

For Immediate Release

NAD EXAMINES ADVERTISING FOR D'ARTAGNAN'S ARTISAN FOIE GRAS

NAD Recommends Advertiser Discontinue Certain Claims

New York, NY – Jan. 26, 2009– The National Advertising Division of the Council of Better Business Bureaus has recommended that D'Artagnan Inc. discontinue certain advertising claims made for the company's Artisan foie gras.

NAD, the advertising industry's self-regulatory forum, reviewed Internet advertising for the product following a challenge by the Humane Society of the United States.

Express claims at issue in the NAD inquiry included:

"The liver is not diseased, simply enlarged."

"Animals are hand-raised with tender care under the strictest of animal care standards."

Implied claims at issue included:

Artisan Duck Foie Gras is not produced by force feeding.

Artisan Duck Foie Gras is produced by healthy animals.

Artisan Duck Foie Gras is produced humanely.

NAD noted that, as the advertising industry's self-regulatory unit, it does not take a position on what constitutes humane treatment of animals or other ethical considerations associated with foie gras production. However, NAD recognized that consumers cannot typically verify the accuracy of claims regarding animal welfare practices for themselves and noted that NAD's role is to consider relevant scientific evidence, as well as consumer understanding and expectation, to ensure that such advertising is truthful and non-misleading.

Following its review of the evidence, NAD determined that the advertiser had not adequately substantiated its liver health claim ("the liver is not diseased, simply enlarged").

NAD determined that the claim "hand-raised with tender care under the strictest of animal care standards" suggests a level of care and oversight that is not supported by the evidence provided by the advertiser and is inconsistent with the evidence in the record.

NAD recommended that the advertiser discontinue its claim about the liver health of birds used in Artisan foie gras production, as well as the claim that animals are hand-raised with tender care "under the strictest of animal care standards."

D'Artagnan, in its advertiser's statement, noted that it "strongly disagrees with NAD's decision but nonetheless will comply and modify its advertising."

NAD's inquiry was conducted under NAD/CARU/NARB Procedures for the Voluntary Self-Regulation of National Advertising. Details of the initial inquiry, NAD's decision, and the advertiser's response will be included in the next NAD/CARU Case Report.

###

About Advertising Industry Self-Regulation: The National Advertising Review Council (NARC) was formed in 1971 by the Association of National Advertisers, Inc. (ANA), the American Association of Advertising Agencies, Inc. (AAAA), the American Advertising Federation, Inc. (AAF), and the Council of Better Business Bureaus, Inc. (CBBB). Its purpose is to foster truth and accuracy in national advertising through voluntary self-regulation. NARC is the body that establishes the policies and procedures for the CBBB's National Advertising Division (NAD) and Children's Advertising Review Unit (CARU), as well as for the National Advertising Review Board (NARB) and the Electronic Retailing Self-Regulation Program (ERSP).

NAD and CARU are the investigative arms of the advertising industry's voluntary self-regulation program. Their casework results from competitive challenges from other advertisers, and also from self-monitoring traditional and new media. The National Advertising Review Board (NARB), the appeals body, is a peer group from which ad-hoc panels are selected to adjudicate those cases that are not resolved at the NAD/CARU level. This unique, self-regulatory system is funded entirely by the business community; CARU is financed by the children's advertising industry, while NAD/NARC/NARB's sole source of funding is derived from membership fees paid to the CBBB. ERSP's funding is derived from membership in the Electronic Retailing Association. For more information about advertising self regulation, please visit www.narcpartners.org.