

National Advertising Division 2023

Annual Report

Executive Summary

A growth in case filings and an acceleration in case resolution combined to make 2023 an active year for advertising self-regulation, across a broad range of industries in the United States. BBB National Programs' National Advertising Division closed 26.2% more truth-in-advertising cases in 2023 than in 2022, with an increase in both competitor challenge and National Advertising Division monitoring cases. Cases brought in the National Advertising Division's Fast-Track SWIFT filing track — an expedited track designed for single-issue advertising cases — more than doubled in 2023, demonstrating the value the industry places on fast resolution of misleading advertising issues.

Hearing from its stakeholders that speed is critical, the National Advertising Division (NAD) sped up its case timing — from case open to case close — by more than 20%.

Carrying out the mission to support truth-in-advertising, NAD case decisions continue to provide guidance on important issues for the advertising industry, resolving disputes as far ranging as “carbon neutral” targets to what “access” to football games means to the sports enthusiast. Case decisions provided guidance to companies on issues that are a stated focus of the Federal Trade Commission (FTC), including endorsements, reviews, and influencer marketing, as well as how to avoid “dark patterns,” which the FTC has called out as potentially deceptive to consumers.

While the telecommunications industry remained a dedicated participant in the self-regulatory process — with disputes in 2023 addressing internet service options now offered by traditional mobile providers as well as a new focus on advertising for some low-cost telecommunications providers — the cosmetics industry continued to use the self-regulatory process to resolve disputes.

Joining them were some new industries that leveraged self-regulatory process for the first time, including challenges involving wood flooring and home siding.

26%

Year over year increase in closed cases from 2022 to 2023

+20%

Faster average case open-to-close

Nearly half of all 2023 challenges involved monadic claims in which the challenger took issue with, for example, a competitor’s claims about the price of its product or service, the composition or other performance attribute of the product or service, or messages conveyed by the product name or slogan. Only a third of NAD challenges involved comparative superiority or disparagement claims in which the advertising was alleged to portray the challenger’s product or service in a misleading way.

In approximately 8% of cases, NAD determined that the challenged claims were fully supported; however, in many matters, NAD determined that only some of the challenged claims were supported.

When a party to a challenge — either the advertiser or the challenger — does not agree with the case decision, an appeal may be made to BBB National Programs’ National Advertising Review Board, the appellate body for the U.S. system of advertising industry self-regulation. Five-member panels comprised of distinguished advertiser, agency, and academic leaders selected for their stature and experience in their fields, hear cases and provide independent industry peer review.

Support for independent advertising self-regulation remains strong and the FTC’s support, as well as the support of platforms and networks, continue to reinforce effectiveness.

The FTC’s Director of the Bureau of Consumer Protection, Sam Levine, explained at the 2023 NAD Conference:

“NAD is a great example of how self-regulation can serve the public well. The organization enjoys an independent institutional structure and displays a willingness to make tough calls that may not please participants. In addition, NAD benefits from there being a strong enforcement background, with the FTC and other enforcers having spent years laying out the rules of the road for honest advertising. Finally, and perhaps most importantly, NAD operates in a generally well-functioning market where companies are incentivized to bring challenges when their competitors are engaged in dishonest advertising.”



• • • • •
Sam Levine

Director, Bureau of Consumer Protection
Federal Trade Commission

Each year NAD proudly reinforces truth-in-advertising standards set by the FTC and continues to be a resource for businesses to build a trusted relationship with consumers.

Table of Contents

Executive Summary	2
Table of Contents.....	4
Case Trends & Statistics	5
National Advertising Division Monitoring.....	7
NAD & The FTC	8
National Advertising Division Highlights	10
National Advertising Division 2023 Case Trends.....	14
Summary of Case Work.....	15

Case Trends & Statistics

National Advertising Division case decisions can provide insight on trends in consumer behavior or draw attention to technological innovations. They can also highlight areas of regulatory action or inaction. Enforcement actions from the FTC, as well as the FTC's new and updated guidance, from health claims to endorsements and testimonials, provided a blueprint for National Advertising Division case activity, applying updated guidance in its review. The National Advertising Division's decisions also intersected with other federal regulatory guidance, particularly from the Food & Drug Administration (FDA).

Public Interest & Trade Association Challengers

2023 included a number of challenges by public interest and trade associations from industries ranging from food and beverage to building, and issues concerning seals and certifications and product descriptions. It also included challenges by multinational companies and frequent National Advertising Division participants against smaller competitors, including those new to the National Advertising Division, to counteract misleading claims.

Telecommunications Challenges

Nearly a third of National Advertising Division challenges involved telecommunications companies, with more than half of those challenges to claims related to Internet services. Claims about streaming services were also reviewed in National Advertising Division cases. Many of the challenges centered on claims regarding comparative superiority or disparagement, while others focused on pricing or performance claims.

Aspirational & Exaggerated Claims

Consumers' purchase decisions can often be driven by their moral compass, and so companies advertising products and services want to speak to that compass. Advertising sustainability targets, such as "net zero" emissions by a specified date, are often seen in advertising, and should be backed up by evidence that the advertised efforts can achieve the specific measurable outcome touted. In one case this year, the National Advertising Division reviewed "net zero" claims and provided guidance that such claims should be backed up by a plan to reach the target, not just intent to make a plan to reach the target.

Puffery

Puffery cases are common at the National Advertising Division, but this year puffed-up claims like "Fastest Wireless in the palm of your hand," "Don't you worry 'bout speed," and "beer shouldn't taste like water," in context, were claims that went beyond puffery and required support. One advertiser successfully defended its claim as puffery. What was the difference? The claim "you need a better network" was fleeting and the commercial did not connect the claim to network performance.

The Word vs. the Message It Conveys

The dictionary definition of a word can differ from how a reasonable consumer might understand that word in the context of an advertisement. For example, in cases this year, the way the words “detergent” and “wood” were used in ad claims conveyed messages to consumers that the advertisers could not support, even though the claims might have used the words in a “technically correct” way.

Brand Names, Product Names, & Taglines

In several decisions this year brand names, product names, and taglines were challenged. Both the National Advertising Division and the National Advertising Review Board, reviewed whether such names and taglines conveyed misleading messages to consumers because brand names and taglines can contain advertising claims that require support.

Steps to Getting Disclosures Right

A recurring theme in the majority of National Advertising Division decisions is the importance of clear and conspicuous disclosures. There is even a specific filing track within Fast-Track SWIFT dedicated to addressing the prominence or sufficiency of disclosures, including disclosure issues in influencer marketing, native advertising, and incentivized reviews.

This year, the National Advertising Division analyzed the adequacy of disclosures in connection with “free of” claims, when comparing the attributes of different technologies, and when disclosing material connections between an endorser and a brand. When using disclosures, it is important to remember it is a multi-step process. The first step is to determine whether a disclosure is needed to prevent the ad from being misleading, and the second step is to make sure that it does not contradict the main claim. And if the disclosure is necessary to prevent deception, the third step is to ensure the disclosure is clear and conspicuous and in close proximity to the claim it qualifies.

Challenges to Regulated Products

Companies concerned that a competitor’s advertising claims run afoul of FDA regulations have been challenging those claims as misleading. While the National Advertising Division does not enforce FDA regulations, the National Advertising Division does follow FTC guidance harmonizing truth-in-advertising principles with such regulations.

Several cases this year demonstrated how the National Advertising Division reviews FDA regulations and analyzes the intersection of FDA regulations and advertising claims. In two cases, the National Advertising Division found the claims were consistent with FDA definitions.

National Advertising Division Monitoring

As part of its public interest mission to ensure consumers receive truthful and accurate advertising messages, the National Advertising Division initiates approximately 15-20% of its cases each year based on its own monitoring of advertising to expand the universe of advertising reviewed for truth and transparency and provide guidance for future advertising. In determining whether to open a monitoring case, the National Advertising Division considers whether the advertising targets a vulnerable population, capitalizes on consumer fears or misunderstanding, fills a gap in regulatory efforts of the FTC or state attorneys general, addresses novel or emerging issues of interest for the advertising industry, or addresses claims that consumers cannot evaluate for themselves.

Monitoring cases focused on the following areas in 2023:

- ◆ Blurring of lines between editorial content and advertising and disclosures of material connections between advertisers and third parties, including review sites.
- ◆ Misleading stereotypes to include “national advertising that is misleading or inaccurate due to its encouragement of harmful social stereotyping, prejudice, or discrimination.”
- ◆ Digital dark patterns, specifically the lack of unambiguous affirmative consent to a negative option feature (e.g., subscription services) and the ability to easily cancel such a service.

15-20%
of cases each year are monitoring

NAD & The FTC

The FTC's strong enforcement and its efforts to lay out the rules of the road for honest advertising provide incentives for companies to look to the National Advertising Division as a resource for building trust in advertising. National Advertising Division case decisions reinforce standards set by Section 5 of the FTC Act, which prohibits unfair or deceptive acts or practices and apply truth-in-advertising principles established by the FTC. The FTC's long history of support for advertising self-regulation is a recognition of the key role the National Advertising Division plays in building a more trusted marketplace.

As the FTC works to update its guidance to industry concerning environmental marketing claims, better known as the "Green Guides," it elicits participation in workshops. The National Advertising Division (NAD) participated on the panel entitled "Current State of Recycling Market and Claims" at the May 2023 FTC Workshop, entitled "Talking Trash at the FTC: Recyclable Claims and the Green Guides." NAD continues to provide guidance to industry either by harmonizing it with existing guidance or filling in gaps where there is none.

Although a high percentage of advertisers participate in the NAD process and comply with NAD recommendations, there are always a handful of advertisers each year who choose not to participate or decline to follow NAD's recommendations at the end of a proceeding. When that happens, NAD will refer the case for review and possible enforcement action to relevant law enforcement agencies, as well as report the case to platforms and the media.

The law enforcement agencies NAD contacts include the FTC and agencies such as the FDA or the Federal Communications Commission (FCC), when the issues fall under their jurisdiction. NAD also refers matters to state attorneys general. When the advertising in question is on platforms with which NAD has a direct reporting relationship, the matter will be reported to the platforms and sometimes to other media for a review of whether the advertising in question complies with truth-in-advertising policies on those platforms or media channels.

Pursuant to its procedures, NAD or the National Advertising Review Board will refer matters if an advertiser:

- ◆ elects not to participate in the self-regulatory process (2.1I.(3))
- ◆ fails to file a substantive written response (5.1.B)
- ◆ fails to respond to a compliance inquiry (8.1(B)(3)(b)) (8.1(B)(4)(b))

Although the FTC’s deliberations are generally not public and it does not always issue closing letters when an investigation is completed, the FTC posts its resolution letters with respect to NAD referrals on the FTC website. Since 2006, the FTC has publicly tracked, and posted resolution letters for, more than 100 responses to NAD referrals.

The resolution letters demonstrate the high priority the FTC accords referrals from NAD and their careful review of them. An FTC attorney in the relevant division (usually the Division of Advertising Practices) reviews the case record and may seek additional information from the advertiser, initiate a non-public investigation, or decline to initiate an investigation. Although the outcomes vary, the seeming certainty of FTC review and the frequency in which advertisers commit to re-engage with NAD or to discontinue or make significant changes to the advertising after a referral demonstrate a strong incentive for companies to participate in self-regulation.

Referral Stats

2013-2020 Average of **12** cases per year



2021-2023 Average of **4** cases per year



Since 2021, cases referred to the FTC have remained low, which is a positive sign. In 2023, five matters were referred to the FTC. Historically, advertisers who are unfamiliar with NAD were more likely to refuse to participate, which is why after being contacted by the FTC an advertiser will often re-engage with NAD. In 2023, two advertisers decided to re-engage with NAD after the matter was referred to the FTC. The NAD process is efficient and effective, and we are pleased to see an increase in participation with fewer advertisers facing the potential risks of an FTC referral.

National Advertising Division Highlights

At the Conference

The National Advertising Division annual conference, NAD 2023, took place in September over two days in Philadelphia, PA and brought together advertising, legal, research, and development professionals, academic and industry experts, government officials, and businesses of all sizes to examine and explore the challenges of navigating the dynamic advertising landscape, best practices and trends, and perspectives on what's coming next. The speakers, leaders and experts from across the United States, came from ten law firms, six major brands, ad agencies, educational institutions, nonprofits, and product testing labs.

NAD 2023 focused on what's new and what's next in ad law, such as artificial intelligence, ESG, consumer review practices, and dark patterns. Panels also took a deep dive into the FTC's updated health product claims guidance, the current jurisdictional challenges to the FTC's authority, and former FTC Chair William E. Kovacic, Professor, George Washington University Law School and former FTC Commissioner Noah Joshua Phillips, Partner, Cravath, Swaine & Moore LLP joined a panel discussion to speak about the future of the FTC. The conference offered networking opportunities and informative, lively discussions on legal trends, best practices, and recent developments in advertising law including FTC priorities.

Post-event media coverage touted that the event was a reflection that the National Advertising Division "sets valuable precedent, and its priorities generally reflect those of regulatory agencies, like the FTC."

Join us for NAD 2024

Charting the Global Future of Ad Law
September 16-17, 2024
New York City, NY



In the News

When news is breaking, new regulatory guidance has been published, or new industry trends emerge, BBB National Programs is a resource for members of the press and provides insights on ad law through those publications.

This year, the National Advertising Division team spoke with Good Housekeeping, AdWeek, the Wall Street Journal, Law360, MediaPost, Good Morning America, AdExchanger, Business Insider, Politico, Bloomberg, and more. Members of the team provided valuable guidance on issues including health-related claims, beauty claims, influencer disclosures, prescription drug advertising, greenwashing, and dark patterns.

Featured Quotes



“The National Advertising Division reviews between 100 and 150 cases each year, most of which are brought by advertisers challenging rivals’ marketing claims, according to Ms. Brett.”

Laura Brett, Vice President, National Advertising Division, BBB National Programs

Wall Street Journal



“There is a real opportunity for companies to think about how to raise the bar...through advertising self-regulation.”

Laura Brett, Vice President, National Advertising Division, BBB National Programs

Good Housekeeping



“It’s important that consumers are getting what they pay for.”

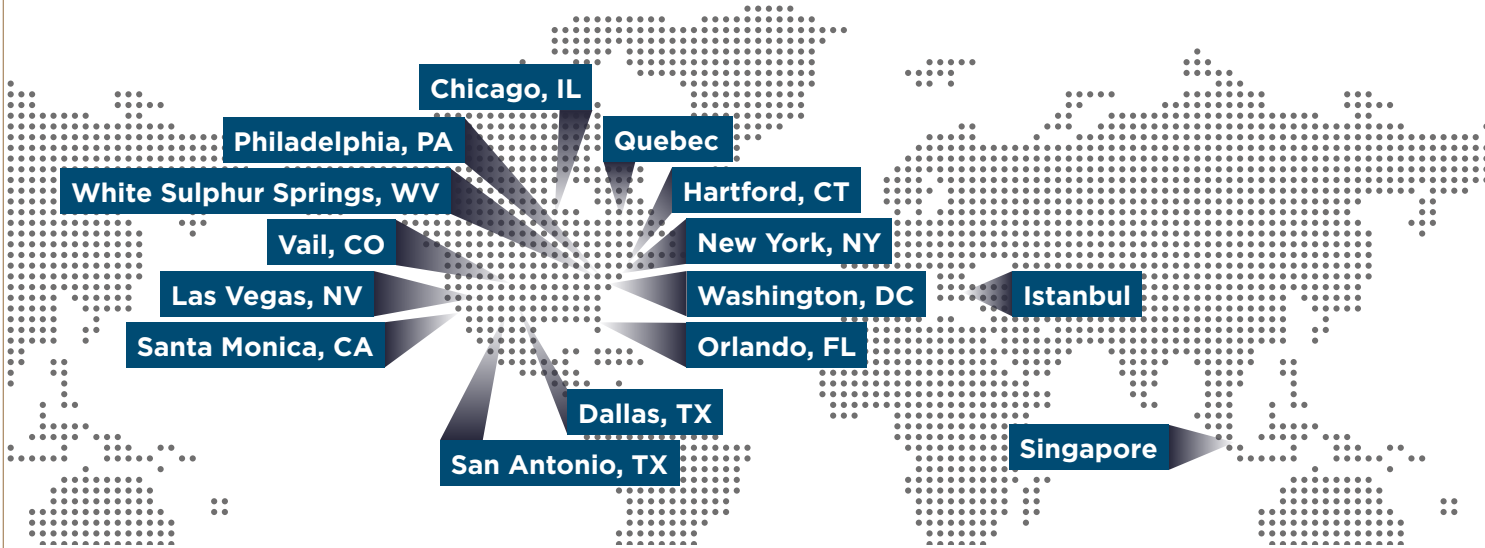
Mary Engle, Executive Vice President, Policy, BBB National Programs

Business Insider

Featured Articles

Around the World

In 2023, U.S. advertising self-regulation and the National Advertising Division's experience that flows from 50+ years of truth-in-advertising case work, the single largest body of advertising case decisions in the nation, was featured on stages around the globe.



At conferences and events, on webinars, and in hearings and regulatory workshops, National Advertising Division (NAD) team members lend their voices to critical conversations on cutting-edge advertising law issues. In addition to sharing its expertise at industry and regulatory events, NAD also identifies emerging advertising law issues and trends and invites counsel, advertisers, academics, and regulators to topical virtual events addressing advertising law's hot topics.

In summer 2023, NAD hosted an event dedicated to helping attendees #AdvertiseResponsibly in the beauty industry. Consumers forge strong bonds with beauty brands they use and follow, but exaggerated advertising claims and misguided marketing practices can break those bonds and damage consumer trust. The virtual series addressed both the fast-growing clean beauty market, an area that lacks a regulatory definition, and the basics behind what it takes to substantiate beauty claims.



In October 2023, Laura Brett, Vice President, National Advertising Division, BBB National Programs joined a panel conversation at the Center for Industry Self-Regulation's inaugural Soft Law Summit, held in Arlington, VA. The panel, Advertising Industry Self-Regulation: How It Works, explored the NAD and NARB mechanism, a long-lasting and successful example of industry self-regulation.

On the Air

The Ad Watchers podcast provides listeners with behind-the-scenes access to the nitty-gritty of advertising law. Why? As the co-hosts tell you, it's "because advertising law is simple, it's the execution that's hard."

Audience STATS

Top Episode Topics

1. Health Claims
2. "#1" Claims
3. ESG & Sustainability

Where You Listened

#1 City

New York, NY

Other Top Cities

- Los Angeles, CA
- Washington, DC
- Dallas-Fort Worth, TX
- Minneapolis-St. Paul, MN
- Chicago, IL



Listen Now



This year, Season 3, across six episodes our hosts and special guests tackled thorny questions addressed in National Advertising Division cases to simplify the often-complex process for keeping advertising truthful and accurate.

Catch up on Season Three's Episodes

- Ep. 1: Are you taking care of your health (claims)?
- Ep. 2: It's not easy being green. What's next in ESG?
- Ep. 3: It's not puffery. Do you have the evidence to be #1?
- Ep. 4: A different playing field. Advertising to kids is different?
- Ep. 5: NAD Top 10 - Did you know?
- Ep. 6: What is the appeal of an appeal? Getting to know NARB

Get ahead of the game and subscribe now to be the first to hear when Season 4 launches this year.

The Hosts



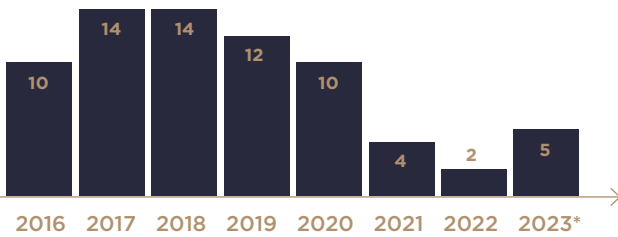
Annie M. Ugurlayan
Deputy Director,
NAD & NARB
BBB National Programs



Daniel Range
Deputy Director,
CFBAI
BBB National Programs

National Advertising Division 2023 Case Trends

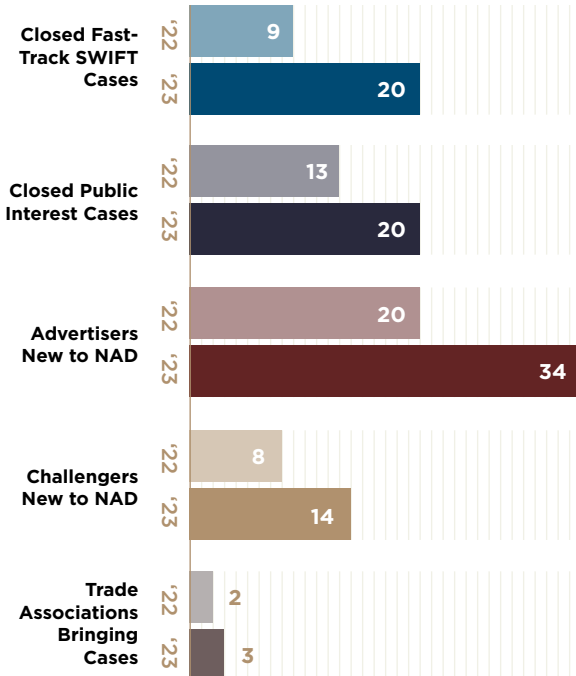
FTC Referrals Remain Low



*In two matters, the advertiser re-engaged with NAD after the referral to the FTC.

Year-Over-Year Trends

Numbers reflect closed cases each year.

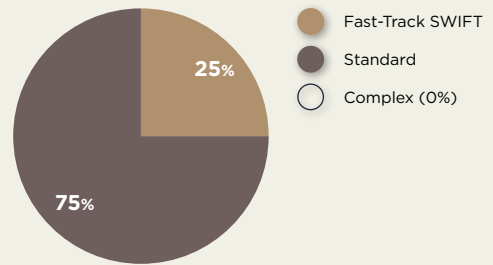


Closed Competitor Challenges

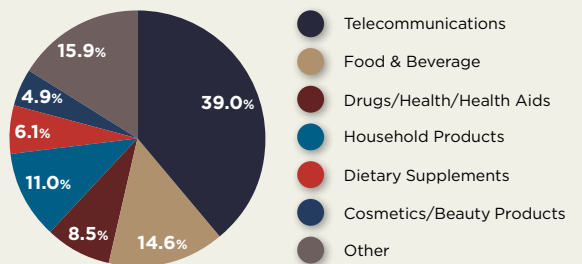
Cases Involving...



Cases by Track



Cases by Industry



Summary of Case Work

Unit	Total Cases*	Pending
National Advertising Division	160	34
National Advertising Review Board**	27	3

*Including Pending Cases

**Including NARB Compliance Cases

Dispositions***

National Advertising Division (NAD)

Case Type	SUB	MOD/DISC	S/M/D	AC	COM	COM/AC	COM/RTG	RTG	Total
Competitor	4	43	22	2	25	0	0	3	99
Consumer	0	0	0	0	0	0	0	0	0
Monitoring	2	8	1	4	3	0	0	2	20
Public Interest	1	3	2	0	1	0	0	0	7
Total	7	54	25	6	29	0	0	5	126

National Advertising Review Board (NARB)

Case Type	Requested	Granted	Withdrawn	Denied	Upheld	Upheld in Part	Overturned	Compliance	Pending
Appeals	17	17	0	0	16	2	1	5	3

***Not including Pending Cases

Pending (as of January 1st, 2024)

Program	Competitor	CRN	Compliance	Monitoring	Totals
NAD	20	0	4	10	34
NARB	3	0	0	0	3

National Advertising Division 2023 Case Summary

	Decision	Page	Month	Vol.
B to B Products / Services				
B-Stock Solutions, LLC (Pre-owned Mobile Devices) (#7272)	MOD/DISC	2	December	53
Clothing / Fabric / Fashion Accessories				
Cariuma Central Pte., Ltd (Cariuma Sneakers) (#7168)	MOD/DISC	2	November	53
Construction / Home Improvement				
Louisiana-Pacific Corporation (SmartSide Home Siding Products) (#7227)	S/M/D	2	October	53
Louisiana-Pacific Corporation (SmartSide Home Siding Products) (#7227C)	COM	3	December	53
Mohawk Industries, Inc. (RevWood Laminate Flooring) (#7207)	MOD/DISC	2	August	53
Consumer Electronics				
SharkNinja Operating, LLC (Shark SpeedStyle Hair Dryer) (#7264)	MOD/DISC	10	November	53
Shuye Technology Ltd. (Swift Hair Dryers) (#7275)	MOD/DISC	TBD	January	54
Consumer Services				
ZenBusiness, Inc. (Online Corporate Formation Services) (#7243)	S/M/D	5	December	53
Cosmetics / Beauty Products / Toiletries				
Dr. Squatch, LLC (Dr. Squatch Personal Care Products for Men) (#7225)	S/M/D	15	November	53
Dr. Squatch, LLC (Jukebox Soaps) (#7195)	S/M/D	8	August	53
Oral Essentials, Inc. (Luminuex Whitening Strips) (#7152)	MOD/DISC	2	February	53
Oral Essentials, Inc. (Luminuex Whitening Strips) (#7152C)	COM	2	July	53
Oral Essentials, Inc. (Luminuex Whitening Strips) (#7235)	S/M/D	33	November	53
Routine Wellness, Inc. (Routine Shampoo and Conditioner) (#7161)	MOD/DISC	4	March	53
SBLA Beauty, Inc. (SBLA Beauty's Eye Lift Wand) (#7239)	RTG	2	September	53
The Glow Fairy (Advertising for Beautyandstyledaily.com & Skincarebrandsreview.com) (#7176)	MOD/DISC	12	November	53
Vegamour, Inc. (Gro Ageless Anti-Gray Hair Serum) (#7163)	MOD/DISC	2	April	53
Dietary Supplements				
Alliance Pharmaceuticals, Ltd. (Amberen Menopause Supplement) (#7209)	AC	4	April	53
Haleon, PLC (Robitussin Naturals) (#7216)	AC	22	October	53
MacuHealth, LP (Advertising by MacuHealth) (#7202)	MOD/DISC	4	September	53
Memory Health, LP (Advertising by Memory Health) (#7203)	MOD/DISC	23	August	53
Renue by Science, LLC (NMN Supplements) (#7188)	S/M/D	21	May	53
Renue by Science, LLC (NMN Supplements) (#7188C)	COM	34	September	53
Renue by Science, LLC (NMN Supplements) (#7188CII)	COM	17	December	53

	Decision	Page	Month	Vol.
Drugs / Health / Health Aids				
ACCO Brands USA, LLC (TruSens Air Purifiers) (#7071)	SUB	30	January	53
American Association of Orthodontists (Happy Mouth Now Campaign) (#6917CII)	COM	5	July	53
Cocofloss, Inc. (Cocofloss) (#7193)	MOD/DISC	2	March	53
Genexa, Inc. (Genexa Kids' Pain & Fever Medicine) (#7217)	AC	6	June	53
Haleon, Plc (Voltaren) (#7196)	S/M/D	7	June	53
IntelliBrands, LLC (LegXercise) (#7221)	S/M/D	30	December	53
Neurotrack Technologies, Inc. (Cognitive Health Program) (#7189)	MOD/DISC	7	March	53
Novartis Pharmaceutical Corporation (Kisqali) (#7137C)	COM	42	November	53
PDC Brands Wellness & Personal Care (Dr. Teal's Melatonin Sleep Line) (#7246)	RTG	19	December	53
The Procter & Gamble Company (Vicks DayQuil and NyQuil SEVERE Honey Maximum Strength, Cold & Flu Relief Liquid) (#7279)	AC	38	December	53
ViiV Healthcare Company (DOVATO) (#7199)	RTG	6	April	53
Financial Services				
S3 Marketing, LLC and Beyond Finance, LLC d/b/a Accredited Debt Relief (Accredited Debt Relief) (#7025C)	COM	29	September	53
Tiburon Insurance Services (The Medicare Helpline) (#7026)	MOD/DISC	17	June	53
Food / Beverage				
Bacardi USA (Havana Club Rum) (#7190)	RTG	25	May	53
Danone US, LLC (Light + Fit Zero Sugar Products) (#7194)	SUB	29	July	53
JBS USA Holdings, Inc. (Net Zero 2040) (#7135)	MOD/DISC	34	February	53
Molson Coors Beverage Company (Miller Lite) (#7183)	MOD/DISC	31	February	53
My Patriot Supply (Long-Term Survival Food Kits and Related Products) (#7167)	S/M/D	9	April	53
My Patriot Supply (Long-Term Survival Food Kits and Related Products) (#7167C)	COM	31	September	53
Nutrishus Brands, Inc. (RxSugar) (#7214)	MOD/DISC	52	November	53
Old Trapper Smoked Products, Inc. (Old Trapper Smoked Beef Jerkey) (#7252)	MOD/DISC	TBD	January	54
Ole Mexican Foods, Inc. (La Banderita and Xtreme Wellness Tortillas) (#7166)	S/M/D	21	July	53
One Health Certification Foundation (Certification of Poultry Products) (#7129)	S/M/D	18	February	53
Relish Labs, LLC (Home Chef Meal Kit Delivery Service) (#6332C)	COM	18	July	53
Simply Gum, Inc. (Simply Gum Chewing Gum) (#7079RO)	MOD/DISC	38	June	53
The Coca-Cola Company (Powerade) (#7198)	MOD/DISC	47	August	53
Where Food Comes From, Inc. ("CARE Certified" Encircled Seal on Beef and Pork Labels & Certification) (#7149)	SUB	8	July	53
Home Furnishings				
Pier 1 Imports Online, Inc. (Pier 1 Rewards) (#7092)	MOD/DISC	44	February	53

	Decision	Page	Month	Vol.
Household Products				
Ginsey Industries, Inc. (Clorox Antimicrobial Line of Toilet Seats) (#7173)	MOD/DISC	34	July	53
Goose Creek Candles, LLC (Candles) (#7237)	S/M/D	30	October	53
PurposeBuilt Brands, Inc. & Weiman Products, LLC (Weiman Cleaning Products) (#7123)	MOD/DISC	14	March	53
Royal Oak Enterprises, LLC (Royal Oak Super Size Briquets) (#7241)	MOD/DISC	63	November	53
SharkNinja Operating, LLC (Shark CarpetXpert) (#7281)	MOD/DISC	TBD	January	54
SharkNinja Operating, LLC (Shark Stratos Powered Lift-Away Upright Vacuum) (#7151)	MOD/DISC	27	April	53
SharkNinja Operating, LLC (Shark Stratos Powered Lift-Away Upright Vacuum) (#7151C)	COM	70	November	53
SharkNinja Operating, LLC (Wandvac Self-Empty System) (#7240)	S/M/D	46	December	53
Vesync Co., Ltd. (HEPA Air Purifiers)(#7222)	MOD/DISC	58	August	53
Vesync Co., Ltd. (HEPA Air Purifiers) (#7222C)	COM	44	December	53
Infant Products				
Abbott Nutrition (Similac Infant Formula). (#7223)	MOD/DISC	53	June	53
Dyper, Inc. (Dyper Baby Wipes & Diapers) (#7144)	MOD/DISC	37	January	53
Jewelry				
Agape Diamonds, LLC (Simulated and Lab-Grown Diamonds) (#7191)	S/M/D	73	August	53
Diamond Foundry, Inc. (Diamond Foundry Laboratory-grown Diamonds) (#6843C)	COM	43	January	53
Natural Diamond Council (Mined & Man-made Diamond) (6901C)	COM	46	January	53
Miscellaneous				
Cargill Incorporated (Nutrena NatureWise Chicken Feeds) (#7210)	MOD/DISC	29	May	53
Magic Tavern (Project Makeover) (#7185)	MOD/DISC	41	July	53
Pet Products				
PrettyLitter, Inc. (Kitty Litter) (#7262)	MOD/DISC	55	December	53
Sports / Sport Equipment				
Fitness Cubed, Inc. (Cubii Seated Elliptical Trainer) (#7145)	MOD/DISC	38	April	53
CFitness Cubed, Inc. (Cubii Seated Elliptical Trainer) (#7145C)	COM	54	June	53
Telecommunications Products / Services				
Altice USA, Inc. (Optimum Internet)(#7219)	MOD/DISC	46	July	53
Charter Communications, Inc. (Cable Internet Service) (#7153)	S/M/D	19	March	53
Charter Communications, Inc. (Charter Spectrum Internet) (#7154)	MOD/DISC	49	January	53
Charter Communications, Inc. (Charter Spectrum Internet) (#7154C)	COM	32	May	53
Charter Communications, Inc. (Spectrum Home Internet Service) (#7228)	S/M/D	86	November	53

National Advertising Division

Annual Report 2023

	Decision	Page	Month	Vol.
Charter Communications, Inc. (Spectrum Internet) (#7192)	SUB	44	March	53
Charter Communications, Inc. (Spectrum Mobile and Spectrum One Speed Boost Internet) (#7249)	SUB	57	October	53
Charter Communications, Inc. (Spectrum Mobile) (#6940CIII)	COM	61	January	53
Charter Communications, Inc. (Spectrum Speed Boost) (#7200)	MOD/DISC	50	April	53
Cincinnati Bell, Inc. (Alt fiber) (#7251)	MOD/DISC	57	December	53
Comcast Cable Communications Management, LLC (Xfinity Home Internet and Mobile Services) (#7156)	S/M/D	35	May	53
Comcast Cable Communications Management, LLC (Xfinity Home Internet and Mobile Services) (#7156C)	COM	93	August	53
Comcast Cable Communications Management, LLC (Xfinity Mobile Services) (#7160)	MOD/DISC	54	March	53
Comcast Cable Communications Management, LLC (Xfinity Mobile Wireless) (#6920CII)	COM	89	January	53
Comcast Cable Communications Management, LLC (Xfinity Mobile Wireless) (#7118C)	COM	86	January	53
Comcast Cable Communications, LLC (Xfinity 10G Network) (#7212)	S/M/D	59	October	53
Comcast Cable Communications, LLC (Xfinity 10G Network) (#7213)	MOD/DISC	69	October	53
Comcast Cable Communications, LLC (Xfinity Internet Service) (#7229)	MOD/DISC	99	November	53
Consumer Cellular, Inc. (Consumer Cellular Wireless Service Plans) (#7184)	S/M/D	44	May	53
Cox Communications, Inc. (Cox Internet Services) (#7244)	S/M/D	39	October	53
Cox Communications, Inc. (Cox Internet) (#7146)	MOD/DISC	57	January	53
DirecTV, LLC (Advertising by DirecTV) (#7261)	MOD/DISC	43	October	53
Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143)	S/M/D	30	March	53
Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143C)	COM	82	August	53
Frontier Communications Parent, Inc. (Frontier's DSL & FIOS Internet Services; Frontier Communications FIOS Internet Service) (#7109CII)	COM	78	August	53
Frontier Communications Parent, Inc. (Home WiFi Internet) (#7186)	MOD/DISC	43	March	53
Google, LLC (YouTube TV) (#7233)	MOD/DISC	89	August	53
Mint Mobile, LLC (Mint Mobile Unlimited) (#7250)	MOD/DISC	47	October	53
Mint Mobile, LLC (Mint Mobile Wireless Service) (#7231)	S/M/D	49	October	53
T-Mobile US, Inc. (Mobile Wireless Service (Magenta Max)) (#7127C)	COM	64	January	53
T-Mobile US, Inc. (Mobile Wireless Service (Magenta Max)) (#7127CII)	COM	61	June	53
T-Mobile US, Inc. (Mobile Wireless Service (Magenta Max)) (#7217CIII)	COM	44	July	53
T-Mobile US, Inc. (Mobile Wireless Service (Magenta Max)) (#7127CV)	COM	55	October	53
T-Mobile US, Inc. (Phone Freedom Campaign) (#7218)	S/M/D	50	July	53
T-Mobile US, Inc. (T-Mobile Home Internet) (#7140)	S/M/D	68	January	53

	Decision	Page	Month	Vol.
T-Mobile US, Inc. (T-Mobile Home Internet) (#7158)	MOD/DISC	78	January	53
T-Mobile US, Inc. (T-Mobile Home Internet). (#7201)	MOD/DISC	53	April	53
T-Mobile US, Inc. (T-Mobile Home Internet) (#7204)	MOD/DISC	57	April	53
T-Mobile US, Inc. (T-Mobile Home Internet) (#7204C)	COM	64	June	53
T-Mobile US, Inc. (T-Mobile MLB.TV Benefit) (#7230)	MOD/DISC	86	August	53
T-Mobile US, Inc. (T-Mobile Wireless Service) (#7148)	MOD/DISC	47	March	53
T-Mobile US, Inc. (T-Mobile Wireless Service) (#7148C)	COM	70	June	53
Verizon Communications, Inc. (Verizon Frontline Network) (#7208)	SUB	61	April	53
Verizon Communications, Inc. (Verizon Wireless Network) (#7171)	MOD/DISC	55	February	53
Verizon Communications, Inc. (Verizon Wireless Network) (#7182)	MOD/DISC	59	February	53
Travel / Lodging				
Smart Travel Media, LLC (BookingBuddy.com) (#7257)	MOD/DISC	82	October	53
Website / Web Services				
Brave, Inc. (Advertising by Brave Browser) (#7021C)	COM	33	September	53
Dotdash Meredith (InStyle Magazine Article - Biossance Squalene & Marine Algae Eye Cream) (#7177)	MOD/DISC	82	June	53
Dow Jones & Company, Inc. (The Wall Street Journal) (#7179)	SUB	63	July	53
Grocery Delivery E-Services USA, Inc. (Advertising by HelloFresh) (#7136)	S/M/D	56	May	53
Grocery Delivery E-Services USA, Inc. (Advertising by HelloFresh) (#7136C)	COM	84	October	53
Hello! Magazine (Biossance Squalene & Marine Algae Eye Cream) (#7174)	AC	64	April	53
Sephora USA, Inc. (Biossance Squalene & Marine Algae Eye Cream) (#7178)	AC	66	April	53
Smarter Reviews (Advertising by Smarter Reviews) (#7205)	RTG	80	June	53

Recurring Issues During 2023

(Cases Classified by Issue)

Administrative/Jurisdictional

American Association of Orthodontists (Happy Mouth Now Campaign) (#6917CII)

Cincinnati Bell, Inc. (Altafiber) (#7251)

Dotdash Meredith (InStyle Magazine Article - Biossance Squalene & Marine Algae Eye Cream) (#7177)

Hello! Magazine (Biossance Squalene & Marine Algae Eye Cream) (#7174)

PurposeBuilt Brands, Inc. & Weiman Products, LLC (Weiman Cleaning Products) (#7123)

Sephora USA, Inc. (Biossance Squalene & Marine Algae Eye Cream) (#7178)

Tiburon Insurance Services (The Medicare Helpline) (#7026)

Before & After

Charter Communications, Inc. (Charter Spectrum Internet) (#7154)

Recurring Issues During 2023

(Cases Classified by Issue)

Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143)

Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143C)

SBLA Beauty, Inc. (SBLA Beauty's Eye Lift Wand) (#7239)

Blurring

Cariuma Central Pte., Ltd (Cariuma Sneakers) (#7168)

Hello! Magazine (Biossance Squalene & Marine Algae Eye Cream) (#7174)

Smarter Reviews (Advertising by Smarter Reviews) (#7205)

The Glow Fairy (Advertising for Beautyandstyledaily.com & Skincarebrandsreview.com) (#7176)

Brand Recognition

Bacardi USA (Havana Club Rum) (#7190)

One Health Certification Foundation (Certification of Poultry Products) (#7129)

Comparative Performance Claims

Altice USA, Inc. (Optimum Internet) (#7219)

B-Stock Solutions, LLC (Pre-owned Mobile Devices) (#7272)

Cargill Incorporated (Nutrena NatureWise Chicken Feeds) (#7210)

Charter Communications, Inc. (Charter Spectrum Internet) (#7154)

Charter Communications, Inc. (Charter Spectrum Internet) (#7154C)

Charter Communications, Inc. (Spectrum Home Internet Service) (#7228)

Cincinnati Bell, Inc. (Altafiber) (#7251)

Cocofloss, Inc. (Cocofloss) (#7193)

Comcast Cable Communications Management, LLC (Xfinity Mobile Services) (#7160)

Consumer Cellular, Inc. (Consumer Cellular Wireless Service Plans) (#7184)

Dr. Squatch, LLC (Jukebox Soaps) (#7195)

Dyper, Inc. (Dyper Baby Wipes & Diapers) (#7144)

Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143)

Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143C)

Frontier Communications Parent, Inc. (Frontier's DSL & FiOS Internet Services; Frontier Communications FiOS Internet Service) (#7109CII)

Goose Creek Candles, LLC (Candles) (#7237)

Louisiana-Pacific Corporation (SmartSide Home Siding Products) (#7227)

Louisiana-Pacific Corporation (SmartSide Home Siding Products) (#7227C)

MacuHealth, LP (Advertising by MacuHealth) (#7202)

Memory Health, LP (Advertising by Memory Health) (#7203)

Novartis Pharmaceutical Corporation (Kisqali) (#7137C)

Oral Essentials, Inc. (Luminuex Whitening Strips) (#7152)

Oral Essentials, Inc. (Luminuex Whitening Strips) (#7152C)

PrettyLitter, Inc. (Kitty Litter) (#7262)

Recurring Issues During 2023*(Cases Classified by Issue)*

Relish Labs, LLC (Home Chef Meal Kit Delivery Service) (#6332C)
Royal Oak Enterprises, LLC (Royal Oak Super Size Briquets) (#7241)
SharkNinja Operating, LLC (Shark Stratos Powered Lift-Away Upright Vacuum) (#7151)
SharkNinja Operating, LLC (Shark Stratos Powered Lift-Away Upright Vacuum) (#7151C)
SharkNinja Operating, LLC (Wandvac Self-Empty System) (#7240)
T-Mobile US, Inc. (T-Mobile Home Internet) (#7140)
The Coca-Cola Company (Powerade) (#7198)
Verizon Communications, Inc. (Verizon Frontline Network) (#7208)
ViiV Healthcare Company (DOVATO) (#7199)

Defamatory/False Claims

Consumer Cellular, Inc. (Consumer Cellular Wireless Service Plans) (#7184)
--

Demonstrations

Louisiana-Pacific Corporation (SmartSide Home Siding Products) (#7227)
Louisiana-Pacific Corporation (SmartSide Home Siding Products) (#7227C)
SharkNinja Operating, LLC (Shark Stratos Powered Lift-Away Upright Vacuum) (#7151)
SharkNinja Operating, LLC (Shark Stratos Powered Lift-Away Upright Vacuum) (#7151C)
SharkNinja Operating, LLC (Wandvac Self-Empty System) (#7240)

Disclosure

Agape Diamonds, LLC (Simulated and Lab-Grown Diamonds) (#7191)
Altice USA, Inc. (Optimum Internet) (#7219)
Cariuma Central Pte., Ltd (Cariuma Sneakers) (#7168)
Charter Communications, Inc. (Charter Spectrum Internet) (#7154)
Charter Communications, Inc. (Charter Spectrum Internet) (#7154C)
Charter Communications, Inc. (Spectrum Mobile and Spectrum One Speed Boost Internet) (#7249)
Charter Communications, Inc. (Spectrum Speed Boost) (#7200)
Comcast Cable Communications Management, LLC (Xfinity Mobile Wireless) (#7118C)
Diamond Foundry, Inc. (Diamond Foundry Laboratory-grown Diamonds) (#6843C)
Dotdash Meredith (InStyle Magazine Article - Biossance Squalene & Marine Algae Eye Cream) (#7177)
Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143)
Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143C)
Mint Mobile, LLC (Mint Mobile Unlimited) (#7250)
Mint Mobile, LLC (Mint Mobile Wireless Service) (#7231)
Mohawk Industries, Inc. (RevWood Laminate Flooring) (#7207)
My Patriot Supply (Long-Term Survival Food Kits and Related Products) (#7167)
My Patriot Supply (Long-Term Survival Food Kits and Related Products) (#7167C)
Relish Labs, LLC (Home Chef Meal Kit Delivery Service) (#6332C)
Renue by Science, LLC (NMN Supplements) (#7188)

Recurring Issues During 2023

(Cases Classified by Issue)

Renue by Science, LLC (NMN Supplements) (#7188C)
 Renue by Science, LLC (NMN Supplements) (#7188CII)
 Sephora USA, Inc. (Biossance Squalene & Marine Algae Eye Cream) (#7178)
 Tiburon Insurance Services (The Medicare Helpline) (#7026)
 Vegamour, Inc. (Gro Ageless Anti-Gray Hair Serum) (#7163)

Disparagement Claims

American Association of Orthodontists (Happy Mouth Now Campaign) (#617CII)
 B-Stock Solutions, LLC (Pre-owned Mobile Devices) (#7272)
 Charter Communications, Inc. (Spectrum Home Internet Service) (#7228)
 Cincinnati Bell, Inc. (Altafiber) (#7251)
 Comcast Cable Communications Management, LLC (Xfinity Home Internet and Mobile Services) (#7156)
 Comcast Cable Communications Management, LLC (Xfinity Home Internet and Mobile Services) (#7156C)
 Comcast Cable Communications, LLC (Xfinity Internet Service) (#7229)
 Cox Communications, Inc. (Cox Internet) (#7146)
 Dr. Squatch, LLC (Dr. Squatch Personal Care Products for Men) (#7225)
 Dr. Squatch, LLC (Jukebox Soaps) (#7195)
 Genexa, Inc. (Genexa Kids' Pain & Fever Medicine) (#7217)
 Goose Creek Candles, LLC (Candles) (#7237)
 Haleon, Plc (Voltaren) (#7196)
 Mint Mobile, LLC (Mint Mobile Wireless Service) (#7231)
 Oral Essentials, Inc. (Luminuex Whitening Strips) (#7152)
 Oral Essentials, Inc. (Luminuex Whitening Strips) (#7152C)
 Relish Labs, LLC (Home Chef Meal Kit Delivery Service) (#6332C)
 SharkNinja Operating, LLC (Wandvac Self-Empty System) (#7240)
 Simply Gum, Inc. (Simply Gum Chewing Gum) (#7079RO)

Efficacy Claims

Memory Health, LP (Advertising by Memory Health) (#7203)
 Oral Essentials, Inc. (Luminuex Whitening Strips) (#7152)
 Oral Essentials, Inc. (Luminuex Whitening Strips) (#7152C)
 Oral Essentials, Inc. (Luminuex Whitening Strips) (#7235)
 Vesync Co., Ltd. (HEPA Air Purifiers) (#7222)
 Vesync Co., Ltd. (HEPA Air Purifiers) (#7222C)

Endorsements

Goose Creek Candles, LLC (Candles) (#7237)
 Routine Wellness, Inc. (Routine Shampoo and Conditioner) (#7161)
 Vegamour, Inc. (Gro Ageless Anti-Gray Hair Serum) (#7163)
 ZenBusiness, Inc. (Online Corporate Formation Services) (#7243)

Recurring Issues During 2023

(Cases Classified by Issue)

Environmental Claims

Diamond Foundry, Inc. (Diamond Foundry Laboratory-grown Diamonds) (#6843C)

Dyper, Inc. (Dyper Baby Wipes & Diapers) (#7144)

JBS USA Holdings, Inc. (Net Zero 2040) (#7135)

Natural Diamond Council (Mined & Man-made Diamond) (#6901C)

One Health Certification Foundation (Certification of Poultry Products) (#7129)

Simply Gum, Inc. (Simply Gum Chewing Gum) (#7079RO)

Establishment Claims

Alliance Pharmaceuticals, Ltd. (Amberen Menopause Supplement) (#7209)

IntelliBrands, LLC (LegXercise) (#7221)

Memory Health, LP (Advertising by Memory Health) (#7203)

Neurotrack Technologies, Inc. (Cognitive Health Program) (#7189)

Novartis Pharmaceutical Corporation (Kisqali) (#7137C)

Oral Essentials, Inc. (Luminuex Whitening Strips) (#7152)

Oral Essentials, Inc. (Luminuex Whitening Strips) (#7152C)

Exclusivity Claims

Mint Mobile, LLC (Mint Mobile Wireless Service) (#7231)

Express Claims

ACCO Brands USA, LLC (TruSens Air Purifiers) (#7071)

Charter Communications, Inc. (Spectrum Internet) (#7192)

Charter Communications, Inc. (Spectrum Speed Boost) (#7200)

Comcast Cable Communications Management, LLC (Xfinity Home Internet and Mobile Services) (#7156)

Comcast Cable Communications Management, LLC (Xfinity Home Internet and Mobile Services) (#7156C)

Comcast Cable Communications, LLC (Xfinity 10G Network) (#7212)

Comcast Cable Communications, LLC (Xfinity 10G Network) (#7213)

Comcast Cable Communications, LLC (Xfinity Internet Service) (#7229)

Diamond Foundry, Inc. (Diamond Foundry Laboratory-grown Diamonds) (#6843C)

DirecTV, LLC (Advertising by DirecTV) (#7261)

Dotdash Meredith (InStyle Magazine Article - Biossance Squalene & Marine Algae Eye Cream) (#7177)

Dr. Squatch, LLC (Dr. Squatch Personal Care Products for Men) (#7225)

Dr. Squatch, LLC (Jukebox Soaps) (#7195)

Dyper, Inc. (Dyper Baby Wipes & Diapers) (#7144)

Frontier Communications Parent, Inc. (Frontier's DSL & FiOS Internet Services; Frontier Communications FiOS Internet Service) (#7109CII)

Frontier Communications Parent, Inc. (Home WiFi Internet) (#7186)

Genexa, Inc. (Genexa Kids' Pain & Fever Medicine) (#7217)

Recurring Issues During 2023*(Cases Classified by Issue)*

Grocery Delivery E-Services USA, Inc. (Advertising by HelloFresh) (#7136)
Grocery Delivery E-Services USA, Inc. (Advertising by HelloFresh) (#7136C)
Hello! Magazine (Biossance Squalene & Marine Algae Eye Cream) (#7174)
Mint Mobile, LLC (Mint Mobile Wireless Service) (#7231)
Molson Coors Beverage Company (Miller Lite) (#7183)
My Patriot Supply (Long-Term Survival Food Kits and Related Products) (#7167)
My Patriot Supply (Long-Term Survival Food Kits and Related Products) (#7167C)
Natural Diamond Council (Mined & Man-made Diamond) (#6901C)
Novartis Pharmaceutical Corporation (Kisqali) (#7137C)
Nutrishus Brands, Inc. (RxSugar) (#7214)
Old Trapper Smoked Products, Inc. (Old Trapper Smoked Beef Jerkey) (#7252)
PDC Brands Wellness & Personal Care (Dr. Teal's Melatonin Sleep Line) (#7246)
Pier 1 Imports Online, Inc. (Pier 1 Rewards) (#7092)
S3 Marketing, LLC and Beyond Finance, LLC d/b/a Accredited Debt Relief (Accredited Debt Relief) (#7025C)
SharkNinja Operating, LLC (Shark CarpetXpert) (#7281)
SharkNinja Operating, LLC (Shark SpeedStyle Hair Dryer) (#7264)
Simply Gum, Inc. (Simply Gum Chewing Gum) (#7079RO)
T-Mobile US, Inc. (T-Mobile Home Internet) (#7158)
T-Mobile US, Inc. (T-Mobile MLB.TV Benefit) (#7230)
The Coca-Cola Company (Powerade) (#7198)

Health & Safety Claims

ACCO Brands USA, LLC (TruSens Air Purifiers) (#7071)
Alliance Pharmaceuticals, Ltd. (Amberen Menopause Supplement) (#7209)
Fitness Cubed, Inc. (Cubii Seated Elliptical Trainer) (#7145)
Fitness Cubed, Inc. (Cubii Seated Elliptical Trainer) (#7145C)
Genexa, Inc. (Genexa Kids' Pain & Fever Medicine) (#7217)
IntelliBrands, LLC (LegXercise) (#7221)
MacuHealth, LP (Advertising by MacuHealth) (#7202)
Memory Health, LP (Advertising by Memory Health) (#7203)
My Patriot Supply (Long-Term Survival Food Kits and Related Products) (#7167)
My Patriot Supply (Long-Term Survival Food Kits and Related Products) (#7167C)
Neurotrack Technologies, Inc. (Cognitive Health Program) (#7189)
Novartis Pharmaceutical Corporation (Kisqali) (#7137C)
Oral Essentials, Inc. (Luminuex Whitening Strips) (#7152)
Oral Essentials, Inc. (Luminuex Whitening Strips) (#7152C)
PDC Brands Wellness & Personal Care (Dr. Teal's Melatonin Sleep Line) (#7246)
Simply Gum, Inc. (Simply Gum Chewing Gum) (#7079RO)
Vesync Co., Ltd. (HEPA Air Purifiers) (#7222)
Vesync Co., Ltd. (HEPA Air Purifiers) (#7222C)
ViiV Healthcare Company (DOVATO) (#7199)

Recurring Issues During 2023

(Cases Classified by Issue)

Implied Claims/Consumer Perception

ACCO Brands USA, LLC (TruSens Air Purifiers) (#7071)
Agape Diamonds, LLC (Simulated and Lab-Grown Diamonds) (#7191)
American Association of Orthodontists (Happy Mouth Now Campaign) (#6917CII)
Cariuma Central Pte., Ltd (Cariuma Sneakers) (#7168)
Charter Communications, Inc. (Charter Spectrum Internet) (#7154)
Charter Communications, Inc. (Charter Spectrum Internet) (#7154C)
Comcast Cable Communications Management, LLC (Xfinity Home Internet and Mobile Services) (#7156)
Comcast Cable Communications Management, LLC (Xfinity Home Internet and Mobile Services) (#7156C)
Comcast Cable Communications Management, LLC (Xfinity Mobile Wireless) (#6920CII)
Comcast Cable Communications, LLC (Xfinity 10G Network) (#7212)
Comcast Cable Communications, LLC (Xfinity 10G Network) (#7213)
Comcast Cable Communications, LLC (Xfinity Internet Service) (#7229)
Cox Communications, Inc. (Cox Internet) (#7146)
Dotdash Meredith (InStyle Magazine Article - Biossance Squalene & Marine Algae Eye Cream) (#7177)
Dr. Squatch, LLC (Dr. Squatch Personal Care Products for Men) (#7225)
Dr. Squatch, LLC (Jukebox Soaps) (#7195)
Dyper, Inc. (Dyper Baby Wipes & Diapers) (#7144)
Fitness Cubed, Inc. (Cubii Seated Elliptical Trainer) (#7145)
Fitness Cubed, Inc. (Cubii Seated Elliptical Trainer) (#7145C)
Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143)
Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143C)
Genexa, Inc. (Genexa Kids' Pain & Fever Medicine) (#7217)
Grocery Delivery E-Services USA, Inc. (Advertising by HelloFresh) (#7136)
Grocery Delivery E-Services USA, Inc. (Advertising by HelloFresh) (#7136C)
Hello! Magazine (Biossance Squalene & Marine Algae Eye Cream) (#7174)
Memory Health, LP (Advertising by Memory Health) (#7203)
Mohawk Industries, Inc. (RevWood Laminate Flooring) (#7207)
My Patriot Supply (Long-Term Survival Food Kits and Related Products) (#7167C)
Novartis Pharmaceutical Corporation (Kisqali) (#7137C)
Nutrishus Brands, Inc. (RxSugar) (#7214)
Old Trapper Smoked Products, Inc. (Old Trapper Smoked Beef Jerkey) (#7252)
One Health Certification Foundation (Certification of Poultry Products) (#7129)
PDC Brands Wellness & Personal Care (Dr. Teal's Melatonin Sleep Line) (#7246)
Relish Labs, LLC (Home Chef Meal Kit Delivery Service) (#6332C)
Royal Oak Enterprises, LLC (Royal Oak Super Size Briquets) (#7241)
SBLA Beauty, Inc. (SBLA Beauty's Eye Lift Wand) (#7239)
Sephora USA, Inc. (Biossance Squalene & Marine Algae Eye Cream) (#7178)
SharkNinja Operating, LLC (Shark Stratos Powered Lift-Away Upright Vacuum) (#7151)

Recurring Issues During 2023*(Cases Classified by Issue)*

SharkNinja Operating, LLC (Shark Stratos Powered Lift-Away Upright Vacuum) (#7151C)

Simply Gum, Inc. (Simply Gum Chewing Gum) (#7079RO)

T-Mobile US, Inc. (Phone Freedom Campaign) (#7218)

T-Mobile US, Inc. (T-Mobile Home Internet) (#7140)

The Coca-Cola Company (Powerade) (#7198)

ViiV Healthcare Company (DOVATO) (#71990)

Where Food Comes From, Inc. ("CARE Certified" Encircled Seal on Beef and Pork Labels & Certification) (#7149)

ZenBusiness, Inc. (Online Corporate Formation Services) (#7243)

Inappropriate Content

Magic Tavern (Project Makeover) (#7185)

Ingredient/Content/Nutrition

Bacardi USA (Havana Club Rum) (#7190)

Dr. Squatch, LLC (Jukebox Soaps) (#7195)

Haleon, PLC (Robitussin Naturals) (#7216)

Memory Health, LP (Advertising by Memory Health) (#7203)

My Patriot Supply (Long-Term Survival Food Kits and Related Products) (#7167)

Nutrishus Brands, Inc. (RxSugar) (#7214)

Old Trapper Smoked Products, Inc. (Old Trapper Smoked Beef Jerkey) (#7252)

Ole Mexican Foods, Inc. (La Banderita and Xtreme Wellness Tortillas) (#7166)

Simply Gum, Inc. (Simply Gum Chewing Gum) (#7079RO)

The Procter & Gamble Company (Vicks DayQuil and NyQuil SEVERE Honey Maximum Strength, Cold & Flu Relief Liquid) (#7279)

Labeling/Product Packaging Claims

Abbott Nutrition (Similac Infant Formula) (#7223)

Bacardi USA (Havana Club Rum) (#7190)

Danone US, LLC (Light + Fit Zero Sugar Products) (#7194)

Old Trapper Smoked Products, Inc. (Old Trapper Smoked Beef Jerkey) (#7252)

Ole Mexican Foods, Inc. (La Banderita and Xtreme Wellness Tortillas) (#7166)

One Health Certification Foundation (Certification of Poultry Products) (#7129)

The Procter & Gamble Company (Vicks DayQuil and NyQuil SEVERE Honey Maximum Strength, Cold & Flu Relief Liquid) (#7279)

Where Food Comes From, Inc. ("CARE Certified" Encircled Seal on Beef and Pork Labels & Certification) (#7149)

Online Advertising

Dow Jones & Company, Inc. (The Wall Street Journal) (#7179)

Recurring Issues During 2023

(Cases Classified by Issue)

Magic Tavern (Project Makeover) (#7185)

Pier 1 Imports Online, Inc. (Pier 1 Rewards) (#7092)

S3 Marketing, LLC and Beyond Finance, LLC d/b/a Accredited Debt Relief (Accredited Debt Relief) (#7025C)

Sephora USA, Inc. (Biossance Squalene & Marine Algae Eye Cream) (#7178)

Performance Claims

American Association of Orthodontists (Happy Mouth Now Campaign) (#6917CII)

Brave, Inc. (Advertising by Brave Browser) (#7021C)

Comcast Cable Communications Management, LLC (Xfinity Home Internet and Mobile Services) (#7156)

Comcast Cable Communications Management, LLC (Xfinity Home Internet and Mobile Services) (#7156C)

Comcast Cable Communications Management, LLC (Xfinity Mobile Wireless) (#6920CII)

Fitness Cubed, Inc. (Cubii Seated Elliptical Trainer) (#7145)

Fitness Cubed, Inc. (Cubii Seated Elliptical Trainer) (#7145C)

Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143)

Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143C)

MacuHealth, LP (Advertising by MacuHealth) (#7202)

Neurotrack Technologies, Inc. (Cognitive Health Program) (#7189)

PrettyLitter, Inc. (Kitty Litter) (#7262)

Relish Labs, LLC (Home Chef Meal Kit Delivery Service) (#6332C)

SBLA Beauty, Inc. (SBLA Beauty's Eye Lift Wand) (#7239)

T-Mobile US, Inc. (T-Mobile Home Internet) (#7140)

T-Mobile US, Inc. (T-Mobile Home Internet) (#7201)

T-Mobile US, Inc. (T-Mobile Home Internet) (#7204)

T-Mobile US, Inc. (T-Mobile Home Internet) (#7204C)

Vesync Co., Ltd. (HEPA Air Purifiers) (#7222)

ZenBusiness, Inc. (Online Corporate Formation Services) (#7243)

Preference Claims

Haleon, Plc (Voltaren) (#7196)

Old Trapper Smoked Products, Inc. (Old Trapper Smoked Beef Jerkey) (#7252)

T-Mobile US, Inc. (T-Mobile Home Internet) (#7158)

Pricing/Discounts/Sales Claims

Comcast Cable Communications Management, LLC (Xfinity Mobile Wireless) (#7118C)

Consumer Cellular, Inc. (Consumer Cellular Wireless Service Plans) (#7184)

Google, LLC (YouTube TV) (#7233)

Grocery Delivery E-Services USA, Inc. (Advertising by HelloFresh) (#7136)

Grocery Delivery E-Services USA, Inc. (Advertising by HelloFresh) (#7136C)

Haleon, Plc (Voltaren) (#7196)

Recurring Issues During 2023

(Cases Classified by Issue)

Mint Mobile, LLC (Mint Mobile Wireless Service) (#7231)

My Patriot Supply (Long-Term Survival Food Kits and Related Products) (#7167)

My Patriot Supply (Long-Term Survival Food Kits and Related Products) (#7167C)

Pier 1 Imports Online, Inc. (Pier 1 Rewards) (#7092)

Smart Travel Media, LLC (BookingBuddy.com) (#7257)

T-Mobile US, Inc. (Mobile Wireless Service (Magenta Max)) (#7217C)

T-Mobile US, Inc. (Mobile Wireless Service (Magenta Max)) (#7217CII)

T-Mobile US, Inc. (Mobile Wireless Service (Magenta Max)) (#7217CIII)

T-Mobile US, Inc. (Mobile Wireless Service (Magenta Max)) (#7217CV)

T-Mobile US, Inc. (Phone Freedom Campaign) (#7218)

T-Mobile US, Inc. (T-Mobile Home Internet) (#7140)

Tiburon Insurance Services (The Medicare Helpline) (#7026)

Verizon Communications, Inc. (Verizon Wireless Network) (#7182)

ZenBusiness, Inc. (Online Corporate Formation Services) (#7243)

Product Demonstration/Testing

One Health Certification Foundation (Certification of Poultry Products) (#7129)

Product Description

Comcast Cable Communications, LLC (Xfinity 10G Network) (#7212)

Comcast Cable Communications, LLC (Xfinity 10G Network) (#7213)

Cox Communications, Inc. (Cox Internet Services) (#7244)

Ginsey Industries, Inc. (Clorox Antimicrobial Line of Toilet Seats) (#7173)

Mohawk Industries, Inc. (RevWood Laminate Flooring) (#7207)

The Procter & Gamble Company (Vicks DayQuil and NyQuil SEVERE Honey Maximum Strength, Cold & Flu Relief Liquid) (#7279)

Product Performance

Oral Essentials, Inc. (Luminuex Whitening Strips) (#7235)

Vesync Co., Ltd. (HEPA Air Purifiers) (#7222)

Vesync Co., Ltd. (HEPA Air Purifiers) (#7222C)

Puffery

American Association of Orthodontists (Happy Mouth Now Campaign) (#6917CII)

Comcast Cable Communications, LLC (Xfinity Internet Services) (#7229)

Dr. Squatch, LLC (Jukebox Soaps) (#7195)

Dr. Squatch, LLC (Dr. Squatch Personal Care Products for Men) (#7225)

Mint Mobile, LLC (Mint Mobile Wireless Service) (#7231)

Molson Coors Beverage Company (Miller Lite) (#7183)

Royal Oak Enterprises, LLC (Royal Oak Super Size Briquets) (#7241)

Verizon Communications, Inc. (Verizon Wireless Network) (#7171)

Recurring Issues During 2023

(Cases Classified by Issue)

Quantified Claims

Charter Communications, Inc. (Cable Internet Service) (#7153)

Superiority Claims

Cargill Incorporated (Nutrena NatureWise Chicken Feeds) (#7210)

Charter Communications, Inc. (Cable Internet Service) (#7153)

Charter Communications, Inc. (Spectrum Mobile) (#6940CIII)

Comcast Cable Communications Management, LLC (Xfinity Mobile Services) (#7160)

Consumer Cellular, Inc. (Consumer Cellular Wireless Service Plans) (#7184)

Dyper, Inc. (Dyper Baby Wipes & Diapers) (#7144)

Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143)

Frontier Communications Parent, Inc. (Frontier Fiber Internet) (#7143C)

Louisiana-Pacific Corporation (SmartSide Home Siding Products) (#7227)

Louisiana-Pacific Corporation (SmartSide Home Siding Products) (#7227C)

Novartis Pharmaceutical Corporation (Kisqali) (#7137C)

Nutrishus Brands, Inc. (RxSugar) (#7214)

Old Trapper Smoked Products, Inc. (Old Trapper Smoked Beef Jerkey) (#7252)

Royal Oak Enterprises, LLC (Royal Oak Super Size Briquets) (#7241)

Shuye Technology Ltd. (Swift Hair Dryers) (#7275)

Simply Gum, Inc. (Simply Gum Chewing Gum) (#7079RO)

T-Mobile US, Inc. (T-Mobile Wireless Service) (#7148)

T-Mobile US, Inc. (T-Mobile Wireless Service) (#7148C)

The Coca-Cola Company (Powerade) (#7198)

Verizon Communications, Inc. (Verizon Frontline Network) (#7208)

Verizon Communications, Inc. (Verizon Wireless Network) (#7171)

ViiV Healthcare Company (DOVATO) (#7199)

Testimonials

Alliance Pharmaceuticals, Ltd. (Amberen Menopause Supplement) (#7209)

Goose Creek Candles, LLC (Candles) (#7237)

IntelliBrands, LLC (LegXercise) (#7221)

Memory Health, LP (Advertising by Memory Health) (#7203)

National Advertising Review Board 2023 Case Summary

NARB Closed Cases

Panel	Advertiser	Product	Decision
306	WhatsApp, LLC	WhatsApp Messaging App	Upheld In Part
307	Genexa, Inc.	Genexa Kids Pain & Fever Medicine	Upheld
308	American Beverage Association	Every Bottle Back Initiative	Upheld
309	SharkNinja Operating, LLC	Shark Air Purifiers	Upheld
310	Smile Prep, LLC	Advertising by Smile Prep	Upheld
311	T-Mobile US, Inc.	T-Mobile Home Internet	Upheld In Part
312	One Health Certification Foundation	Certification of Poultry Products	Upheld
313	JBS USA Holdings, Inc.	Net Zero 2040	Upheld
314	Verizon Communications, Inc.	Verizon Wireless Network	Upheld
315	Molson Coors Beverage Company	Miller Lite	Upheld
316	Charter Communications, Inc.	Cable Internet Services	Overtaken
317	Comcast Cable Communications Management, LLC	Xfinity Mobile Services	Upheld
318	SharkNinja Operating, LLC	Shark Stratos Powered Lift-Away Vacuum	Upheld
319	T-Mobile US, Inc.	Phone Freedom Campaign	Upheld
320	Google, LLC	YouTube TV	Upheld
321	Mohawk Industries, Inc.	RevWood Laminate Flooring	Upheld
322	The Coca-Cola Company	Powerade	Upheld
323	Dr. Squatch, LLC	Jukebox Soaps	Upheld
324	Mint Mobile, LLC	Mint Mobile Unlimited	Upheld

NARB Compliance Cases

Panel	Advertiser	Product	Decision
303C	The Procter & Gamble Company	Febreze Air Fresheners	No Further Action Required
308C	American Beverage Association	Every Bottle Back Initiative	No Further Action Required
310C	Smile Prep, LLC	SmilePrep.com	Referred to Government
313C	JBS USA Holdings, Inc.	Net Zero 2040	No Further Action Required
318C	SharkNinja Operating, LLC	Shark Stratos Powered Lift-Away Vacuum	No Further Action Required

About BBB National Programs

BBB National Programs, a non-profit organization, is the home of U.S. independent industry self-regulation, currently operating more than a dozen globally recognized programs that have been helping enhance consumer trust in business for more than 50 years. These programs provide third-party accountability and dispute resolution services that address existing and emerging industry issues, create a fairer playing field for businesses, and a better experience for consumers. BBB National Programs continues to evolve its work and grow its impact by providing business guidance and fostering best practices in arenas such as advertising, child-and-teen-directed marketing, data privacy, dispute resolution, automobile warranty, technology, and emerging areas. To learn more, visit bbbprograms.org.

About the National Advertising Division

The National Advertising Division of BBB National Programs provides independent self-regulation and dispute resolution services, guiding the truthfulness of advertising across the U.S. The National Advertising Division reviews national advertising in all media and its decisions set consistent standards for advertising truth and accuracy, delivering meaningful protection to consumers and leveling the playing field for business.

About the National Advertising Review Board

The National Advertising Review Board (NARB) is the appellate body for BBB National Programs' advertising self-regulatory programs. NARB's panel members include 85 distinguished volunteer professionals from the national advertising industry, agencies, and public members, such as academics and former members of the public sector. NARB serves as a layer of independent industry peer review that helps engender trust and compliance in NAD and CARU matters.