



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

June 5, 2020
Via Electronic Mail

Vivri USA, LLC
c/o Daniel Chavez Saul
2629 N Stemmons Fwy
Ste. 105
Dallas, TX 75207

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

Dear Mr. Saul:

Federal Trade Commission (“FTC”) staff has reviewed social media posts made by Vivri USA, LLC (“Vivri”) business opportunity participants or representatives that unlawfully advertise that certain products treat or prevent Coronavirus Disease 2019 (“COVID-19”). This letter is to provide you with information about laws and regulations enforced by the FTC that may bear upon your business activities, including the activities of your business opportunity participants and representatives.

Some examples of COVID-19 prevention or treatment claims made by your business opportunity participants or representatives include:

- A video in which the narrator, while describing the contents of a Vivri product, states “...y otros minerales que van a hacer que nuestras defensas se incrementen o se fortalezcan y una persona saludable, una persona bien nutrida, va a poder hacerle frente a este tema del coronavirus.... Lo que necesitamos es hacer que nuestro cuerpo active las defensas que van a proteger contra este virus.”¹
- “Cuida tu salud, tu cuerpo, Evita muchas enfermedades muchos virus, ya q este virus y muchos más llegaron para quedarse, coronavirus, influenza, gripe, debemos nutrir nuestras células, nuestro sistema inmune, reforzarlo con el mejor sistema de nutrición del mundo VIVRI, el mejor 100% natural, organico, evitate muchas enfermedades, comiendo frutas y verduras, y hacer ejercicio es la clave, estamos ala orden mi pag. [link to distributor sales page].”²

¹ “...and other minerals that are going to increase or strengthen our defenses, and a healthy person, a well-nourished person, will be able to face this coronavirus issue.... What we need to do is make our body activate the defenses that will protect us from this virus.”

² “Take care of your health, your body, avoid many diseases many viruses, since this virus and many others are here to stay, coronavirus, influenza, flu, we should nourish our cells, our immune systems, reinforce it with the best nutrition system in the world VIVRI, the best 100% natural, organic, avoid many diseases, eating fruits and vegetables, and exercising is the key, we are at your service my page. [link to distributor sales page].”

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 products 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. 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 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-Task-Force@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-Task-Force@ftc.gov.

Sincerely,

Federal Trade Commission Staff