



March 5, 2021

**VIA EMAIL**

Julia Simon  
Chief Legal Officer  
Mary Kay, Inc.  
16251 Dallas Parkway  
Addison, Texas 75001  
[REDACTED]

Re: Illegal Income Claims by Mary Kay Inc.

Dear Ms. Simon:

I write on behalf of Truth in Advertising, Inc. (“TINA.org”), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising, to alert you to the findings of a TINA.org investigation into income claims made by Mary Kay and its distributors.

Specifically, and as outlined in an article published yesterday entitled “Mary Kay Off-Roads Into Deceptive Income Claims,”<sup>1</sup> we found that Mary Kay and its distributors consistently use deceptive income claims to market the business opportunity to attract and retain recruits. For example, the company advertises that its distributors can achieve financial freedom, earn a replacement income, buy their dream homes, quit their jobs, make six figure incomes, retire their spouses, and earn the iconic Mary Kay pink Cadillac, among other things. Not only are such results not typical, but the marketing claims that boast atypical results are made without ever clearly and conspicuously disclosing what typical Mary Kay distributors actually earn, as is required by FTC law.<sup>2</sup>

TINA.org has compiled a sampling of 200 such deceptive income claims. This sampling is available at [www.truthinadvertising.org/mary-kay-income-claims/](http://www.truthinadvertising.org/mary-kay-income-claims/) and is not an exhaustive list.

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<sup>1</sup> <https://www.truthinadvertising.org/mary-kay-off-roads-into-deceptive-income-claims/>.

<sup>2</sup> 16 CFR § 255.2(b); FTC Business Guidance Concerning Multi-Level Marketing, <https://www.ftc.gov/tips-advice/business-center/guidance/business-guidance-concerning-multi-level-marketing>.

I trust that Mary Kay will promptly remove these deceptive claims from publication, as well as any and all others that are not in TINA.org's sampling, and will ensure that there are no future financial misrepresentations, either directly by the company or by its distributors. If I am mistaken, please let me know at your earliest possible convenience.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "L. Smith". The signature is written in a cursive, flowing style.

Laura Smith, Esq.  
Legal Director  
Truth in Advertising, Inc.