



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

Division of Advertising Practices

December 12, 2018

Laura Smith, Esq., Legal Director
Bonnie Patten, Esq., Executive Director
Truth in Advertising, Inc.
P.O. Box 927
Madison, CT 06443

Re: Complaint Regarding Diageo's Advertising for its Ciroc Brand Alcohol

Dear Ms. Smith and Ms. Patten:

This responds to your December 10, 2018 letter to Bureau of Consumer Protection Director Andrew Smith and me about Diageo's advertising for its Ciroc brand alcoholic beverages. Your letter explains that Diageo uses social media influencers to advertise Ciroc brand products to more than 120 million Instagram users in the United States. Your letter indicates that TINA.org has identified more than 1,700 Ciroc ads on Instagram in which Diageo's influencers failed to clearly and conspicuously disclose their material connections to the brand. Your letter includes a few sample ads. Moreover, your letter explains that because there are no age-gating features on the Instagram accounts of Diageo's influencers, minors are able to view the challenged ads. You ask the FTC to investigate Diageo's advertising practices and take appropriate enforcement action for any violations of the FTC Act.

We will review your submission carefully to determine whether Commission action is appropriate and will contact you if we need additional information. We also will forward your complaint to our Consumer Response Center to be entered into Consumer Sentinel, our secure, online database available to more than 2,000 civil and criminal law enforcement agencies in the U.S. and abroad. Thank you for writing to the Commission.

Very truly yours,

Mary K. Engle
Associate Director