

For Immediate Release

CARU REFERS ADVERTISING FROM TRIOPS, INC. TO FTC FOR REVIEW

Advertiser Declines to Participate in CARU Review Process

New York, NY – August 6, 2008 – The Children’s Advertising Review Unit (CARU) of the Council of Better Business Bureaus, Inc., has referred advertising for the Triassic Triops kit, marketed by Triops, Inc., to the Federal Trade Commission. Advertising for the Triops Kit came to the attention of CARU, the children’s advertising industry’s self-regulatory forum, through CARU’s ongoing monitoring.

Triassic Triops are described as shrimp-like creatures dating back to the Triassic period. Product packaging includes the statements “Triassic Triops are actual prehistoric creatures which are identical to their prehistoric kin. They survived the centuries during interrupted states of suspended animation or ‘diapause.’ This state of suspended animation enables the Triops to survive seasonal drought. Triassic Triops permits you to grow and study the behavior of an amazing creature that hasn’t changed in a million years.”

The claim, “Just add water” appears on three sides of the product’s package.

The instruction booklet, which is available only after the product is purchased and opened, specifies that distilled or spring water must be used to rinse and fill the tank. Additionally, a continuous light source must be used to keep the tank at a constant 74-84 degree temperature. These additional requirements do not appear on the product’s packaging.

CARU questioned whether the product’s packaging complies with its Guidelines on material disclosures and disclaimers. Specifically, CARU questioned whether the necessity for distilled (or spring) water and a constant light source (kept at a specific temperature) were material information that should be conspicuously disclosed on the product’s package, in light of the claims made.

The advertiser failed to provide a substantive response to CARU’s inquiry. CARU, pursuant to its policies and procedures, has referred the matter to the Federal Trade Commission.

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CARU’s inquiry was conducted under NAD/CARU/NARB Procedures for the Voluntary Self-Regulation of National Advertising. Details of the initial inquiry, CARU’s decision, and the advertiser’s response will be included in the next NAD/CARU Case Report.

About Advertising Industry Self-Regulation: The National Advertising Review Council (NARC) was formed in 1971 by the Association of National Advertisers, Inc. (ANA), the American Association of Advertising Agencies, Inc. (AAAA), the American Advertising Federation, Inc. (AAF), and the Council of Better Business Bureaus, Inc. (CBBB). Its purpose is to foster truth and accuracy in national advertising through voluntary self-regulation. NARC is the body that establishes the policies and procedures for the CBBB’s National Advertising Division (NAD) and Children’s Advertising Review Unit (CARU), as well as for the National Advertising Review Board (NARB) and Electronic Retailing Self-Regulation Program (ERSP).

NAD and CARU are the investigative arms of the advertising industry’s voluntary self-regulation program. Their casework results from competitive challenges from other advertisers, and also from self-monitoring traditional and new media. The National Advertising Review Board (NARB), the appeals body, is a peer group from which ad-hoc panels are selected to adjudicate those cases that are not resolved at the NAD/CARU level. This unique, self-regulatory system is funded entirely by the business community; CARU is financed by the children’s advertising industry, while NAD/NARC/NARB’s sole source of funding is derived from membership fees paid to the CBBB. Funding for ERSP is derived from membership fees paid to the Electronic Retailing Association. For more information about advertising self regulation, please visit www.narcpartners.org.