

June 3, 2019

VIA EMAIL AND OVERNIGHT MAIL

Peter C. Marinello, Director Direct Selling Self-Regulatory Council 112 Madison Avenue, 3rd Floor New York, NY 10016

Re: Illegal Health Claims by Young Living Essential Oils, LC

Dear Peter:

Young Living Essential Oils, LC ("Young Living"), a Utah-based multi-level marketing company well-known for selling essential oils¹ has been using – and continues to use – unsubstantiated, and therefore deceptive, health and disease-treatment claims to market its products. Such claims – made both expressly and implicitly – include representations that Young Living's essential oils can treat or alleviate the symptoms of urinary tract infections, autism, PTSD, depression, epilepsy, insomnia, anxiety, strep throat, the flu, bronchitis, Alzheimer's disease, and arthritis, to name a few. TINA.org has collected more than 150 examples of such deceptive claims made by Young Living through its distributors, which are available at https://www.truthinadvertising.org/young-living-health-claims-database/. Alarmingly, the vast majority of these claims – 124 of them, or more than 80% – were collected *after* TINA.org notified the company in November 2016 of precisely this deceptive marketing issue. These findings also come after the U.S. Food and Drug Administration issued a warning letter to Young Living

admonishing it and its distributors' use of disease-treatment claims to market its products, none of which are FDA-approved drugs.³

For example, there are some Young Living marketing materials promoting the essential oils' ability to alleviate or treat the symptoms of autism:⁴





https://www.youngliving.com/en_US/products/rosemary-essential-oil

CONDITION: AUTISM

Autism appears to have its roots in very early brain development. However, the most obvious signs of autism and symptoms of autism tend to emerge between two and three years of age. Most cases of autism appear to be caused by a combination of genetics and environmental factors influencing early brain development.

ESSENTIAL OILS:

*Vetiver: Contains relaxing and calming properties; helps with concentration and focus.

*Lavender: Calms the mind and body. Can help with neurological issues. *Frankincense: Shown to reduce stress. Helps reduce heart rate and high blood pressure.

*Rosemary: Stimulates the senses and supports memory retention.

"RESEARCH: A recent study found that inhaling rosemary essential oil produced a significant enhancement of performance for overall quality of memory. In addition, inhaling a combination of rosemary and lemon in the morning showed significant improvement in personal orientation."

HOME REMEDY: Calming and Relaxing Blend. Mix equal parts of vetiver, frankincense, lavender and rosemary. Each morning and evening, inhale for as long as the child is willing. These oils can also be diluted in coconut oil and massaged into the skin.

Reference from: Essential Oils Ancient Medicine By: Dr. Josh Axe; Ty Bollinger; Jordan Rubin;

When ordering be sure to tell Young Living that I introduced you by entering my sponsor/enroller ID 1076166! Thank you!

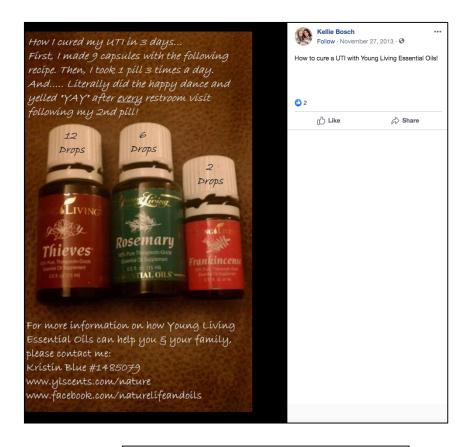


YOUNGLIVING.COM

Rosemary Essential Oil

Rosemary essential oil is known for its immunesupporting and mentally-clarifying properties. It also adds flavor to dishes. Try Young Living oils today.

Other Young Living promotional posts – some that have been on the internet for more than five years (and are still in publication as of today) – claim the company's essential oils can cure urinary tract infections:⁵



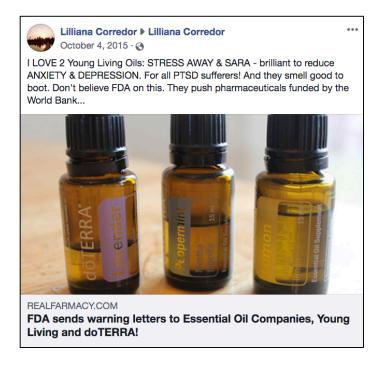


(January 12, 2019)

While other Young Living marketing materials make multiple disease-treatment claims:⁶



Another Young Living post instructs consumers to ignore the FDA's warning letter to the company claiming that Young Living essential oils will reduce anxiety, depression, and PTSD:⁷



The above examples are merely a handful of the more than 150 collected by TINA.org that make unsubstantiated health and disease-treatment claims.

In short, Young Living has been aware of this deceptive marketing issue for years but has failed to put an end to it, while consumers continue to be deceived, some of whom may be induced to use these essential oils in lieu of physician-recommended medications for serious health conditions.⁸ The resulting harm cannot be understated. Accordingly, TINA.org strongly urges the DSSRC to review the health claims made by Young Living and its distributors and take appropriate action.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Laura Smith, Esq., Legal Director Michael Springer, Esq., Attorney

Truth in Advertising, Inc.

Encl.

¹ Young Living also sells supplements, personal hygiene and skincare products, weight-loss shakes, food items, household cleaners, and other health products.

² This data is also available on the enclosed flash drive.

³ See Letter from TINA.org to Young Living, dated Nov. 22, 2016, available at https://www.truthinadvertising.org/wp-content/uploads/2016/11/DSA-Notification-Letters-plus-caption.pdf, at 61; FDA Warning Letter to Young Living, dated Sept. 22, 2014, available at https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/young-living-09222014 ("Your consultants promote many of your Young Living Essential Oil Products for conditions such as, but not limited to, viral infections (including ebola), Parkinson's disease, autism, diabetes, hypertension, cancer, insomnia, heart disease, post-traumatic stress disorder (PTSD), dementia, and multiple sclerosis, that are not amenable to self-diagnosis and treatment by individuals who are not medical practitioners. Consumers interested in your Young Living Essential Oil products are then redirected by your consultants to your website...to purchase your products and/or register as members.")

⁴ Young Living April 4, 2018 Facebook post, https://www.facebook.com/DrAmberBrooksTexas/photos/a.202213302703/10156319653387704/?type=3&t heater and https://www.truthinadvertising.org/wp-content/uploads/2019/05/YL-facebook-4_04_18-wm.png; Young Living April 12, 2019 Facebook post, https://www.facebook.com/groups/1893476534313077/permalink/2271093833218010/ and https://www.truthinadvertising.org/wp-content/uploads/2019/05/YL-facebook-4_12_19-wm.png.

⁶ Young Living March 1, 2019 Facebook post, https://www.facebook.com/melissa.daniels.982/posts/2678585638824693 and https://www.truthinadvertising.org/wp-content/uploads/2019/05/YL-facebook-3 01 19-wm.png.

⁷ Young Living October 4, 2015 Facebook post, https://www.facebook.com/Lilliana.Corredor/posts/177852582551011 and https://www.truthinadvertising.org/wp-content/uploads/2019/05/YL-facebook-10 04 15-wm.png.

As the former Director of the Bureau of Consumer Protection at the Federal Trade Commission explained: "[C]laims that [] products actually can prevent, treat, or cure diseases . . . place consumers at great risk, putting their faith in unproven remedies in lieu of getting established therapies. . . . Those who succeed in selling products based on fear or unsubstantiated claims that they will treat or cure serious diseases prey on the fear and desperation of the sick, the elderly, or those without the means to afford conventional medical care." Advertising Trends and Consumer Protection, Hearing Before Subcomm. on Cons. Prot., Product Safety and Insur., Comm. On Commerce, Science and Transp., 111th Cong. (July 22, 2009) (testimony of David Vladeck, Director, Bureau of Consumer Protection, Federal Trade Commission); see also Diane Hoffman and Jack Scwartz, Stopping Deceptive Health Claims: The Need for a Private Right of Action Under Federal Law, 42 Am. J. Law & Med. 53, 56–57 (2016) ("Even more troubling is the potential for harm caused by giving consumers false hope that nutritional products are the best solution to their health problems. . . . Such claims might lead consumers to forgo medically recommended therapies.").