

Serena Viswanathan Associate Director Division of Advertising Practices United States of America FEDERAL TRADE COMMISSION Washington, D.C. 20580

April 1, 2021

## WARNING LETTER

VIA EMAIL TO <u>info@idealbodycenter.com</u> Dr. Terek Lovell Ideal Body Center 6150 Horseshoe Bar Rd. Loomis, CA 95650

Re: Unsubstantiated claims for Coronavirus prevention and treatment

Dear Dr. Lovell:

This is to advise you that FTC staff reviewed your website at <u>https://idealbodycenter.com/</u> in March 2021. We have also reviewed your social media websites at <u>https://www.facebook.com/IdealBodyCenter</u> and <u>https://www.instagram.com/idealbodycenter/</u>, where you direct consumers to your website at <u>https://idealbodycenter.com/</u> to schedule services including intravenous Vitamin C therapy. We have determined that you are unlawfully advertising that certain products or services treat or prevent Coronavirus Disease 2019 (COVID-19).

Some examples of Coronavirus prevention or cure claims on your websites include:

- In December 15, 2020, Facebook and Instagram posts, you state: "Did you know that higher doses of Vit. C given via IV may give extra protection against Covid 19? Recent studies show immune boosts with a high Vit C dose. Call 916-625-4411 to schedule your IV. #RegenRx #VitC #Covid19"
- In a December 5, 2020, Facebook post you state: "Did you know that high doses of Vitamin C given through an IV may provide extra protection against Covid-19? Call 916-652-4411 or message us to schedule and don't forget to say, 'I want a high C!" You also provide a button to send Ideal Body Center a message directly through Facebook.
- In a December 1, 2020, Facebook post, you state: "Studies have shown that higher doses of Vitamin C given via IV, may provide some protective qualities against Covid-19.

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Message us now to schedule or call 916-652-4411." You also provide a button to send Ideal Body Center a message directly through Facebook.

- In a November 25, 2020, Facebook post, you state: "Friday December 4th we will be offering another CLINIC DAY so call land [sic] make your appointment to get your immune boosted!!!!! Nothing says love like a Bag of Vitamins. Personally I would rather boost my immune system with A High C than get a vaccine. Take control of your health and call 916-652-4411." You repost a November 14, 2020 post in which you state: "Studies show that higher doses of Vitamin C given via IV may offer cytoprotectant (cell protection) benefits. During a pandemic we could use a little more protection. Call 916-652-4411 to schedule your IV nutritional therapy appointment and say 'I'd like a high C please!""
- In November 18, 2020, Facebook and Instagram posts, you state: "Recent studies show data that high dose Vitamin C given via IV may provide protective benefits against viruses like Covid-19. Call 916-652-4411 to schedule your IV Nutritional Therapy appointment. Don't forget to say 'I'd like a high C, please!'..."
- In November 16, 2020, Facebook and Instagram posts, you state: "High dose Vitamin C given via IV has shown to have possible cytoprotectant (cell protective) benefits and has helped patients with Covid-19. To schedule your IV Nutrition Therapy appointment, call 916-652-4411 and say 'I'd like a high C, please!'..."
- In a November 16, 2020, Facebook post, you state: "Boost your immune system against COVID-19!!!!!!!" You repost a November 14, 2020 post in which you state: "Studies show that higher doses of Vitamin C given via IV may offer cytoprotectant (cell protection) benefits. During a pandemic we could use a little more protection. Call 916-652-4411 to schedule your IV nutritional therapy appointment and say 'I'd like a high C please!'"
- In November 14, 2020, Facebook and Instagram posts, you state: "Studies show that higher doses of Vitamin C given via IV may offer cytoprotectant (cell protection) benefits. During a pandemic we could use a little more protection. Call 916-652-4411 to schedule your IV nutritional therapy appointment and say 'I'd like a high C please!"
- In an April 6, 2020, Facebook post, you state: "We are excited to recommend some products which have helped many people boost their immune systems right now to fight off COVID-19. Whether you are looking for weight loss support, blood sugar support or Immune building supplements to improve your lifestyle we have options that many patients have found success with. We invite you to take a look at some products Xymogen has to offer as you continue on your health and wellness journey. If you want to see all that Xymogen has to offer simply visit:

https://wholescripts.com/register/LOVELL REFERRAL CODE: LOVELL PRACTITIONER LAST NAME: BROWN..." Ideal Body Center April 1, 2021 Page 3

It is unlawful under the FTC Act, 15 U.S.C. § 41 et seq., to advertise that a product or service 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 and services identified above. Thus, any coronavirus-related prevention or treatment claims regarding such products and services are not supported by competent and reliable scientific evidence. You must immediately cease making all such claims.

You are also advised to review all other claims for your products and services and immediately cease making claims that are not supported by competent and reliable scientific evidence.

Violations of the FTC Act may result in legal action seeking a Federal District Court injunction and an order may require that you pay back money to consumers. In addition, pursuant to the COVID-19 Consumer Protection Act, Section 1401, Division FF, of the Consolidated Appropriations Act, 2021, P.L. 116-260, marketers who make deceptive claims about the treatment, cure, prevention, or mitigation of COVID-19 are subject to a civil penalty of up to \$43,792 per violation.

Within 48 hours, please send a message to Richard Cleland, Assistant Director, via electronic mail at rcleland@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 Richard Cleland at 202-326-3088.

Very truly yours,

Serena Viswanathan Associate Director Division of Advertising Practices

cc: Facebook and Instagram *via email* consumerpolicy@fb.com