



January 19, 2016

VIA EMAIL

Ruth Levenson, Vice President
Maryana DeZarlo, Director
FBC Broadcast Standards and Practices
1211 Avenue of the Americas, 28th Floor
New York, NY 10036



Re: Deceptive Prevagen Commercials Airing on FOX

Dear Ms. Levenson and Ms. DeZarlo:

It has come to our attention that Fox Broadcasting Company (FOX) is airing ads for Prevagen, an alleged brain supplement that claims the digestion of a synthetically-made protein derived from bioluminescent jellyfish from the Puget Sound can improve memory in 90 days. Such claims are false. Specifically, there is absolutely no competent or reliable scientific evidence to support such an incredible health and treatment claim, which means that Quincy Bioscience LLC, who markets and sells Prevagen, is airing deceptive commercials on your network to the detriment of your viewers.¹

Given FOX's policy to present advertising that is truthful and in compliance with all Federal Trade Commission requirements, among other laws and regulations, we knew that FOX would want TINA.org to bring this matter to your attention.² Furthermore, based on FOX's practice of reviewing all commercials prior to airing, as well as requiring competent and reliable substantiation for all health claims made in ads, we trust that FOX will take a closer look at the Prevagen ads. We are confident that a thorough review of

¹ We have put the company on notice and have filed a formal complaint with the Federal Trade Commission based on Quincy's false and deceptive marketing of Prevagen. TINA.org's warning letter to the company is available [here](#), and TINA.org's complaint letter to the FTC is available [here](#).

² FBC Advertising Guidelines,
<http://www.fox.com/sites/default/files/FBCADVERTISERGUIDELINESFINAL2013-2014.pdf>.

these ads will lead FOX to the inevitable conclusion that Quincy Bioscience is engaged in clear violations of state and federal advertising laws.

If you have any questions or would like further information about our investigative findings, 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.
lsmith@truthinadvertising.org

Cc: Mary Engle, Associate Director, Division of Advertising Practices, FTC