



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

Division of Advertising Practices

October 25, 2016

Andrea C. Levine, Esq.
Senior Vice President, Director
National Advertising Division
112 Madison Avenue, 3rd Floor
New York, NY 10016

Re: NAD Referral of Zeltiq Aesthetic, Inc.'s Advertising for CoolSculpting[®]
Cryolipolysis[®] Body Contouring System

Dear Ms. Levine:

Earlier this month, you referred to the FTC the NAD's compliance investigation of Zeltiq Aesthetics, Inc.'s claims about its CoolSculpting[®] Cryolipolysis[®] Body Contouring System (CoolSculpting), an FDA-cleared medical device designed to break down fat from discrete areas in the body. Your referral indicates that in a September 2016 NAD decision, the NAD determined that Zeltiq provided a reasonable basis for claims that "CoolSculpting is as an FDA-Cleared procedure that uses controlled cooling to eliminate fat without surgery" and can lead users to "[s]ee a slimmer you." The NAD, however, cautioned Zeltiq to avoid making fat elimination claims and provided other recommendations. Your referral indicates that Zeltiq agreed to discontinue fat elimination claims and follow most but not all of the NAD's other recommendations. Because Zeltiq would not agree to add the NAD's recommended disclosures to its advertising, you referred this matter to the Federal Trade Commission for our review.

Upon review of this matter, we have determined not to take additional action at this time. In coming to this conclusion, we considered a number of factors related to resource allocation and enforcement priorities, as well as the nature of any FTC Act violation and the type and severity of any consumer injury. The Commission reserves the right to take such further action as the public interest may require.

Very truly yours,

A handwritten signature in blue ink that reads "Mary K. Engle".

Mary K. Engle
Associate Director for Advertising Practices