



May 30, 2017

**VIA EMAIL**

Jared Blum  
DSA Code of Ethics Administrator  
1667 K Street NW  
Washington D.C., 20037  
[REDACTED]

Re: Deceptive Marketing for Nerium International Business Opportunity and Products

Dear Jared:

Almost a year ago, Truth in Advertising, Inc. (“TINA.org”) undertook an investigation of Nerium International (“Nerium”),<sup>1</sup> a Texas-based multi-level marketing company and DSA member that sells anti-aging products that include creams, serums and a brain supplement. At that time, our investigation revealed that Nerium and its distributors were engaged in a deceptive marketing campaign for both the Nerium business opportunity and its products. And because Nerium failed to remove the majority of deceptive marketing claims after being notified by TINA.org, we alerted you, the FTC, and the Attorney General of Texas to Nerium’s transgressions, and urged that appropriate enforcement action be taken.<sup>2</sup>

What has become clear since that time is that Nerium has no intention of complying with truth in advertising laws.<sup>3</sup> Since advising the company of the deceptive marketing claims some 12 months ago, many of the inappropriate posts listed in TINA.org’s databases still remain on the internet, and TINA.org has been able to catalogue more than 100 new examples of inappropriate health<sup>4</sup> and income<sup>5</sup> claims being made by the company and its distributors.

One need look no further than Nerium’s own website<sup>6</sup> to find multiple examples of inappropriate income claims being made – from pictures of exotic vacations and luxury cars, to video testimonials of distributors solving their financial worries and building their dream lifestyles. As for health claims, Nerium’s brain supplement is being promoted by distributors on the internet and social media as the solution for everything from Alzheimer’s to ALS to ADHD.

Nerium's actions (and inactions) over this past year clearly show that unless an outside force is willing to intervene, Nerium will continue on with its deceptive marketing tactics, and in so doing, will defraud those with financial worries, and exploit those suffering from serious diseases and health issues. We trust you will not ignore these transgressions.

Sincerely,



Bonnie Patten, Esq.  
Executive Director  
Truth in Advertising, Inc.  
[Redacted]



Laura Smith, Esq.  
Legal Director  
Truth in Advertising, Inc.  
[Redacted]

Cc: Thomas B. Pahl, Acting Director, Bureau of Consumer Protection, FTC  
Mary Engle, Associate Director, Division of Advertising Practices, FTC  
Lois Greisman, Associate Director, Division of Marketing Practices, FTC  
Ken Paxton, Attorney General of Texas  
Jeff Olson, Founder and Chief Executive Officer, Nerium International  
Eric Haynes, General Counsel, Nerium International

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<sup>1</sup> See <https://www.truthinadvertising.org/nerium-summary-of-action/>.

<sup>2</sup> See [https://www.truthinadvertising.org/wp-content/uploads/2016/07/7\\_12\\_16-ltr-from-TINA-to-FTC-re-Nerium.pdf](https://www.truthinadvertising.org/wp-content/uploads/2016/07/7_12_16-ltr-from-TINA-to-FTC-re-Nerium.pdf); [https://www.truthinadvertising.org/wp-content/uploads/2016/07/7\\_12\\_16-ltr-from-TINA-to-TX-AG-re-Nerium.pdf](https://www.truthinadvertising.org/wp-content/uploads/2016/07/7_12_16-ltr-from-TINA-to-TX-AG-re-Nerium.pdf).

<sup>3</sup> See <https://www.truthinadvertising.org/what-you-should-know-about-nerium/>.

<sup>4</sup> See <https://www.truthinadvertising.org/nerium-health-claims-database/>.

<sup>5</sup> See <https://www.truthinadvertising.org/nerium-income-claims-database/>.

<sup>6</sup> See <http://www.nerium.com/opportunity>.