

Buyer Beware: Unsubstantiated COVID-19 Related Advertising Claims

The COVID-19 pandemic has yielded no shortage of fraudulent schemes to fool consumers into wasting their money. Charlatans have unleashed a flurry of unsubstantiated coronavirus treatment and prevention claims to promote dubious products and services, preying on consumers' hopes and fears. Last week alone, the FTC staff sent 21 more warning letters to companies making a variety of questionable representations for high doses of vitamins, intravenous treatments, ozone, and purported stem cell therapies. This is what the scams in the FTC letters look like:

Abundant Life Wellness Center. This Florida company represents its "Zyto biofeedback software system" can "scan individuals for a customized homeopathic dilution for the Coronavirus." According to the company, "This means that if you are exposed to the virus and you are taking your customized homeopathic dilution, you could present with less or no symptoms than if you were not taking it."

Vidaful Medicine. This Pennsylvania company's website features links to articles about "Coronavirus Prevention with High Dose Vitamin C IV" and recommends its own IV therapy as a preventive measure "for anyone potentially exposed" to coronavirus.

Liquivida Lounge. This Florida company claims that its Vitamin C products "may both prevent the infection and treat [coronavirus] in patients who already have it."

RowenSu Clinic. This California clinic makes unsubstantiated statements on its website touting ozone therapy – which it markets – as a "Cost[] Effective Treatment for Coronavirus." In addition, the company has claimed that coronavirus may "have a soft underbelly" that is "easily and safely exploitable with ozone-related services."



Personalhealthshop.com. This natural healthcare company has sold elderberry products, including gummies, by making claims on its website that "Elderberry Vs Corona Virus. Elderberry is an antiviral. It prevents the virus from replicating in the body, so you want to take it early and often if you start feeling symptoms. Once a day for prevention, four times if you start feeling sick . . . most importantly [elderberry] is high in zinc . . . ZINC + CHLOROQUINE has shown positive results against Covid19 "

Prana IV Therapy. This Arizona company represents on its website that "most recently among hospitals in China during the outbreak of Covid-19...[a]ll patients who received IVC improved and there was no mortality.... It's with this data in mind that we crafted our Super Immunity Blast IV." The company made similar claims on Facebook and Instagram through a consumer testimonial.

REVIV. This Miami-based company's website claimed that consumers can "[h]elp protect and prevent again . . . the Coronavirus with a REVIV Megaboost IV Therapy containing a high dose of Vitamin C." The website also referenced "a recent clinical trial in China on coronavirus patients" purportedly demonstrating "decreased duration of hospital stay by 3-5 days."

Windhorse Naturopathic Clinic. This Vermont company's marketing materials claim that "Vitamin C used intravenously is gaining promising clinical findings as a safe, inexpensive, and effective treatment to improve the outcomes of Covid-19 infection in critically ill patients." They also advertised that it "is currently administering IVC to WELL PATIENTS for prophylactic immune support."

Alkaline for Life. This New York company claims on its website "HIGH-DOSE VITAMIN C PROTECTS AGAINST CORONAVIRUS (COVID-19) . . . The coronavirus pandemic can be dramatically slowed, or stopped, with the immediate widespread use of high doses of vitamin C . . . COULD OUR ALKALINI-C HELP? The answer is yes."

Ethos Natural Medicine LLC. This Nevada company makes claims on its website about kratom, which it sells. For example, they say "Does Kratom Help? While we wait for a vaccine which is estimated to be 12-18 months away, it is important for everyone to stay sanitary, to strengthen our immune system, and look to nature for help. Kratom has several possible immunostimulant alkaloids "

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Greenbelt Outdoors. This Texas company promotes its products with claims like "Buy your Chaga Extract here to block receptor site for Covid-19/Coronavirus" and "Why N95 Masks DO NOT WORK And Only Hardening Your Immune System With Chaga And Vitamin C, D Does."

Absolute Health Clinic. This Washington business promotes its products and services by representing, "Did you know our clinic [has] . . . treatments available to treat COVID-19? . . . available treatments include . . . high doses of Vitamin C and D through IV therapy, and Stem Cell Therapy."

Blessed Maine Herb Farm. This Maine business features a section on its website titled "Preventive Care – Coronavirus," which cites a list of herbs to "protect against viral infection." The company also advises consumers to "wear a protective amulet" of "garlic and prayers hung around your neck" and to "keep a small magic bag of protective herbs or stones in your pocket."

Fast Relief Acupuncture. This New Jersey business touts that "The use of acupuncture and herbal medication is vitally important when treating the Coronavirus. Not only can patients recover from the virus by receiving these treatments, patients can also use acupuncture and herbal medication to prevent the contraction of COVID-19."

Jiva Med Spa. This Ohio company's social media marketing claims that products it sells – including Viragraphis, OlivDefense, and ImmunotiX 500 – should be taken "to help prevent the spread of this virus, the COVID-19" or "as soon as you start displaying symptoms of COVID-19."

American Medical Aesthetics. In its marketing materials, this California company promotes its products and services with the claims that people with COVID-19 have been "Cured with Ozone" and that treatments with "Mesenchymal Stem Cells" have been shown "to successfully treat the patient and reverse the illness."

AwareMed. Based in South Carolina and Tennessee, the company has advertised its IVs as "a prevention treatment fronting this pandemi[c] of #covid19" and the "right treatment to prevent the #Covid 19."

Center for Regenerative Cell Medicine. This Arizona company promotes its products and services by claiming on its website that "Mesenchymal stem cells

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are a viable option in new coronavirus infection treatment" and that stem cell therapy has "successfully treated" a COVID-19 patient.

Merge Medical Center. This South Carolina company makes website and social media claims that consumers' "Recipe for Survival" from coronavirus includes "IV high dose Vitamin C treatment," an intravenous "Sepsis Treatment" protocol, and intravenous silver.... Nano Silver Hydrosol is used to dramatically reduce the activity of the Coronavirus" by "suffocating it so it cannot do damage in the body."

Stemedix, Inc. This Florida business, to promote its products, represents among other claims: "While experts are diligently working on vaccines and drugs, one surprising treatment has demonstrated efficacy for combatting [coronavirus]: stem cell therapy."

TRULYHEAL Pty. Itd. This Australian business promotes its COVID-19 Ozone therapy by stating "To prevent and protect the body from a coronavirus infection at HOME with ozone, it is administered via rectal insufflation," and it's "the easiest, most inexpensive, safe, and effective protection solution that everyone should have available to them, their family and loves ones."

Yikes. The common feature among these advertising claims is a complete absence of any, let alone any credible, substantiation for the efficacy of the product or service. Yet, as the warning letters remind these profiteers, the FTC Act makes it illegal to advertise that a product can prevent, treat, or cure a disease unless the company has competent and reliable scientific evidence to support what they say – which may mean well-controlled human clinical studies. Furthermore, "For COVID-19, no such study is currently known to exist" for the products and services cited in the letters. FTC has required the companies to respond with a specific plan to address the concerns within 48 hours; we expect some enforcement actions will follow.

In a related release, the FTC announced an enforcement action putting a stop to false and exaggerated COVID-19 and cancer treatment claims. According to the <u>administrative complaint</u> and <u>proposed stipulated order filed in federal court</u>, the FTC is challenging claims by Whole Leaf Organics in its' ads for Thrive and CBD-based products. Specifically, in an odd combination of pandemic and CBD relief claims, the FTC alleges that Whole Leaf made false and unsubstantiated claims

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that Thrive treats, prevents or reduces the risk of COVID-19. In addition, the complaint challenges the defendant's cancer treatment claims for CBD-EX, CBD-RX, and CBD-Max. Even Whole Leaf Organics' representations that the products are clinically or scientifically proven are bogus, according to the FTC.

Since December 2018, Marc Ching, doing business as Whole Leaf Organics, has sold Thrive – a tablet consisting primarily of Vitamin C and herbal extracts. In November 2019, the FDA told the company it was making unapproved new drug claims, in violation of the law. FDA gave Whole Leaf Organics 15 days to take corrective action. Instead of complying, Thrive underwent a marketing make-over in March 2020 by pitching the product as a way for consumers to ward off coronavirus.

The Label on a bottle of Thrive, an "Anti Viral Wellness Booster" makes some remarkable claims. With "Clinically researched ingredients, Thrive can help make a difference in your life." With respect to the current pandemic, Thrive is "Formulated with potent antiviral herbal extracts, Thrive by Whole Leaf Organics is the perfect way to strengthen your immunity against pathogens like "COVID-19," the Coronavirus." The label concludes with a detailed recommended dosage for various conditions, including "the Coronavirus," and the grammatically challenged claim "Our time test formulas are proven and deliver results."

As a result of the FTC action, Whole Leaf Organics has agreed to a preliminary order that <u>prohibits those claims</u> related to COVID-19. Pending the resolution of a parallel FTC administrative action, the proposed order also bars the defendant from representing that three CBD-based products he sells are effective cancer treatments. According to the complaint, Whole Leaf Organics also sells CBD-EX, a capsule containing cannabidiol (CBD) and herbal extracts, and CBD-RX and CBD-MAX, oils consisting primarily of CBD and hemp extract. Here's how the defendant has pitched those products:

- "The most effective innovation in cancer and immune related proactive supplement support in the past ten years. CBD-EX combines the best in cancer fighting elements, into one simple capsule."
- "Containing clinically tested ingredients, CBD-EX is a dynamic force in anti-inflammation protocols, targeting manipulated cells while



working to protect healthy ones. Formulated containing Coriolus Versicolor Mushroom, CBD-EX seeks to inhibit the spread of mutated malignant cells, directly attacking the problem."

- "Our CBD-EX formulation is specifically created to combat cancer and de-manipulate active cells. Infused with Curcumin, our CBD-EX formulation reduces cell inflammation, while at the same time targeting mutated nuclei."
- "Our formulations have been proven to be effective at reducing inflammation, and minimizing the way cancer cells manipulate neighbor cells – the key factor in being successful when trying to be proactive against disease."
- "Years of working with cancer and fighting to reduce internal inflammation, has lead us to formulate a variety of supplements effective at slowing mutated cell division, and reduce the supply of food and oxygen to cancer cells."

These claims targeted vulnerable cancer patients desperate for a treatment. The FTC notes that both the unproven claims about COVID-19 and cancer treatments threaten lives. It promises vigorous enforcement to protect consumers from false advertisements for serious disease remedies.

