



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

April 24, 2020
Via Electronic Mail

Arbonne International, LLC
c/o Bernadette Chala, Chief Legal Officer
& General Counsel
9400 Jeronimo Rd.
Irvine, CA 92618

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

Dear Ms. Chala:

Federal Trade Commission (“FTC”) staff has reviewed social media posts made by Arbonne International, LLC, (“Arbonne”) 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 Arbonne business opportunity participants are likely to earn substantial income. This letter is to provide you with information about laws and regulations enforced by the FTC that may bear upon your business activities, including the activities of your business opportunity participants and representatives.

Some examples of COVID-19 prevention or treatment claims made by your business opportunity participants or representatives include:

- “I’ll be going live on my #IGTV in a couple of hours talking about a product which we’ve got over at #Arbonne called ‘Immunity Support’. Drop me a message if you’re interested in finding out more & how you can boost up your immune system right now. #CoronaVirus #ImmuneSystem”

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

- “...Living in quarantine and where 14 million people applied for unemployment just last week ... I’ll stick with the opportunity to change people’s lives ... turn a small investment into six figures #arbonne ... #quarantine #2020”
- “We have been thrown into the massive economic collapse in the past 13 years. ... Arbonne is a legitimate business, that rewards you for your hard work. In a little over one year, my wife [] is about 6 months away from replacing her income from working 40 hours/week [at a] local college. In addition, the possibilities are endless, I have met those who make \$22,000/month as national vice presidents.

Has this shutdown given you the ability to make a small investment into a big future and let you own your own business?"

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