



United States of America
FEDERAL TRADE COMMISSION
Southwest Region

1999 Bryan St., Ste. 2150
Dallas, Texas 75201

June 3, 2020

WARNING LETTER

VIA EMAIL TO info@formula216.com

Encode Nutrition
c/o Bill Sardi
10170 West Tropicana Avenue #156-390
Las Vegas, Nevada 89147

Re: Unsubstantiated Claims for Coronavirus Prevention

To Whom It May Concern,

This is to advise you that FTC staff reviewed your website at <https://formula216.com/> on May 27, 2020. We have determined that you are unlawfully advertising that your “Formula 216” product, which you purport to cause humans to internally produce vitamin C, treats or prevents Coronavirus Disease 2019 (COVID-19).

Some examples of Coronavirus prevention claims on your website include:

- In marketing materials titled “Most Animals Can Harbor But Are Not Sickened by Coronavirus Because They Internally Produce Vitamin C 24/7,” you claim, “The animal kingdom is largely immune from the ravages of coronaviruses, even the deadly one that is now infecting human populations. There is strong circumstantial as well as scientific evidence that wild mammals exhibit immunity from coronaviruses and viruses in general because most animals internally produce vitamin C.... Below is a chart showing how much vitamin C non-vitamin C-secreting mammals (monkeys/gorillas, fruit bats) consume in the wild. It is no wonder why they remain free of symptoms from coronavirus exposure. . . . Human clinical trials using vitamin C for treatment of COVID-19 coronavirus are now underway. But that is for treatment, not prevention.... A newly introduced nutraceutical, formulated by this author, Formula-216™, is testing well in preliminary trials, to restore 24/7 vitamin C synthesis to humans. In the end, it may be the only hope for vulnerable human populations against a growing number of treatment-resistant pathogenic bacteria and viruses that now threaten humanity.”

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 claims regarding such product 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 immediately cease making claims that are not supported by competent and reliable scientific evidence.

Within 48 hours, please send a message to James E. Elliott via electronic mail at jelliott@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 Zachary A. Keller at zkeller@ftc.gov.

Very truly yours,

Dama J. Brown
Regional Director
Southwest Region