



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

June 5, 2020
Via Electronic Mail

The Juice Plus+ Company,
c/o Paulo Teixeira, CEO
140 Crescent Drive
Collierville, Tennessee 38017

Warning Regarding Health and Earnings Claims Related to Coronavirus Disease 2019 (COVID-19)

Dear Mr. Teixeira,

FTC staff has reviewed social media posts made by The Juice Plus+ Company (the "Company") business opportunity participants or representatives that unlawfully advertise that certain products treat or prevent Coronavirus Disease 2019 (COVID-19) and misrepresent that consumers who become Juice Plus+ business opportunity participants are likely to earn substantial income. This letter is to provide you with information about laws and regulations enforced by the Federal Trade Commission ("FTC") that may bear upon your business activities, including the activities of your business opportunity participants and representatives.

Some examples of Coronavirus prevention or treatment claims made by business opportunity participants or representatives include:

- x "I for one will NEVER take a vaccine for the #WuhanVirus #KungFlu. I have never had an influenza shot why the hell would I get this one? And I have never had the flu as an adult. #JuicePlus @juiceplus"
- x A post with "#juiceplus #immunesupport #immunesystem #covid19" that links to another post with an image with the statement, "More than 40 individual Juice Plus+ clinical studies have been conducted by researchers at leading hospitals and universities around the world" and captioned with "#juiceplus #immunesupport #immunesystem #covid19."

Some examples of earnings claims made by business opportunity participants or representatives include:

- x A video containing the statement "There are a lot of people out there who have lost income . . . You may want to build a side income, you know, make \$500 a month, \$1,000 a month or more. There's no ceiling on this. It's what you want it to be. . . What would you like this do to for you? . . . Maybe it could cover one of your bills, like a car payment. Or enjoy more time and financial freedom. I can tell you those are both possible at the same time because I've been

living that for the past eight years, and it's wonderful to be able to offer that to other people."

- x A video containing the statement "What would you do—especially now, so many people have lost their jobs or their income if you had an extra \$500 to \$1,000 a month or more? Because it can be whatever you want it to be."

It is unlawful under the FTC Act, 15 U.S.C. § 41 et seq. to advertise that a product can prevent, treat, or cure human disease unless you possess competent and reliable scientific evidence, including, when appropriate, well-controlled human clinical studies substantiating that the claims are true at the time they are made. For COVID-19, no such study is currently known to exist for the product identified above. Thus, any coronavirus-related prevention or treatment claims regarding such products are not supported by competent and reliable scientific evidence. You must immediately cease making all such claims.

Additionally, representations about a business opportunity, including earnings, claim violate Section 5 of the FTC Act, 15 U.S.C. § 41 et seq. if they are false, misleading, or unsubstantiated and material to consumers. Express and implied earnings claims must be truthful and non-misleading to avoid being deceptive, which means that statements about the potential to achieve a wealthy lifestyle, career-level income, or significant income are false or misleading if business opportunity participants generally do not achieve such results. Even truthful testimonials from participants who do earn significant income or more will likely be misleading unless the advertising also makes clear the amount earned or lost by most participants. Your business opportunity participants and representatives must immediately cease making all express and implied earnings claims that would be false or misleading to current or prospective participants.

You are responsible for the claims of your business opportunity participants and representatives. As the FTC stated in the January 2019 [Business Guidance Concerning Multi-Level Marketing](#), the compensation structure of a Multi-Level Marketing entity ("MLM") may create incentives for its participants to make certain representations to current or prospective participants. As a consequence, an MLM should (i) direct its participants not to make false, misleading, or unsubstantiated representations and (ii) monitor its participants so they don't make false, misleading, or unsubstantiated representations."

You are advised to review all claims relating to your products and business opportunity and immediately cease, and require your business opportunity participants and representatives to cease, making claims that are not supported by the evidence or substantiation described above.

Within 48 hours, please send reply via email to COVID-19-TaskForce@ftc.gov describing the specific actions you have taken to address the FTC's concerns. If you have any questions regarding compliance with the FTC Act, please contact us at COVID-19-TaskForce@ftc.gov.

Sincerely,

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