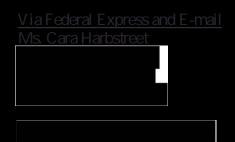


## United States of America FEDER TRADE COM ISSION Washington, D.C. 20580

## November 13, 2023



Dear Ms. Harbstreet

The Federal Trade Commission ("FTC") is an independent federal agency whose mission is to protect consumers by enforcing laws and rules that promote truth in advertising and fair business practices, and by educating consumers and businesses about their rights and responsibilities. We are writing to express concer is that your marketing practices on Instagram and TikTok may be deceptive or unfair in violation of the FTC Act.

Y ou posted dietary advice on Instagram and TikTok endorsing the saf ty of aspartame. In one video posted on Instagram and on TikTok on July 6, 2023, you stated, while drinking a diet soda, that ''unless you are consuming the equivalent of seventy-f ve packets a day [of aspaitame], you don't have to worry at all." In another video posted on Instagram and on TikTok on July 14, 2023 you asked rhetorically, "So you're diet y a ' d" you d

company conclice that engaging in conclust described therein could subject you to civil penalties of up to \$50,120 per vidation<sup>1</sup>

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Notice of Pen