



United States of America  
FEDERAL TRADE COMMISSION  
Washington, D.C. 20580

Division of Advertising Practices

October 22, 2020

Via Electronic Mail (lbrett@bbbnp.org)

Laura Brett, Esq.  
Vice President  
National Advertising Division  
112 Madison Avenue, 3<sup>rd</sup> Floor  
New York, NY 10016

Re: Advertising by Hypernaturals LLC for Optimmuner Plus dietary supplement

Dear Ms. Brett:

We have reviewed the National Advertising Division's referral of Hypernaturals LLC ("Hypernaturals") regarding advertising claims for its Optimmuner Plus dietary supplement. This referral arose out of an NAD Challenge filed against Hypernaturals by the Council for Responsible Nutrition ("CRN"). CRN challenged, among other things, claims that Optimmuner Plus treats, cures, or prevents cancer. We understand that Hypernaturals failed to provide a substantive response to the NAD Challenge and ultimately declined to comply with all of the recommendations set forth in NAD's Decision. Accordingly, you referred this matter to the Federal Trade Commission for our review.

Following several communications with the advertiser, we received confirmation that Hypernaturals has agreed to discontinue all claims, made expressly or by implication, that Optimmuner treats, cures, or prevents cancer. Accordingly, we have determined not to take additional action at this time. In reaching this conclusion, we considered a number of factors including resource allocation and enforcement priorities, the nature of any FTC Act violation, and the type and severity of any consumer injury.

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The staff's decision is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require. The FTC appreciates your referral and the opportunity to assist in supporting the NAD.

Very Truly Yours,

*s/ Carolyn L. Hann*

Carolyn L. Hann  
Chief of Staff for Advertising Practices