



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Division of Advertising Practices

April 7, 2008

Ellen O. Kollar, Esq.
General Counsel, North America
Mars, Incorporated
6885 Elm Street
McLean, VA 22101

Re: Mars Animal Research Policy Statement
FTC File No. 0823078

Dear Ms. Kollar:

As you know, the staff of the Federal Trade Commission conducted an investigation of Mars, Inc. for possible violations of Sections 5 and 12 of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. §§ 45 and 52. The investigation focused on the company's description of its policy on animal research, as stated on its web site and as presented to consumers through its consumer telephone line.

The investigation was in response to complaints filed with the Commission in December 2007 by the People for the Ethical Treatment of Animals Foundation ("PETA") and the Foundation to Support Animal Protection ("FSAP") concerning the accuracy of Mars's animal research policy statement. Over the past few months, the Commission has also received e-mails and letters of complaint from thousands of individual consumers. The staff of the Division of Advertising Practices has completed its investigation into this matter and has determined that, in light of information provided by Mars and recent measures taken by your company, no further action is warranted at this time.

It is our understanding that Mars does not conduct any animal research in connection with the development of any human food, drink, or snack products, or any animal product for dogs, cats, birds, and horses. Two of the company's businesses, Symbioscience and Mars Fishcare, do, however, conduct limited animal research for the development of pharmaceutical and therapeutic products and ingredients and water treatments. The animal studies are conducted only for the purpose of showing that these products are safe and effective, or when necessary considering legal or regulatory requirements, and only in situations where non-animal alternatives are not feasible.

Although staff initially had some concern about whether statements made on Mars's web site and consumer telephone line might mislead consumers as to the criteria for and extent of animal research, Mars has now made changes to clarify its policy. Based on our review of non-public materials relating to animal research conducted by the company, our discussions with

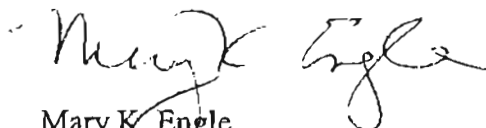
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company officials responsible for supervising this research, and our discussions with staff of the Food and Drug Administration, we believe the revised description of Mars's animal testing policy is accurate.¹

Given that Mars's dissemination of claims about its animal research policy was limited to the company's web site and consumer telephone line and given Mars's prompt response in modifying both to accurately describe its policy, the staff has decided to close the investigation. This action is not to be construed as a determination that a violation has not 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 further action as the public interest may require.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Mary K. Engle".

Mary K. Engle
Associate Director

¹ The revised policy statement is posted on the Mars web site at:
<http://www.mars.com/global/Who+We+Are/Commitment/Research+involving+animals.htm>. A recording of the policy is also available through the Mars consumer telephone line, 1-800-627-7852.