



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

April 24, 2020
Via Electronic Mail

Tranont
c/o Lorne Berry, CEO
3451 N. Triumph Blvd.
Garden Level
Lehi, Utah 84043

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

Dear Mr. Berry,

FTC staff has reviewed social media posts made by Tranont business opportunity participants or representatives that unlawfully advertise that certain products treat or prevent Coronavirus Disease 2019 (COVID-19) and misrepresent that consumers who become Tranont business opportunity participants are likely to earn substantial income. This letter is to provide you with information about laws and regulations enforced by the Federal Trade Commission ("FTC") that may bear upon your business activities, including the activities of your business opportunity participants and representatives.

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

- "You'll need a strong immune system to fight Coronavirus. Get great plant based supplements to help support your immune system and the systems of your family members."
- "Fight the Corona virus by building up your immune system. NEW products available now."
- "Fight corona virus with beneficial Nitric Oxide (NO) in your body with L-arginine AAKG and plant based compounds that produce and protect Nitrix Oxide production."
- "NEW PRODUCT. TECHNO BOOST can help you fight Coronavirus. Order yours today."
- "Did you know the Coronavirus is a nucleoprotein and other viruses are made up of viral proteins? Well I have Restore, Restore is a proteolytic enzyme which breaks down proteins. Get yourself some Restore to help you break down the proteins in your body."

Some examples of earnings claims made by your business opportunity participants or representatives include:

- “Maybe some of us have lost our jobs or are trying to figure out how we’re paying for childcare now. . . . What I’m going to share with you is something that . . . even with the crazy economy, you can build something massive.” [38 minutes later] “Whether you want to make an extra \$600 a month, an extra \$10,000 a month, or you want to make over \$1 million a year, you can do that...” [5 minutes later] “The economy is a little bit unstable right now. . . . This is a way for you to have a plan B—for you to take control of whatever it is that you’re looking for. Maybe it’s to retire. Maybe it’s to get out of debt. Maybe it’s to pay for college You have an opportunity to take advantage of something massive and help people give gifts to everybody that you know: a health gift and financial freedom.”

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.

Additionally, representations about a business opportunity, including earnings claims, violate Section 5 of the FTC Act, 15 U.S.C. § 41 *et seq.*, if they are false, misleading, or unsubstantiated and material to consumers. Express and implied earnings claims must be truthful and non-misleading to avoid being deceptive, which means that claims about the potential to achieve a wealthy lifestyle, career-level income, or significant income are false or misleading if business opportunity participants generally do not achieve such results. Even truthful testimonials from participants who do earn significant income or more will likely be misleading unless the advertising also makes clear the amount earned or lost by most participants. Your business opportunity participants and representatives must immediately cease making all express and implied earnings claims that would be false or misleading to current or prospective participants.

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 business opportunity 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