



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

Mary K. Engle  
Associate Director

September 6, 2017

Ms. Ashley Benson  
c/o Barry Littman, Esq.  
Hansen, Jacobson, Teller, Hoberman, Newman, Warren, Richman, Rush & Kaller, LLP  
450 N. Roxbury Drive, 8th Floor  
Beverly Hills, California 90210

Dear Ms. Benson:

As you may recall, I wrote to you in March regarding one of your Instagram posts endorsing Nip + Fab Dragon's Blood Fix Plumping Serum. As I said in my earlier letter, if you are endorsing a brand and have a "material connection" with the marketer (that is, a connection or relationship that might affect the weight or credibility that your followers give the endorsement), then your connection should be clearly and conspicuously disclosed, unless the connection is already clear from the context of the endorsement. Material connections could consist of a business or family relationship, or your receipt of payment, free products or services, or other incentives to promote the brand.

One of your other Instagram posts, attached to this letter, has recently come to our attention. You posted a picture of yourself wearing a leather jacket and wrote "New leather ✨ ✨ ✨." In the picture, you tagged the jacket "hacullaofficial." The FTC staff believes that tagging a brand is an endorsement of the brand. Accordingly, if you have a material connection with the marketer of the tagged brand, then your post should disclose that connection. Your post does not disclose whether you have a material connection with the marketer.

Please provide a written response to this letter by September 30, 2017 advising the FTC staff of whether you have a material connection with the marketer of Haculla clothing. If so, please describe what actions you are or will be taking to ensure that your social media posts endorsing brands and businesses with which you have a material connection clearly and conspicuously disclose your relationships.

Please direct your correspondence to Michael Ostheimer or Mamie Kresses of my office. If you have any questions, contact Mr. Ostheimer at (202) 326-2699 or [mostheimer@ftc.gov](mailto:mostheimer@ftc.gov) or Ms. Kresses at (202) 326-2070 or [mkresses@ftc.gov](mailto:mkresses@ftc.gov). Thank you.

Very truly yours,

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

Mary K. Engle  
Associate Director  
Division of Advertising Practices



ashleybenson

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