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In This Issue

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Honors and Awards

Top ranked in *Chambers USA*
2013



Law Firm of the Year, National
Advertising, *U.S. News and World*
Report, 2011-2012

Analysis**It's Not Easy to "Act Naturally"**

The Beatles and Buck Owens told us all we have to do is "act naturally." That sounds like good advice unless you're a food company trying to weather the tsunami of "all natural" consumer class action lawsuits, writes Venable partner **Leonard L. Gordon** in a recent post to Venable's advertising law blog. Gordon's post chronicles snack food giant Frito-Lay's attempt to use guidance from the Food and Drug Administration (FDA) as a shield in one such class action and the failure of that strategy.

Gordon also discusses why a lack of federal guidance on what constitutes "all natural foods" leaves marketers facing these lawsuits at the mercy of subjective judgments about how a "reasonable consumer" might interpret a particular claim.

[Click here](#) to read the full text of Gordon's post to Venable's advertising law blog, www.allaboutadvertisinglaw.com.

Facebook Changes the Rules of the Game – Again

Last week, social media titan Facebook announced revisions to its rules for companies administering and advertising prize promotions on the social media platform. In a recent post to Venable's advertising law blog, www.allaboutadvertisinglaw.com, Venable attorneys **Melissa Landau Steinman** and **Mikhia E. Hawkins** detail what has changed, what has remained the same, and how marketers now have significantly more freedom when running prize promotions on the world's most popular social media site.

[Click here](#) to read the full text of the blog post by Steinman and Hawkins.

[Click here](#) to download Facebook's guide to the updated promotions rules.

News**FTC Dents Dealers' Deceptive Auto Ads**

On September 3, the Federal Trade Commission (FTC) announced that it had settled allegations of deceptive advertising by two automobile dealerships in Maryland and Ohio. The settlements, writes the FTC's Lesley Fair in a post to the Commission's Business Center Blog, teach important lessons about advertised pricing and disclosures for all types of marketers, not just those in the auto business.

[Click here](#) to read the full text of Fair's post on the FTC's blog and access additional information about the settlements.

Venable's Jeff Knowles Profiled in *Electronic Retailer*

The September 2013 edition of *Electronic Retailer* magazine profiles **Jeffrey D. Knowles**, chair of Venable's Advertising, Marketing and New Media Practice. The piece highlights the role Knowles has played in the direct response industry and in the creation and growth of the Electronic Retailing Association (ERA). Knowles will receive ERA's Lifetime Achievement Award later this month at the



Top-Tier Firm *Legal 500*

For more information about Venable's award-winning Advertising and Marketing practice, please visit our website at

www.Venable.com/Advertising-and-Marketing

association's annual meeting.

[Click here](#) to read the profile of Knowles.

[Click here](#) to listen to a podcast of the profile.

Don't Miss Venable at ERA D2C

Venable is a proud sponsor of the Electronic Retailing Association's D2C Convention on September 24-26, 2013 in Las Vegas. Join our attorneys as they honor Venable partner [Jeffrey D. Knowles](#), recipient of the ERA Lifetime Achievement Award, and present two educational sessions.

Venable partner [Gregory J. Sater](#) will present "Beauty and Fitness: Making Your Marketing Dollars Count!" on Tuesday, September 24 from 10:30 a.m. to 11:30 a.m. PDT. In addition, Venable partner Jeffrey D. Knowles will moderate a panel titled "Don't Risk Revenue: Three R's Every Marketer Must Know" on Tuesday, September 24 from 3:45 p.m. to 4:45 p.m. PDT.

Network with other marketers before the Moxie Awards Gala at the Venable-sponsored Pre-Moxie Awards Mixer on Thursday, September 26 from 5:30 p.m. to 7:30 p.m. PDT. All Access Pass holders and guests of Venable are encouraged to attend. Expo hall pass holders who want to attend should visit Venable's booth (#909) to be added to the guest list.

To obtain a discounted exhibit hall pass that will allow you access to the expo as a Venable guest, [click here](#) and register using the code **EI320D26**.

If you are attending ERA D2C and are interested in scheduling a conversation with a Venable attorney, [click here](#) to send us an email.

Upcoming Events

Teleconference: "ABA Antitrust Section Corporate Counseling Update"

September 10, 2013 | 12:00 p.m. - 1:00 p.m. EDT

Join Venable attorneys at the ABA Antitrust Section Corporate Counseling Committee for its monthly Antitrust Update for In-house Counsel, a telephonic committee program. This program continues the ABA's popular monthly brown bag series in which antitrust practitioners report on the most recent developments around the world at antitrust agencies and in the courts.

[Click here](#) to learn more and register.

Council for Responsible Nutrition Workshop and Conference 2013 - Park City, UT

September 18-21, 2013

The Council for Responsible Nutrition (CRN) is the leading trade association representing dietary supplement manufacturers and ingredient suppliers. During CRN's dietary supplements conference, Venable partner [Claudia A. Lewis](#) will join a panel to discuss "How Non-compliance with FDA Regulations Can Result in a Private Cause of Action for Consumers." Venable is also a proud sponsor of the invitation-only Board of Directors dinner.

[Click here](#) to learn more.

Webinar: "Contract Manufacturing: The Papertrail"

September 24, 2013 | 1:00 p.m. - 4:00 p.m. EDT

Attend this live digital summit hosted by Virgo *Natural Products INSIDER* and hear Venable partner [Claudia A. Lewis](#) present an interactive presentation titled "Are Your Customer Complaints a Ticking Time Bomb? Ensuring Compliance with Dietary Supplement Adverse Event Reporting Requirements." Learn best practices for dietary supplement companies regarding adverse events requirements, recordkeeping requirements, requirements to report serious adverse events to the FDA, and the latest trends in FDA enforcement.

[Click here](#) to learn more and for complimentary registration.

NAD/CARU/ERSP Annual Conferences - New York City

September 30-October 2, 2013

The Advertising Self-Regulatory Council establishes the policies and procedures for advertising industry self-regulation, including the National Advertising Division (NAD), Electronic Retailing Self-Regulation

Program (ERSP), and Children's Advertising Review Unit (CARU). Venable attorney [Mikhia E. Hawkins](#) will join a panel during the ERSP Summit titled "Direct Response: A Year in Review & What's to Come." Timely topics that will be discussed include recent developments and issues in direct response advertising and marketing, various considerations of claim substantiation, and self-regulation's role in the evolving electronic retailing industry.

[Click here](#) to learn more.

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