



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Division of Advertising Practices

March 10, 2014

Via Email and Overnight Courier

George L. Paul, Esq.
White & Case LLP
701 Thirteenth Street, NW
Washington, D.C. 20005-3807

Re: Alison Rhodes-Jacobson, File No. 122 3053

Dear Mr. Paul:

As you are aware, staff of the Federal Trade Commission's Division of Advertising Practices has conducted an investigation into the promotion of the ADT Pulse home security system by paid endorsers. Our inquiry focused in part on media appearances by Alison Rhodes-Jacobson on national and local television and radio programs where Ms. Rhodes-Jacobson was identified as the "Safety Mom," a nationally renowned child safety expert, and provided demonstrations and favorable reviews of the ADT Pulse. We examined whether adequate disclosure was made in those media interviews that Ms. Rhodes-Jacobson was compensated by ADT LLC, the manufacturer of the ADT Pulse. In addition, we examined whether the connection to ADT was adequately disclosed on the safetymom.com web site, in blogs, and in other online postings by Ms. Rhodes-Jacobson.

The Federal Trade Commission recently entered into a consent agreement with ADT LLC, settling charges that ADT misrepresented that paid endorsements from safety and technology experts, including Ms. Rhodes-Jacobson, were independent and impartial reviews and failed to disclose that the experts were being paid by ADT to promote the Pulse system. A copy of the press release announcing that settlement is attached.

To avoid deception under Section 5 of the FTC Act, a material connection between an advertiser and an endorser, such as a financial relationship or compensation, should be clearly and conspicuously disclosed in the communication that contains the endorsement when that relationship is not otherwise apparent from the context. Any party actively participating in the marketing of products through endorsements, including an individual endorser such as Ms. Rhodes-Jacobson, has a responsibility to make sure that those disclosures are made.

Staff appreciates your cooperation in this matter. Upon careful review, we have decided to close our investigation of Alison Rhodes-Jacobson. Our decision was based on a number of factors, including the steps Ms. Rhodes-Jacobson immediately took to revise her website and

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other online materials within her control to include appropriate disclosures, as well as her commitment to personally make on-air disclosures of any material connection to an advertiser in future media appearances. Our decision to close this investigation without pursuing enforcement action is not to be construed as a determination that a violation may not have 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 black ink that reads "Mary K. Engle". The signature is written in a cursive, flowing style.

Mary K. Engle
Associate Director

Attachment