



August 28, 2014

VIA EMAIL

Jessica Rich, Director
Mary Engle, Associate Director for Advertising Practices
Bureau of Consumer Protection
Federal Trade Commission
600 Pennsylvania Ave. N.W.
Washington, DC 20580
jrich@ftc.gov
mengle@ftc.gov

Re: Deceptive Advertising by Suspected Vapex Websites

Dear Ms. Rich and Ms. Engle:

On July 17, 2014, we submitted a complaint to your office regarding the deceptive marketing tactics used on various websites linked to Vapex LLC, an e-cigarette company. We also notified the Attorney General of Utah, where the company is located, of these issues.

Since filing our complaint with your office and the Utah Attorney General, the Utah Department of Commerce has announced that it is citing Vapex LLC, as well as Sinless Vapor LLC, and OZN Web LLC, for multiple violations of the Utah Consumer Sales Practices Act and the Utah Telephone Fraud Prevention Act, finding, among other things, that the companies engaged in deceptive advertising. *See* August 27, 2104 State of Utah Department of Commerce Media Alert, attached hereto. The companies are now facing Utah state fines of up to \$1.1 million.

In addition, several of the Vapex-related websites listed in our July 17 complaint have since been removed or inactivated, including:

- vapexecig.net,
- vapeselectroniccigarette.com,
- vapexecig.org,
- vapexecigarette.com, and
- sinlessvapor.com.

Thus, TINA.org withdraws its complaint to the FTC with respect to the above-listed websites. However, one website referenced in our July 17 complaint is still active as of today and therefore still requires attention: vaperlite.com/us/eval (screen shot attached for your reference).

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

Many thanks for your attention to this matter.

Sincerely,



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



Bonnie Patten, Esq.
Executive Director
Truth in Advertising, Inc.

Cc: Francine Giani, Executive Director, Utah Department of Commerce