



United States of America
FEDERAL TRADE COMMISSION
Southwest Region

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

May 8, 2020

WARNING LETTER

VIA EMAIL TO [REDACTED]

Nicole Apelian
[REDACTED]

Re: Unsubstantiated Claims for Coronavirus Prevention or Treatment

To Whom It May Concern,

This is to advise you that FTC staff has reviewed your website at <https://www.nicoleapelian.com/> and your social media postings on Twitter (<https://twitter.com/nicoleapelian?lang=en>) on May 2, 2020. We have determined that you are unlawfully advertising that certain products treat or prevent Coronavirus Disease 2019 (COVID-19).

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

- In marketing materials titled “Coronavirus Natural Remedies: Herbal Antivirals,” you promote a variety of products as “natural antivirals,” including a “Travel Pack” (that includes Usnea Tincture, Elderberry Tincture, and First Aid Salve), a “Turkey Tail” tincture, a “Reishi Mushroom” tincture, and other products.
- On your Apothecary homepage where you sell salves and medicinal tinctures, you maintain “Coronavirus” as a category to search under “Ingredients & Health Concerns,” which leads to six products, including “Bronchitis Blend Tincture,” “Elderberry Tincture,” “Winter Defense (Cold & Flu Bundle),” “Travel Pack,” “Reishi Mushroom Dual-Extracted Tincture,” and “Turkey Tail Mushroom Dual-Extracted Tincture.”
- On the sales page of your “Travel Pack” product, you state that: “With the Corona Virus spreading, she [Nicole Apelian] will be using it daily while traveling, along with her Turkey Tail Tincture. The Travel Pack contains: **Usnea Tincture:** We use Usnea for protection during travel, just spray in your throat. We use this as a daily ‘go

to' tincture as to ward off illness, colds and for UTIs, staph infections and strep throat. It is known as an antibiotic, antimicrobial, and antifungal. We spray this in our throat at the first sign of feeling sick. Nicole believes strongly in its use as an anti-viral for prevention while traveling and especially for anyone working with kids, working in hospitals, or for people working around large crowds of people.

Elderberry Tincture: We use a dropper full of Elderberry Tincture daily to guard against colds and flu. Elderberry is known to function as an anti-viral.”

- On the sales page of your “Turkey Tail” tincture, you market the product by describing it as preventing the coronavirus by “combining this with [your] Travel Pack Bundle while traveling to stay healthy while the Corona Virus is emerging.”
- Promoting your website <https://www.nicoleapelian.com/> that makes the representations described above in your Twitter account by providing links to the website <https://www.nicoleapelian.com/> alongside promotional images.

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 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 BROWN

Dama J. Brown
Regional Director
Southwest Region

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BROWN
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