



## NEWS RELEASE

# Marty Jackley

South Dakota Attorney General

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### Attorney General Jackley Sends Cease and Desist Letter Ordering Stop to Deceptive Abortion Pill Advertising in South Dakota

PIERRE, S.D. – South Dakota Attorney General Marty Jackley has sent a letter to Mayday Health ordering the company to immediately cease and desist the deceptive advertising of the sale of abortion pills in South Dakota and said the state may bring a lawsuit against the company if it does not comply.

Abortions are banned in South Dakota except for specific, extenuating circumstances. State law also prohibits the administering or procuring of any medicine, drug or substance to perform an abortion.

Attorney General Jackley said Mayday Health’s advertisements do not state the prohibitions listed in state law.

“Your advertisement directs South Dakota consumers to resources that insinuate abortion-inducing pills are legal in South Dakota, while also urging women not to seek medical care after taking abortion pills and to keep their abortion a secret,” wrote Attorney General Jackley.

Attorney General Jackley launched an investigation into the advertisements at the request of Gov. Larry Rhoden. Attorney General Jackley said his investigation indicates that the company is misleading the public through deceptive information and advice provided in the advertisements.

“Based on this information, it appears that your business practices constitute a deceptive act or practice under SDCL Ch. 37-24, the South Dakota Deceptive Practices and Consumer Protection Act,” wrote Attorney General Jackley.

If South Dakota does file a lawsuit, Mayday Health could face felony criminal consequence or civil penalties up to \$5,000 per violation.

Gov. Rhoden thanked Attorney General Jackley for his immediate action.

“South Dakota moms and babies deserve to be protected from deceptive advertising,” said Gov. Rhoden. “The Attorney General wasted no time responding to my request, and I thank him for his quick action.”

Attorney General Jackley’s letter to Mayday Health can be read here: