



**For Your Information:** May 3, 2001

## FTC Warns Manufacturers and Retailers of Ultrasonic Pest-control Devices

Staff of the Federal Trade Commission's Division of Enforcement today announced that they have sent warning letters to more than 60 manufacturers and retailers of ultrasonic pest-control devices, stating that efficacy claims about those products must be supported by scientific evidence. FTC staff reviewed print and catalog advertisements and conducted a "surf" of Internet sites marketing such devices. They found that many of the advertisements make explicit claims about the products' ability to eliminate rodents or repel insects. According to staff, these types of claims may not be in compliance with the FTC Act, which prohibits false and deceptive advertising.

Between 1985 and 1997, the FTC brought law enforcement actions against six companies that allegedly made false and unsubstantiated claims about the effectiveness of ultrasonic devices in controlling rodent and insect infestations. Each of those cases was resolved by consent order. In those prior actions, the FTC challenged the following types of claims:

- Eliminates rodent infestations;
- Repels insects;
- Serves as an effective alternative to conventional pest-control products;
- Increases or assists the effectiveness of other pest-control methods;
- Eliminates fleas on dogs or cats; and
- Scientific tests prove product effectiveness.

Prior FTC complaints alleged that any reaction by rodents to ultrasound would be temporary at best because rodents become accustomed to ultrasound and will return to their nesting or feeding areas even in the presence of an ultrasonic device. Furthermore, previous FTC complaints alleged that ultrasound devices do not control insects.

The warning letters urged manufacturers and retailers of ultrasonic pest-control devices to examine their advertising and ensure they have competent and reliable scientific evidence to support claims that a product eliminates or repels certain pests. Staff advised the manufacturers and sellers that if they have misrepresented the benefits of their products, or if their claims are not properly substantiated, they may be subject to legal action. FTC staff will continue to monitor the advertising of ultrasonic pest-control devices to ensure that claims made to consumers are not false or deceptive.

The FTC works for the consumer to prevent fraudulent, deceptive and unfair business practices in the marketplace and to provide information to help consumers spot, stop and avoid them. To file a complaint, or to get free information on any of 150 consumer topics, call toll-free, [1-877-FTC-HELP](tel:1-877-FTC-HELP) ( [1-877-382-4357](tel:1-877-382-4357) ), or use the complaint form at [www.ftc.gov](http://www.ftc.gov). The FTC enters Internet, telemarketing, identity theft and other fraud-related complaints into Consumer Sentinel, a secure, online database available to hundreds of civil and criminal law enforcement agencies in the U.S. and abroad.

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