





## CITIZENS' COMPLAINT

The undersigned submit this citizen's complaint pursuant to section 5 of the Freedom of Information Act.

## SUMMARY OF THE ALLEGATIONS

4. Scotts produces, markets, and supplies the Kill & Contain, which is sold on-line and in retail stores across the country. According to Scotts, the Kill & Contain "is the safe, simple and



0 Scott's December 7, 2000 response failed even to acknowledge BETA's demand or its















27 “For welfare reasons, only traps with the power and of a size and design appropriate to















- g. As others have said these do not kill the mouse in spite of what the package says. I have no problem with instant death for the creatures, but a long slow agonizing death is not good.<sup>77</sup>

h. If you're a catch and release fan, buy a cool catch and release trap. If you want



t. I saw a television ad for this product the morning after a mouse was in our basement . . . . I was going to buy this product because I thought it would be a humane method to eliminate any additional mice . . . until I read the reviews . . . I





















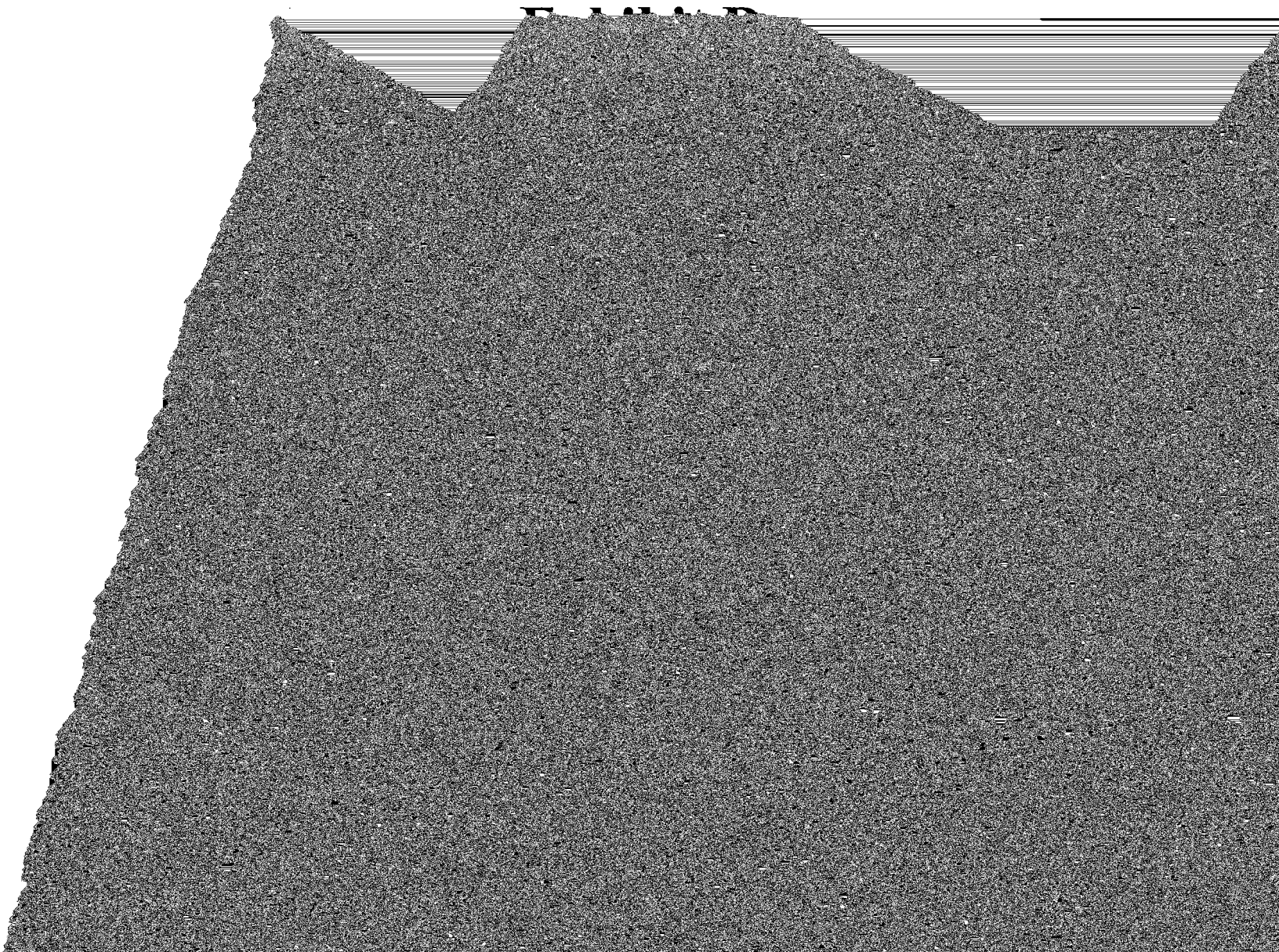
disseminated; (4) require Scotts to disclose how the trap kills in its advertising and labeling; and



# **Exhibit A**











# **Exhibit C**





# **Exhibit D**

**AFFIDAVIT**

# **Exhibit E**



**Federal Trade Commission (FTC) Act: Unfair Methods of Competition Unlawful<sup>1</sup>**

Section 5 of the FTC Act declares that “[u]nfair methods of competition in or affecting commerce, and unfair or deceptive acts or practices in or affecting commerce” are unlawful.

o More than three months after your marketing team announced that an “improved”

- **Facts**

- Scotts has continued to mislead and deceive consumers despite the fact that many consumers specifically complained to the company after having been misled.

# **Exhibit F**



