



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Division of Advertising Practices

January 26, 2010

Nordic Naturals, Inc.  
Attn: Michele Opheim, Owner and President  
94 Hangar Way  
Watsonville, CA 95076

**WARNING LETTER**

This letter is to advise you that the Division of Advertising Practices of the Federal Trade Commission ("FTC") has reviewed product packaging and advertising on the website [www.nordicnaturals.com](http://www.nordicnaturals.com) and distributed at trade shows for Nordic Naturals Children's DHA ("Children's DHA") and Nordic Naturals Omega-3•6•9 Junior ("Omega Junior"), chewable soft gel products containing Omega-3 fatty acids that are intended for use by children. According to product labeling, Children's DHA is intended for children 3 years and older, and Omega Junior is for children 5 years through teens.

The FTC staff has identified various express and implied claims on product packaging and in advertising for Omega Junior and Children's DHA representing that these products provide health benefits related to brain and eye development and function in normal children. Some examples of these claims include:

- Consuming Children's DHA promotes or supports memory, learning focus, concentration, positive mood, and behavior in children;
- Consuming Children's DHA promotes brain development and visual function in children;
- Consuming Omega Junior promotes mood, focus, and learning ability in children;
- Consuming Omega Junior enhances brain and eye development and maintenance in children; and
- Consuming Omega Junior enhances or supports the minds of children.

Given the claims you are making, you should be aware of a recent law enforcement investigation we conducted into similar claims for another children's dietary supplement. Attached is a public closing letter related to an investigation that the FTC conducted of Northwest Natural Products, Inc. ("NNP") for possible violations of Sections 5 and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45 and 52 ("FTC Act"). In particular, the FTC's investigation of NNP involved, among other things, the advertising and promotion of a children's gummy vitamin called L'il Critters Omega-3 Gummy Fish ("Gummy Fish"). Our inquiry focused on whether NNP had adequate substantiation for representations that Gummy Fish boosts, improves, or promotes brain function, brain development, intelligence, or academic

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achievement in children. In response to our inquiry, NNP quickly and voluntarily modified all marketing materials for Gummy Fish, including product packaging and labeling, to ensure compliance with the FTC Act. In addition, NNP discontinued the dissemination of print advertisements and website materials for Gummy Fish that contained the claims at issue. The attached closing letter describes in detail the marketing claims at issue in that investigation and the modifications that NNP made to ensure compliance with the FTC Act.

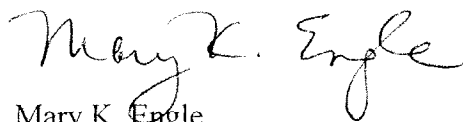
We strongly recommend that after reviewing the attached closing letter, you review your company's advertising, product packaging and labeling, and other promotional materials to ensure that you are not making any health-related claims for Children's DHA, Omega Junior, or any other products without competent and reliable scientific evidence to support such claims. The above claims from your product packaging and website are merely illustrative, and are not intended to be an all-inclusive list. It is your responsibility to ensure that promotional materials for your products, including all product packaging and labeling, are in compliance with the FTC Act; in other words, that the health-related claims you make for your products are substantiated. For example, you might rely on well-conducted, clinical cause-and-effect studies demonstrating that the use of the combination of Omega fatty acids contained in Children's DHA and Omega Junior, in the same dosage as provided by one serving of each product, has a significant effect on mood, focus, learning ability, and brain and eye development in normal children ages 3 years and older ( for Children's DHA) and 5 years and older (for Omega Junior).

I also urge you to visit the FTC's website at [www.ftc.gov/bcp/online/pubs/buspubs/ad-faqs.shtm](http://www.ftc.gov/bcp/online/pubs/buspubs/ad-faqs.shtm), which provides relevant FTC guidance for businesses.

Please send an email to [ddomond@ftc.gov](mailto:ddomond@ftc.gov) by **February 8, 2010**, describing any actions that you have taken or intend to take in response to this letter to ensure your company's compliance with the FTC Act. Please be advised that if you make health-related claims for products without competent and reliable scientific evidence to support such claims, the FTC may take action to enforce and seek redress for any violations of the FTC Act as the public interest may require:

Thank you for your attention to this matter. Please direct any inquiries concerning this letter to Devin Domond at [ddomond@ftc.gov](mailto:ddomond@ftc.gov) or at (202) 326-2610.

Very truly yours,



Mary K. Engle  
Associate Director  
Division of Advertising Practices