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October 20, 2017

VIA FEDERAL EXPRESS
Susan Thixton

Re: Organic certification

Dear Ms. Thixton:

I represent Evanger's Dog & Cat Food Co., Inc. ("Evanger's").

Your website and, via link, your Facebook page, posted today an article titled "Evanger's Caught Again" in which you claim Evanger's "lost" its organic certification from Oregon Tilth. Pointing with a big red arrow to the "Certified Organic by Oregon Tilth" claim on a can of Evanger's "Organics Turkey with Potato and Carrot Dinner" you state: "No, no it's not."

Your statements are false and misleading to consumers and defame Evanger's. First, Evanger's did not "lose" its Oregon Tilth organic certification. Rather, Evanger's informed Oregon Tilth that it ceased its canning operation and filed to "surrender" its license. As a result of this, Oregon Tilth considered the certification "surrendered." In addition, Evanger's could not have "surrendered" this certification under Oregon Tilth's rules unless Evanger's was in good standing with Oregon Tilth at the time. Your statement, therefore, is patently false, is misleading to consumers, casts Evanger's in a false light and is damaging to Evanger's reputation and business.

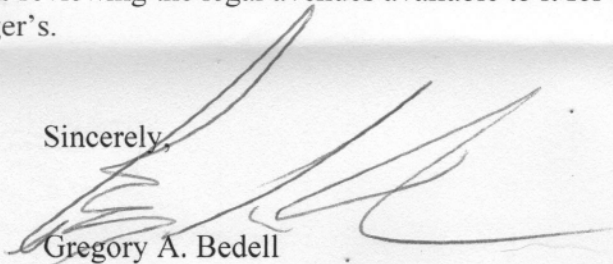
You also mislead consumers, and defame Evanger's, by telling them the can – and by clear implication all such products – carry a false certification. Those items in commerce that bear the certified organic label were made by Evanger's at its Oregon Tilth certified facility *prior to* the date Evanger's ceased canning and "surrendered" its certification. You further mislead consumers by intentionally failing to include in the snapshot you took of Evanger's website that the products are currently "out of stock."

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The article, and the Facebook post, contains numerous inaccuracies that rise to the level of actionable, *per se* defamation. Evanger's hereby demands that you remove the article from The Truth About Pet Foods website, remove the Facebook link and, in addition, post a retraction of the misleading statements made in the article.

Please be advised that Evanger's is reviewing the legal avenues available to it for the damage this post intended to cause Evanger's.

Sincerely,

A handwritten signature in dark ink, appearing to be 'G. Bedell', written over the printed name.

Gregory A. Bedell

cc: Evanger's (via fax)