



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

Division of Advertising Practices

August 28, 2017

Timothy J. Muris, Esq.  
Sidley & Austin  
1501 K Street, N.W.  
Washington, D.C. 20005

Re: Colgate Optic White Toothpaste, FTC File No. 152-3205

Dear Mr. Muris:

As you know, the staff of the Federal Trade Commission's Division of Advertising Practices has conducted an investigation into advertising by your client, Colgate-Palmolive Company, for possible violations of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45. The staff's investigation followed a referral from the National Advertising Division of the Council of Better Business Bureaus ("NAD") after the NAD determined that Colgate-Palmolive failed to produce adequate substantiation for its claims and the company declined to accept the NAD's recommendation to modify its advertising by removing claims that Optic White toothpaste intrinsically (deeply) whitens teeth.

Upon careful review of this matter, including non-public information submitted to the staff, we have determined not to recommend enforcement 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.

This action is not to be construed as a determination that a violation of law did not occur, 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, appearing to read "Devin W. Domond".

Devin W. Domond  
Chief of Staff  
Division of Advertising Practices

cc: Laura Brett, Director, NAD