



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

Division of Advertising Practices

November 28, 2012

VIA U.S. MAIL AND ELECTRONIC MAIL

Greg Sinderbrand
Chief Operating Officer
Borba, Inc.
17404 Ventura Boulevard
Second Floor
Encino, CA 91316

Re: Borba, Inc., FTC Matter No. 112-3044

Dear Mr. Sinderbrand:

As you know, the staff of the Federal Trade Commission's Division of Advertising Practices conducted an investigation of Borba, Inc. ("Borba") for possible violations of Sections 5 and 12 of the Federal Trade Commission Act, 15 U.S.C. §§ 45 and 52.

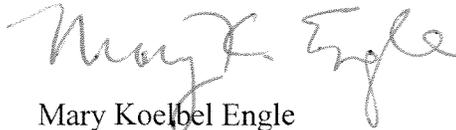
The FTC's investigation concerned Borba's marketing and sale of the following products: (1) Borba Skin Balance Waters and Crystalline Drink Mixes; (2) Borba firming topical products including, but not limited to, Borba Firming Body Cleansing Serum and Borba Firming Neck Décolleté Cream; and (3) Borba beauty supplements, including but not limited to, Age Defying Liquigels, Clear Skin Capsules, Firm & Fit Calcium Chews, Mighty Energy Gummi Mice, Skin Balance Gummi Bears, Skin Balance Gummi Bear Boosters, Slimming Chocolate Chews, and Smart & Sexy Omega-3 Bursts. Specifically, the staff was concerned about Borba's representations that its ingestible products (*e.g.*, Borba Skin Balance Waters, Borba Crystalline Drink Mixes, and Borba beauty supplements) "deliver valuable nutrients directly and efficiently to your skin from the inside." The company also claimed that its firming topical products reduce cellulite and provide the same support to a consumer as wearing spandex.

Upon review of the matter, including non-public information submitted to the staff, we have determined not to recommend enforcement action at this time. Among the factors we considered are Borba's representations that the company has ceased operations (including manufacturing the products at issue) and will not sell its remaining inventory to a third-party seller or marketer.

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This action is not to be construed as a determination that a violation has not occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may warrant.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Mary Koebel Engle".

Mary Koebel Engle
Associate Director

cc: Mr. Scott-Vincent Borba