



United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

Division of Advertising Practices

July 27, 2017

Martin Zwerling
Deputy Director
National Advertising Division
112 Madison Avenue, 3rd Floor
New York, NY 10016

Re: Advertising for Aqua Health Labs, Inc.'s PhytOriginal dietary supplements

Dear Mr. Zwerling:

A few months ago, the National Advertising Division referred to the Federal Trade Commission an NAD compliance investigation of Aqua Health Labs, Inc.'s claims that its PhytOriginal dietary supplements provide various health benefits, including that they "protect your heart" and "reduce cholesterol." Your referral indicated that Aqua Health Labs refused to participate in NAD's self-regulatory process. Accordingly, you referred this matter to the FTC for our review.

After we contacted Aqua Health Labs regarding the NAD referral, the company agreed to cooperate with the NAD's inquiry. We understand from conversations with Kathleen Dunnigan, the NAD attorney handling this matter, that Aqua Health Labs was cooperating with NAD's inquiry but recently decided to discontinue business.

Accordingly, it appears no additional FTC action is warranted at this time. Our decision is not to be construed as a determination that a violation has not occurred. The Commission reserves the right to take such further action as the public interest may require. The FTC fully supports the NAD's self-regulatory process, and we sincerely appreciate your referral and the opportunity to continue to assist in supporting NAD.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. W. Domond".

Devin W. Domond
Chief of Staff for Advertising Practices