE®

June 14, 2016

Via email and overnight courier

Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.
PO Box 927
Madison, CT 06443

Dear Ms. Smith:

I am responding to your letter from Truth in Advertising, Inc. (TINA) of June 7, 2016. We have thoroughly reviewed your letter, your website and the claims that you listed on your website. While our staff continuously works diligently to address these types of claims, including those noted on your website, a one week deadline to address and resolve each and every issue identified is simply unreasonable. As we continue to make progress, we will provide you an update as to the status of these items by the close of June 21, 2016.

First and foremost, 4Life Research, LLC (4Life) takes compliance with 1) DSHEA, 2) false advertising principles of the FTC act, 3) the Code of Ethics of the DSA, and 4) its own Policies and Procedures, seriously as it relates to product claims and we vehemently disagree that 4Life is involved in a deceptive marketing campaign through its distributors. 4Life is a company that operates with integrity and conducts business in an ethical manner. I assume you reviewed 4Life's company website where you found that 4Life has gone to great lengths to ensure that claims and information are compliant and in accordance with the regulatory environment in which we operate. While we can more easily ensure the claims made by the company are compliant, it is more challenging to ensure compliance by the tens of thousands of 4Life distributors around the world. Even so, we take tremendous efforts to monitor their compliance and to immediately address issues upon being notified of a potential problem.

4Life maintains a department of employees whose primary function is to monitor the activities of distributors and to identify and address any improper claims being made. In addition, because approximately 70% of 4Life's business is outside of the United States, 4Life maintains additional employees in our international offices who assist with these efforts for their local markets. These employees are regularly working with distributors to modify or remove improper claims that are identified to ensure they are compliant. 4Life's compliance team reviews claims that are made on the internet and in marketing materials on a daily basis. This includes distributor websites, YouTube videos and social media sites, such as Facebook, Twitter and Pinterest. When an improper claim is identified, we take the following steps:

- 1) We send a warning letter or contact the distributor to address the specific infraction.
- 2) If the distributor complies, we reinstate that distributor.
- 3) If the distributor does not delete or amend the claim, we suspend that distributor. Being suspended means that the distributor's account is frozen – the distributor is unable to place product orders or receive commissions based upon product sales, they cannot attend 4Life functions, they cannot enroll new 4Life distributors to sell products and they lose access to information relating to their account.
- 4) If a distributor does not respond to the suspension letter, 4Life may terminate that distributor. However, since non-responsive distributors remain in a suspended status so that they cannot conduct business with 4Life, we are cautious about terminating such distributors because doing so limits or loses entirely our ability to get the claims removed given there would be no motivation for a distributor to remove the claims if they no longer have a 4Life distributorship.
- 5) In addition, 4Life utilizes other methods to enforce our policies against those who make non-compliant claims:
 - a. Because many of 4Life's employees are "friends" with distributors on Facebook and other social media forums, the compliance team periodically sends emails to 4Life employees reminding them to submit any non-compliant product claims so we can follow-through appropriately. All submitted claims to the compliance team are followed up immediately.
 - b. In addition to the compliance team, 4Life has additional staff in the Distributor Services and Marketing departments that review 4Life's social media venues every day as a part of their job duties; they alert us to any non-compliant product claims they find so we can follow-through appropriately.
 - c. Members of our compliance team participate in distributor conference calls to discuss product claims.
 - d. When an improper claim is identified that is spreading quickly through Facebook, we immediately call the distributor demanding removal of the claim.
 - e. 4Life utilizes Google Alerts with "4Life" and disease names to find new claims, and respond appropriately.

Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.
June 14, 2016
Page 3 of 4

4Life takes into consideration information from all sources about possible violations of its Policies and Procedures and applicable law. Accordingly, 4Life has investigated the “over 100” claims cited in your June 7 letter. Among other things, we have created a comprehensive spreadsheet that lists each of those claims and the actions we are taking with respect to each of them.

After reviewing the list of “over 100” claims that was provided by TINA, we found that approximately 60% of the distributors and individuals making these claims were from international markets outside of the United States, so 4Life is working with our international offices to assist in addressing these claims. We also noted that many of them were different pages of the same distributor’s website. After taking this into account, the “over 100” claims can be attributed to 59 unique distributors or individuals. The following is the status of the 59 unique distributors or individuals of our review as of today:

- 1) 4Life identified 29 distributors who made claims. We immediately suspended these distributors upon learning of their claims and fines will be assessed as appropriate. 23 of the 29 distributors have removed the claims since being notified by 4Life.
- 2) The remaining 30 individuals noted could not be identified as having a current business relationship with 4Life. Many of these claims have previously been identified by 4Life, but given the circumstances, it has not been possible to get them removed. The following describes the status of these 30 individuals:
 - a. 15 are former distributors who have terminated their distributorships with 4Life and who no longer maintain a business relationship with the company. Even though they are no longer 4Life distributors, we have contacted these individuals and two of them have removed the claims. We will continue to attempt to get the remaining claims removed, but it is obviously more difficult as there is no motivation for them to do so.
 - b. Four are posts on public websites, such as WebMD and Amazon, where we don’t know who is making the post. We are contacting the public websites to remove these posts, but have been met with resistance because they are posted in public forums expressing opinions or reviews. One of these claims has been removed.
 - c. Four are posts that are on what appear to be non-profit organization websites, such as anti-cancer organizations, where comments about 4Life products have been made. We have reached out to the sites and two of the posts have been removed.
 - d. Seven are from individuals that we are unable to identify. A number of these are from sites such as Facebook and YouTube where we are unable to identify the individual making the posts.

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June 14, 2016
Page 4 of 4

I believe it is also important to correct the record relating to your story entitled "DSA Award Winners are Ethics Code Violators" wherein you cite "**four**" letters 4Life received from the FDA and/or the FTC. This is simply not true. In 4Life's 18 years of doing business, 4Life has received **ONE** Warning Letter over ten years ago from the FDA dated November 1, 2004 wherein the FDA identified certain claims that needed to be modified. 4Life immediately made the appropriate modifications and responded to the FDA in a timely manner.

Two of the four references you noted (a screenshot from the FDA website and an FDA/FTC warning letter) refer to the exact same incident wherein a 4Life distributor received a Warning Letter dated November 30, 2009 from the FDA/FTC. Upon learning of the issuance of the Warning Letter to the distributor, 4Life immediately took action to ensure the distributor made the appropriate modifications on his website and 4Life immediately issued the distributor a warning letter for violation of 4Life's Policies and Procedures.

The fourth reference which you noted relates to a voluntary product recall conducted by 4Life in December 2013. At that time 4Life, along with dozens of other dietary supplement companies throughout the United States, purchased in the ordinary course of business a raw material that contained trace amounts of an antibiotic. As a result, almost 500 products were recalled from the market by numerous companies through no fault of their own. As part of the process, 4Life contacted the FDA and worked closely with them to report the recall and to ensure the recall was properly executed. The "letter" which you referenced is simply a screenshot from the FDA's website noting that a voluntary recall occurred that was initiated by 4Life.

I am hopeful that you will recognize that 4Life takes regulatory matters seriously and actively monitors distributor compliance with regards to product claims. As noted, we will provide you an additional update on June 21, 2016. Should you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Tew". The signature is fluid and cursive, with a long horizontal stroke at the end.

Steven D. Tew
President and CEO