

GIACOMO JAMES CORRADO

Attorneys at Law

Via email

December 16, 2016

Laura Smith, Esq., *Legal Director*, Truth in Advertising, Inc. (TINA)
Jared O. Blum, *DSA Code Administrator*, Direct Selling Association (DSA)

Re: **NYR Organic, Inc.** (NYR)

Dear Laura and Jared:

Jared and I spoke yesterday. As I explained, I serve as NYR Organic, Inc.'s General Legal Counsel.

I reiterate our client's gratitude to TINA and DSA for alerting us that a few of its distributors posted on social media questionable claims of healing properties, for the products they market on NYR's behalf.

I assure you that our client is dedicated to educate and police its sales force on the subject, upholding the strictest standards of truthful and honest marketing. However, it seems that a few individuals have too simplistically relied on third party literature, and customers' testimonials, believing that such material could suffice to substantiate their claims. And, in turn, a few of them have regrettably eluded our client's supervision.

We have no reason to doubt that said individual distributors acted in good faith; they certainly did not intentionally disregard the rules of "truth in advertising", but most likely simply ignored them or misunderstood them. Your findings, however, persuaded NYR to react sternly and immediately enact a rigorous new policy to address False and Misleading Claims.

I trust that the text of the new Policy (attached for your kind review), which will be communicated to the entire sales force, today, will show NYR's commitment to conclusively settle a problem our client does not take lightly. NYR's unwavering resolve to purge "false advertisement" from the marketing tools available to its sales force (however based on good intentions as it may be) is not only poised to comply with the legal mandate, but above all, to promote respect for its consumers and to preserve the unblemished integrity of the brand, *Neal's Yard Remedies*.

Naturally, given the depth of your experience on the subject, we will appreciate your comments and any additional guidance you may wish to share with us.

Best regards,
Giacomo

On Dec 19, 2016, at 8:46 AM, Laura Smith <[REDACTED]> wrote:

Dear Giacomo:

I received your December 16th letter regarding NYR Organic, Inc., as well as NYR Organic's new False & Misleading Claims Policy that you attached. Thank you for reaching out and for making us aware of the steps you are taking to remove the inappropriate health claims.

We will be posting all company responses to our notification letters on our website. If you wish to write further, we'd be happy to post any updates you have as well.

Thank you again for reaching out. We are glad to see NYR Organic is making efforts in the right direction.

Sincerely,

Laura Smith
Legal Director

[REDACTED]
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Keeping
Ads
Honest



From: **Giacomo Corrado** <[REDACTED]>
Date: Tue, Dec 20, 2016 at 10:19 AM
Subject: Re: Your letter to TINA.org regarding NYR Organic, Inc.
To: Laura Smith <[REDACTED]>

Dear Laura:

Thank you for acknowledging my reply.

I am confident that the steps our client is taking will resolve this problem. NYR will gladly report on the results of the process and cooperate in any way you may deem useful to the success of TINA's commendable campaign.

While it is nearly proverbial that a sales person may resort to spinning a clever yarn to market products, misleading advertising is repugnant to the core values NYR upholds and promotes. In many ways, TINA's intervention across the industry provides the authority and urgency to warrant the need for a stern policy, without alienating the sales force with what could have otherwise appeared as pedantic lawyering.

Best regards,

gj

Sent by:

GIACOMO JAMES CORRADO, ESQ.