November 17, 2026

VIA EMAIL

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Re: Unfair and Deceptive Marketing Campaign for Ultra Pouches

Dear FTC and FDA Officials:

We write on behalf of Truth in Advertising, Inc. ("TINA.org") to urge action against an unfair and deceptive marketing campaign for Ultra Pouches by Nuro Pouches, Inc. d/b/a Ultra, Inc. ("Ultra"), a New York City-based company that is advertising its oral pouches as a treatment for Attention-Deficit/Hyperactivity Disorder (ADHD), a substitute for prescription medication, and a source of instant focus and mental clarity, all without competent and reliable substantiation or FDA approval.





Alarmingly, Ultra does not confine its marketing to adults: it also directs marketing to minors even though it warns that the product should not be consumed by children – a fact only disclosed in the inconspicuous fine print on the back of its containers. Its marketing

contradicts company warnings in other ways too, encouraging use well beyond its recommended limits.

Adding insult to injury, Ultra sells its pouches through an inadequately disclosed autorenewing monthly subscription that is difficult to cancel, in violation of the Restore Online Shoppers' Confidence Act.

Ultra's unfair and deceptive marketing practices are explained below.

I. What is Ultra?

Ultra is owned by Nuro Pouches, Inc., a Brooklyn, New York company that CEO Eric Drymer launched in 2025 with co-founder Nicola Cantini.[1] Sales of its initial product, the Focus Pouch, took off quickly.[2] Ultra boasts that it sold one million cans in its first six months on the market, making it the "#1 nicotine-free pouch brand in the world."[3]

The Focus Pouch is an oral pouch that users tuck between their gum and lip – without swallowing it – so that its ingredients can be "absorbed."[4] Ultra markets the pouch as "caffeine-free" and claims its key ingredient, synthetic paraxanthine,[5] "has a shorter half-life than caffeine and clears from your body faster, making it less likely to disrupt sleep than a cup of coffee."[6] In reality, however, paraxanthine, which is a central nervous system stimulant and caffeine's primary metabolite, functions much like caffeine: it can raise blood pressure, distributes through the body to a similar extent as caffeine, is cleared from the bloodstream at nearly the same rate, and has a similar half-life.[7] A single Focus Pouch contains 100 mg of paraxanthine – as much as the body produces from 135 to 154 mg of caffeine[8] – more than the daily caffeine limit experts and pediatricians recommend for 12- to 18-year-olds.[9] Each Focus Pouch also contains 30 mg of Alpha GPC, 10 mg of L-Theanine, 1 mg of ginseng extract, 2 mg of vitamin B6, 2 mg of vitamin B12 and 7.68 mg of sodium.[10]

In barely legible fine print on the back of its pouch containers, Ultra warns that the Focus Pouch is not for everyone and recommends limits on its use – language that rarely, if ever, appears on its website or in its other marketing materials.



"**WARNING:** This product is not recommended for children, pregnant, or lactating women and individuals sensitive to caffeine. Consume responsibly. Limit to 4 servings per day. Not recommended for use with caffeine or other stimulants. Choking hazard. Do not swallow pouch."

Building on its success with the Focus Pouch, Ultra has expanded its lineup with two other products: the Energy Pouch, which contains 180 mg of caffeine, among other ingredients, and is pitched as a replacement for energy drinks and nicotine pouches that delivers "instant energy"[11]; and the Sleep Pouch, advertised to help users "fall asleep faster, achieve more deep sleep, enhance cognitive and muscle recovery," and reduce cortisol and anxiety symptoms.[12] The pouches come in various flavors including Blue Razz, Watermelon, Tropical, Cool Mint, Wintergreen, Sweet Mint and Black Cherry.

Ultra currently sells its pouches online only, through its website, Amazon,[13] TikTok Shop,[14] and Faire.[15] But it has much bigger ambitions: it plans to sell its stimulant pouches in convenience stores and major retailers like Walmart and Target, and to partner with fitness and wellness brands.[16] To drive sales, Ultra relies on social media, athlete and influencer partnerships,[17] sponsorships,[18] Google ads, internet banner ads, and an affiliate program open to "[a]nyone passionate about Ultra's mission and products."[19]

II. Ultra's Multifaceted Unfair and Deceptive Marketing Campaign

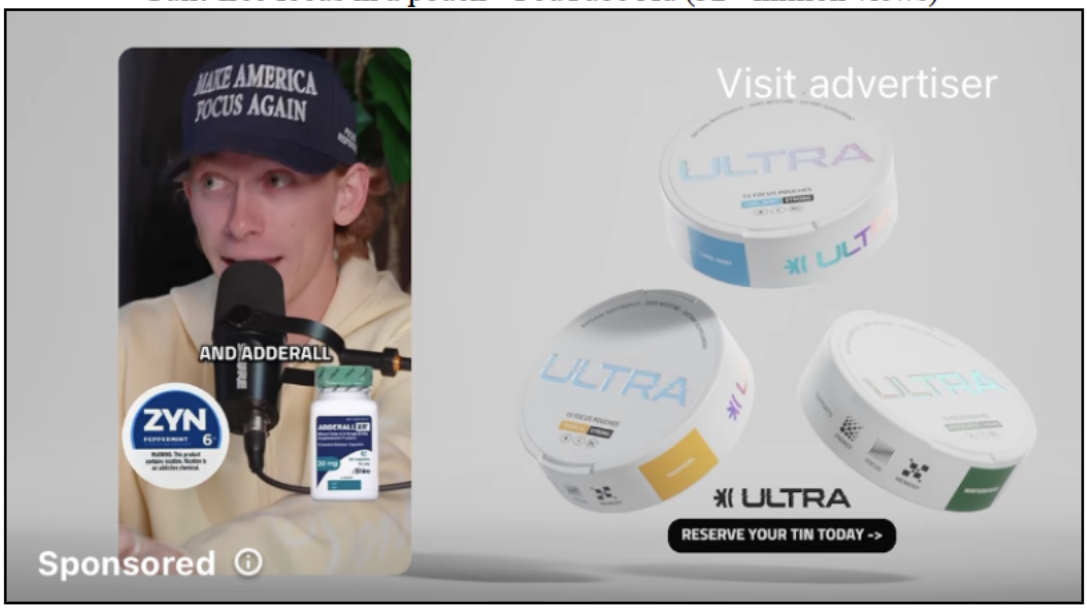
Ultra advertises that its Focus Pouch, which it claims is clinically and scientifically proven and "backed by science," can treat ADHD, replace Adderall, and provide "instant focus," "mental clarity" and "enhanced memory." These are unapproved and unsubstantiated drug claims, made in a marketing campaign that targets, among others, minors and encourages uses its own label warns against. Ultra also sells the pouches through autorenewing subscriptions that it fails to adequately disclose and that are difficult to cancel. This multifaceted unfair and deceptive marketing campaign is detailed below.

A. Ultra's Use of Unsubstantiated and Unapproved Drug Claims

Ultra launched its Focus Pouch amid the rising popularity of oral nicotine pouch use, a phenomenon Ultra refers to as the "Zyndemic"[20] (playing on the name of a leading nicotine pouch brand, Zyn), and the continuing rise in ADHD diagnoses and stimulant prescriptions, such as Adderall.[21]

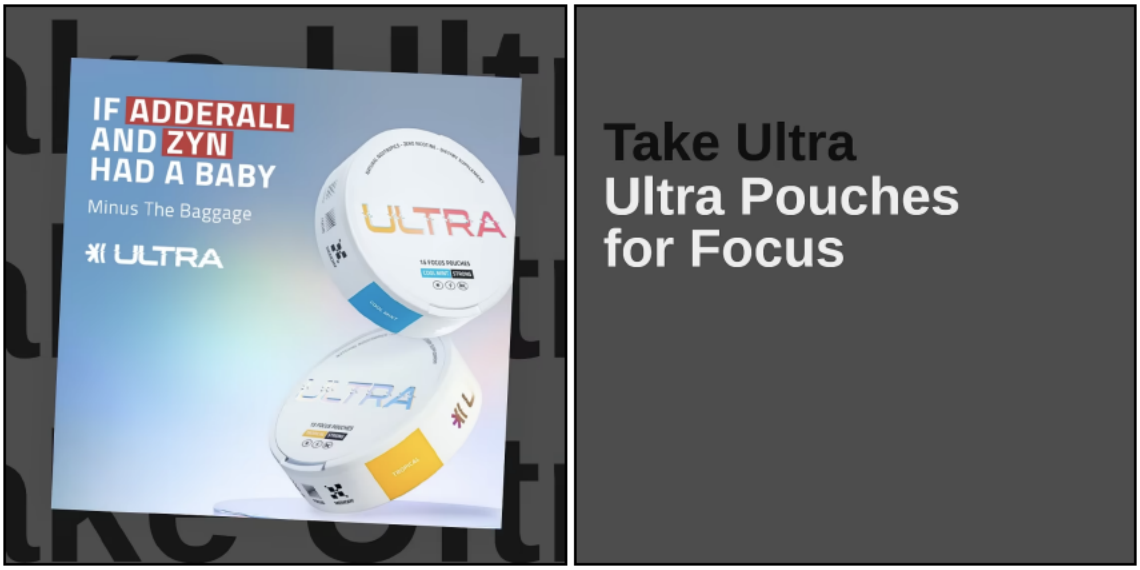
Billed as a "[c]lean, plant-based nootropic," the Focus Pouch is pitched as a substitute for both Zyn and Adderall.[22] Ultra does not bury this message; it headlines it. In Ultra ads, including a YouTube ad viewed more than 32 million times, co-founder Cantini tells viewers, "this is like if Zyn and Adderall had a baby!"[23] But Ultra is doing more than simply capitalizing on market trends. It is attempting to exploit the allure of an addictive nicotine product and a controlled prescription stimulant to sell its product, as shown in the marketing examples below.

"Guilt-free focus in a pouch" YouTube Ad (32+ million views)[24]



"Dude, this is like if Zyn and Adderall had a baby. I asked my boy how he felt the end of the day, and he was 'I got so much more stuff done than usual. I felt locked in, but calm. I was just focused the entire day, but with, like, no crash or jitters, like usually when I drink coffee. … Honestly, I've been so locked in, man. Like, I wasn't expecting it to work this much, but after popping it in a couple of minutes, no more scrolling on TikTok, not even reaching for my phone. I just wanna work."

"Ultra Pouches for Focus" YouTube Ad[25]



Ultra YouTube Shorts



"Adderall without the noise."[26]



"sometimes you gotta work on vacation…. I used to bring Adderall with me on trips. Yeah not ideal. … ULTRA is literally the only thing that lets me switch modes fast. Pop one, get focused, get the work done. Then go right back to vacation mode."[27]

Ultra Instagram Story Ads

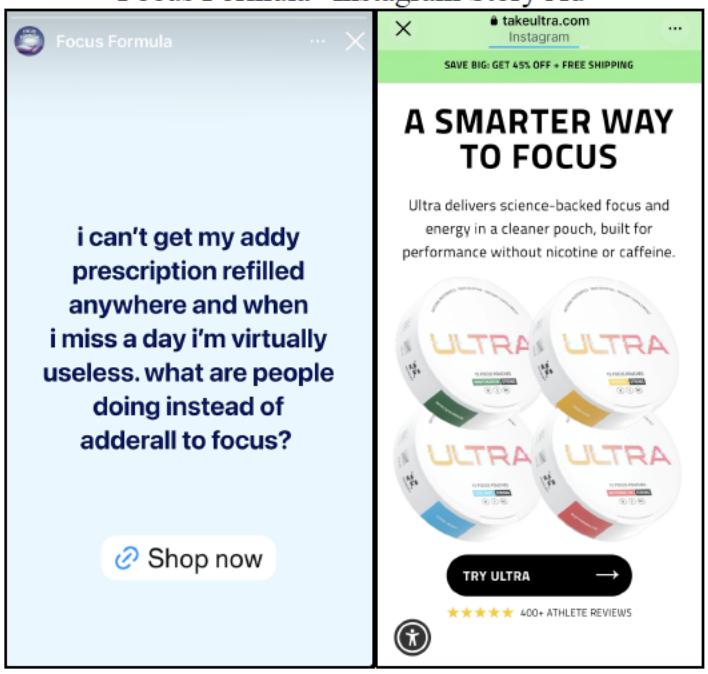


"…~~ADDERALL~~. … ~~BRAIN FOG~~…"[28]



"ADDERALL NEEDS A PRESCRIPTION. THIS DOESN'T…"[29]

"Focus Formula" Instagram Story Ad[30]

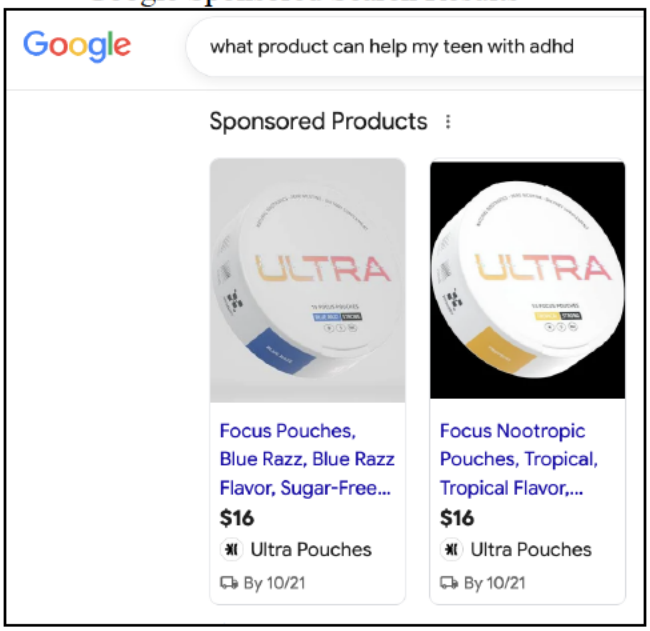


Ultra Instagram Reel



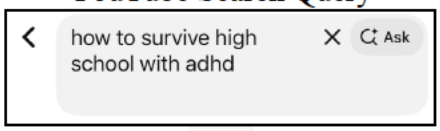
Student: *"I take a bunch of Adderall … and … Celsius and Red Bulls to lock myself in."* …
Cantini: *"Would you be down to try a natural alternative that'll get you locked in like the Adderall but won't fuck up your sleep? … It's called Ultra Pouches. So it's like Zyn and Adderall had a baby but it's all natural, filled with nootropics that help you get locked in and give you the same oral fixation. … Are you down to try one bro?"*
Student: *"Yeah, I just put it in my mouth?"*
Cantini: *"… To feel it at least five to ten minutes, to give you like a calm focus, allows a brain fog to disappear. I take it in the morning with my coffee. Gives you the locked in. … Swap one of these in for the Adderall and the Celsius. I'm telling you it's gonna make a big difference bro and you'll be locked in like a motherfucker."*[31]

Google Sponsored Search Results[32]

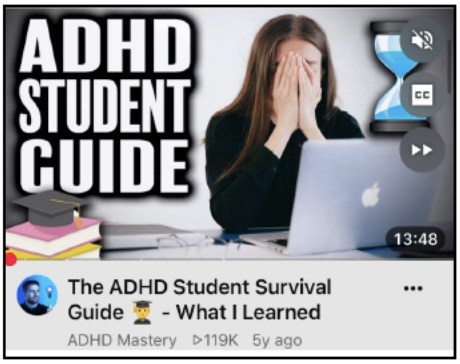


Ultra YouTube Pre-Roll Ads
(A search on YouTube for "how to survive high school with adhd" led to an "ADHD Student Guide" video that was preceded by an Ultra pre-roll ad.[33])

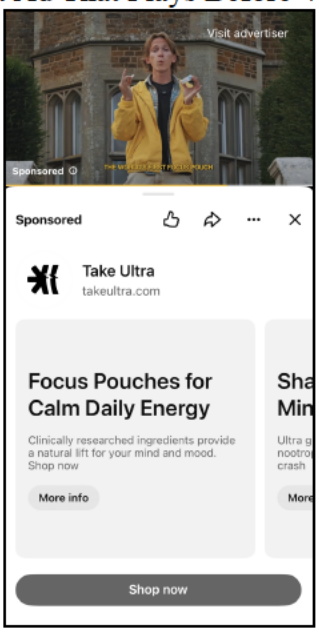
YouTube Search Query



YouTube Video Shown in Search Results



Ultra Ad That Plays Before Video



Cantini: *"This looks like a nicotine pouch but it isn't. It's an Ultra, the world's first focus pouch. You pop one in, in about 10 minutes everything starts to quiet down and your mind gets sharper. Reclaim your focus at TakeUltra.com. And please always remember, focus responsibly."*[34]

Ultra Partnerships



The Sick Podcast Titans

"...it's packed with nootropics, designed to boost your brain with a hit of energy and mental clarity. It's like zyn and adderall had a baby, but without the crash. Give it a try today at takeultra.com"[35]



"What I would have done to have these when I was in school? I saw a guy on my For You Page saying these were like natural Addy and yeah, he was right. … Natural Addy?? … Why did no one tell me about these?? #focus #memory #ultrapouch…"[36]



*"Upper deck addy??? … Just crack, pop it, and lock the f*ck in. These are the new Ultra nootropic pouches and if you haven't tried taking two of these at once with an energy drink in the morning, you are doing yourself a disservice. … I would definitely stock up on these because you'll go through them pretty fast."*[37]



"do you struggle w adhd? no. im actually really good at it"[38]

Claims that a product can treat ADHD or substitute for Adderall are disease claims that render the product a drug requiring FDA approval.[39] Moreover, the FDA has repeatedly cited claims of improved focus, mental clarity, and memory – for products that, like Ultra's pouches, are not dietary supplements (regardless of what the product label may say[40]) – as evidence that a product is an unapproved new drug.[41] Although Ultra has neither FDA approval nor competent and reliable scientific evidence for any of these uses, its marketing is littered with such inappropriate claims, a sampling of which is shown below.

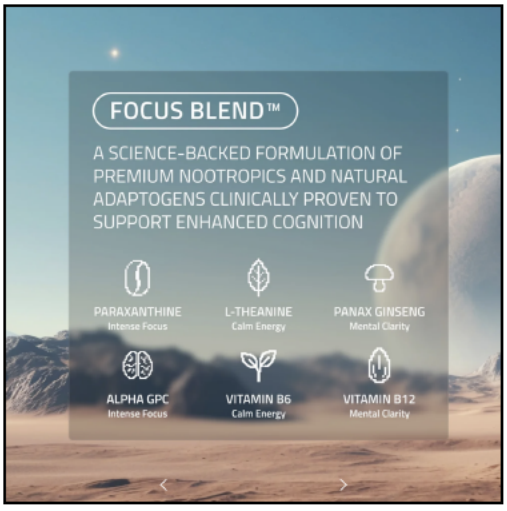
Ultra Website[42]



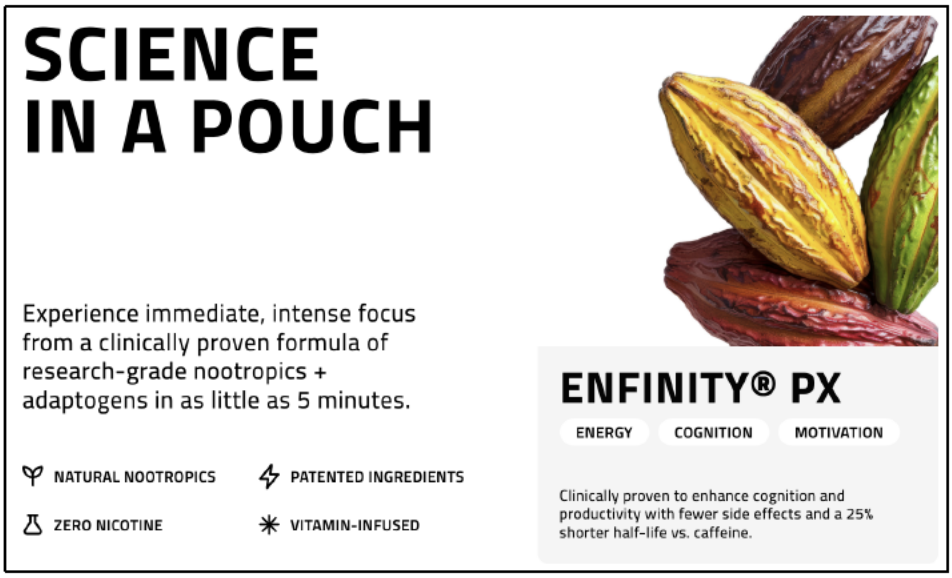
"A SMARTER WAY TO FOCUS
Ultra delivers science-backed focus and energy in a cleaner pouch, built for performance without nicotine or caffeine."



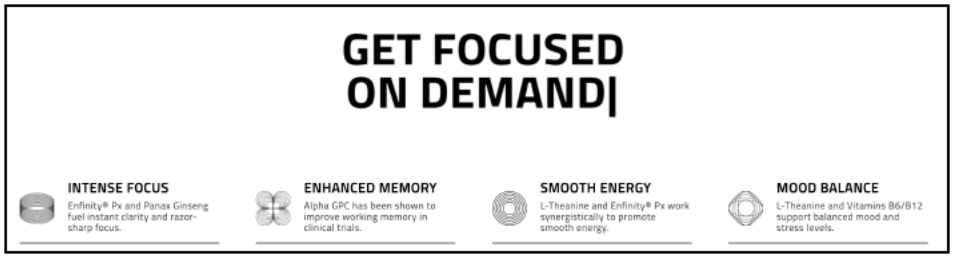
"INSTANT FOCUS ... MENTAL CLARITY..."



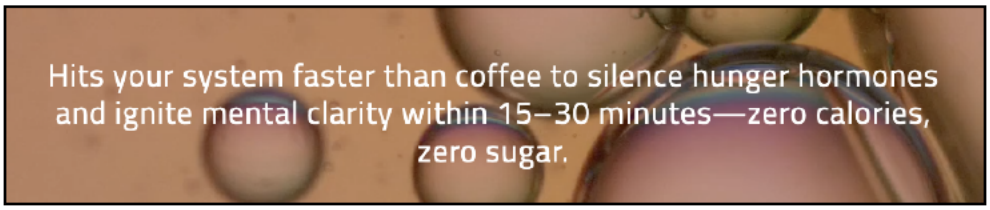
"FOCUS BLEND ™ ... CLINICALLY PROVEN TO SUPPORT ENHANCED COGNITION ... Intense Focus ... Mental Clarity..."



"SCIENCE IN A POUCH Experience immediate, intense focus from a clinically proven formula of research-grade nootropics + adaptogens in as little as 5 minutes. … Clinically proven to enhance cognition and productivity…"



GET FOCUSED ON DEMAND … INTENSE FOCUS … ENHANCED MEMORY…"



"Hits your system faster than coffee to silence hunger hormones and ignite mental clarity within 15-30 minutes…"

Ultra Banner Ad[43]



"Ultra Focus on Demand"

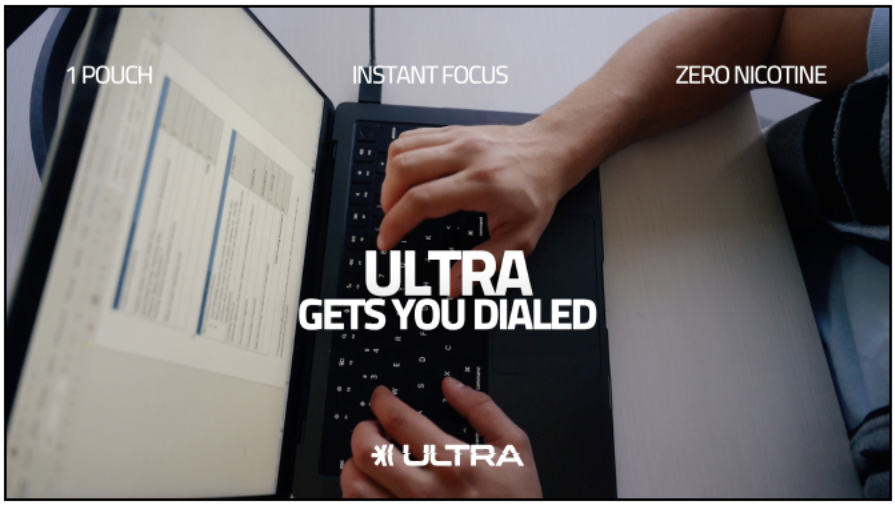
Ultra Amazon Store[44]



"YOUR UNFAIR ADVANTAGE … DESIGNED TO SHARPEN YOUR MIND"

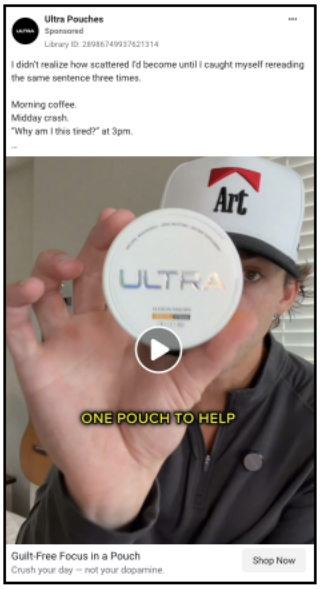


"ZERO CAFFEINE … A NEXT GENERATION TOOL TO RECLAIM CONTROL OF YOUR FOCUS AND ENERGY"



"INSTANT FOCUS … ULTRA GETS YOU DIALED"

Ultra Facebook Ads



"I didn't realize how scattered I'd become until I caught myself rereading the same sentence three times. ... In the morning, I'll either have a cool mint or a wintergreen with my coffee. That's my lock-in combo… I'm just locked in, smooth, focused…"[45]



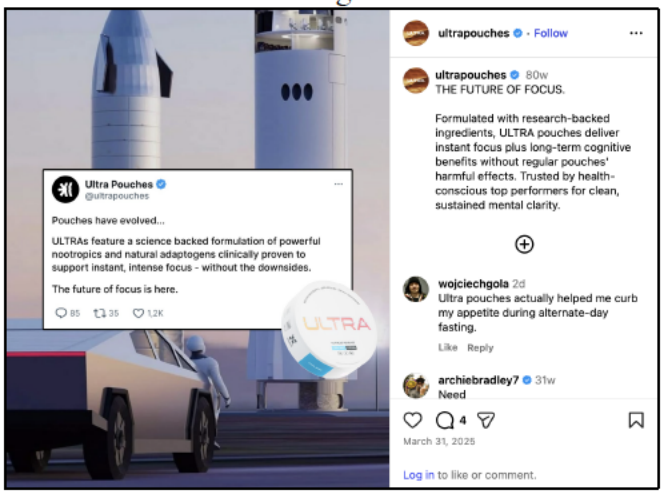
*"'My secret weapon. Everyone at work is asking why I'm suddenly so focused.' – Miles M. 'Flow state is real.' – Nate K. 'The first thing I reach for before deep work or back-to-back meetings.' – Rashid E.... F*CK LUNCH…INSTANT FOCUS"*[46]

Ultra YouTube Short



"This looks like a nicotine pouch but it isn't. It's an Ultra, the world's first focus pouch. You pop one in, in about 10 minutes, everything starts to quiet down and your mind gets sharper…"[47]

Ultra Instagram Post



"Formulated with research-backed ingredients, ULTRA pouches deliver instant focus plus long-term cognitive benefits without regular pouches' harmful effects. Trusted by health-conscious top performers for clean, sustained mental clarity."[48]

Ultra Affiliate Marketing

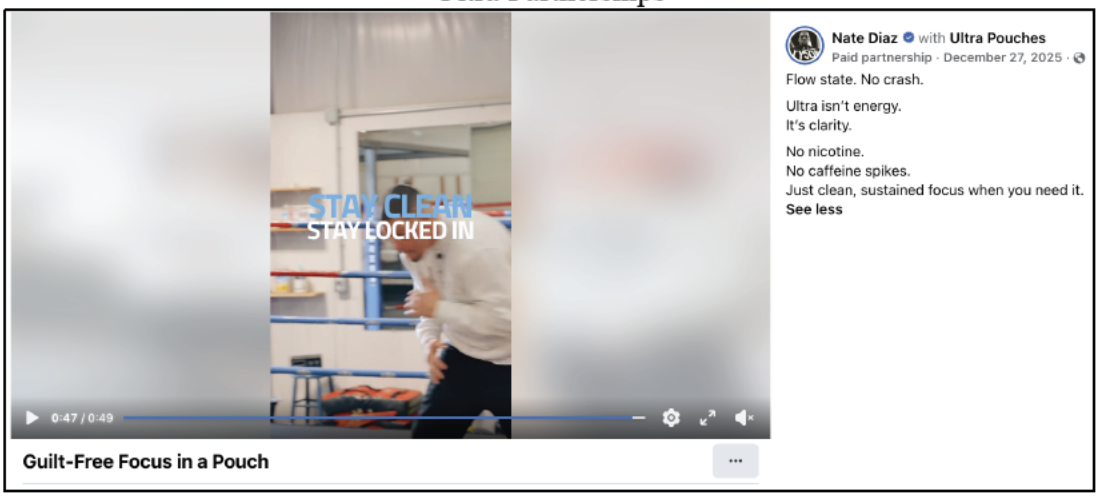


"If you need help focusing at work or school, you need these…I love ultra pouches #ultrapouches #sale #focus #energy #healthy"[49]



"When you need smooth focus without the crash – ULTRA Focus Pouches deliver clean energy with 6 nootropic ingredients. Just pop one in and get to work. Perfect for long study sessions, busy workdays, or content creation sprints. Stay sharp without the jitters. #FocusMode #ProductivityHacks…"[50]

Ultra Partnerships



Nate Diaz, UFC Fighter

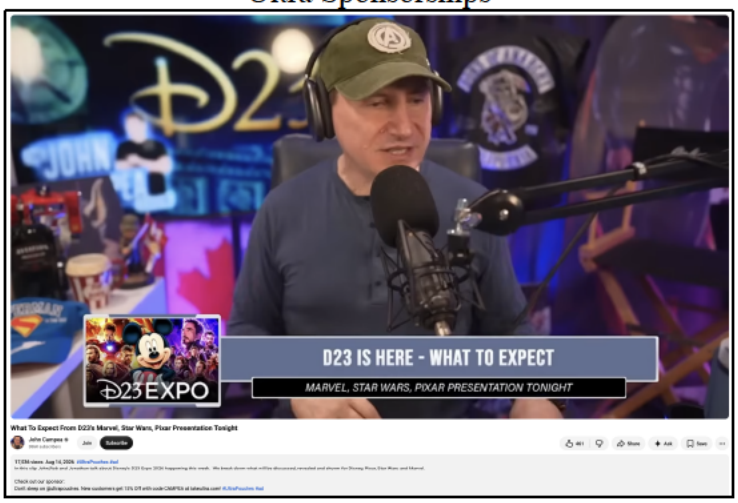
"Flow state. No crash. Ultra isn't energy. It's clarity. No nicotine. No caffeine spikes. Just clean, sustained focus when you need it."[51]



Dak Prescott, Dallas Cowboys Quarterback

"FOCUS RESPONSIBLY[] Ultra pouches feature potent, powerful, and science-backed nootropics for optimizing cognitive performance: Flow State [] Mental Clarity[] Sustained Energy[] Enhanced Willpower[] 'Nicotine wrecked my sleep, stole my focus, and zapped my energy, so I upgraded with Ultra.' Dak Prescott, Real Ultra User"[52]

Ultra Sponsorships



"Guys, we want to take a second to thank a sponsor of today's video, Ultra Pouches. … What you're really going to like about them is that they're 100% nicotine-free and caffeine-free. They're designed to give you smooth energy and focus without the nicotine crash. Pop one in before a workout or when you're sitting down for a long work session and it's an incredibly convenient little boost. Ultra is the ultimate guilt-free pouch delivering instant focus and mental clarity without nicotine or caffeine."[53]

These health and disease-treatment claims (TINA.org has catalogued more than 100 examples, all of which are available at www.truthinadvertising.org/evidence/ultra-health-claims/) have two primary problems: the product lacks FDA approval,[54] and the claims lack competent and reliable scientific substantiation.[55]

B. Ultra's Reckless Marketing Campaign

Although Ultra's canister label warns that the Focus Pouch is not for children or those sensitive to caffeine, among others, should be limited to four pouches a day, and should not be combined with caffeine or other stimulants,[56] its marketing simply ignores these warnings.

For example, a company TikTok video shows an Ultra user with ten or more pouches crammed in his mouth – which cumulatively contain 1,000 mg or more of paraxanthine, roughly the amount the body produces from ingesting 1,350-1,540 mg of caffeine – more than the amount of caffeine the FDA has warned can cause toxic effects such as seizures.[57] An Ultra YouTube Short shows someone packing *dozens* of Ultra cans for a two-night trip.[58] And co-founder Cantini tells viewers that he used as many as five pouches a day for over a year,[59] and even suggests customers use six pouches a day (despite "the suggested max of Ultra is four pouches a day").[60]







"4-5 Ultra pouches everyday for over a year…"



"…Let's do the math … The suggested max of Ultra is four pouches a day. Let's just say you rip six, or one can every two and a half days…"

Ultra also promotes using the Focus Pouch with coffee and/or energy drinks.[61]



"These with a morning coffee >>>>>"



"…what I like doing is two Ultras and the energy drink on the drive, amazing. … Stay locked in with both…"



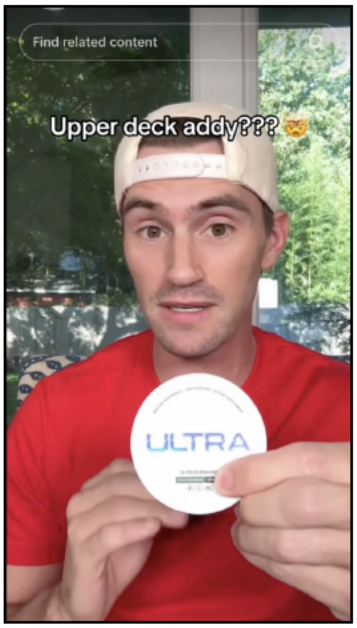
Ad shows Cantini mixing Celsius, coffee and an Ultra pouch to "unlock[] hour 25 of the day."



Cantini: *"...I take it in the morning with my coffee..."*



"In the morning, I'll either have a Cool Mint or a Wintergreen with my coffee. That's my lock-in combo."



"If you haven't tried taking two of these at once with an energy drink in the morning, you are doing yourself a disservice."

And Ultra ads expressly tell consumers that its pouches are "not 18+"[62] and even parent-approved.



In a company Instagram post, a mother finds pouches belonging to her daughter. The daughter reassures her that the pouches are "actually healthy," and the mother, relieved that her daughter is "not on Zyn," accepts the explanation. The daughter closes the ad by telling viewers that "even my mom's cool with it."



Video transcript:

Mom: *"Uh excuse me, what are these?"*

Daughter: *"Mom, relax. It's not nicotine, chill. They're Ultra Pouches, zero caffeine, zero nicotine. They're actually healthy, packed with nootropics and vitamins for focus."*

Mom: *"So it's basically brain vitamins in a pouch?"*

Daughter: *"Exactly. It helps me focus without the crash."*

Mom: *"Huh, well as long as you're not on Zyn."*

Daughter: *"TakeUltra.com. Even my mom's cool with it."*

Caption: *"...Focus responsibly. With Ultra, even moms approve..."*[63]

Affiliate ads have amplified these marketing messages by telling viewers that minors can use the Focus Pouch, promoting its use for school, and advertising the product alongside material featuring children.



"Can I use one if I'm 15? Hell no. Because you should be taking two."[64]



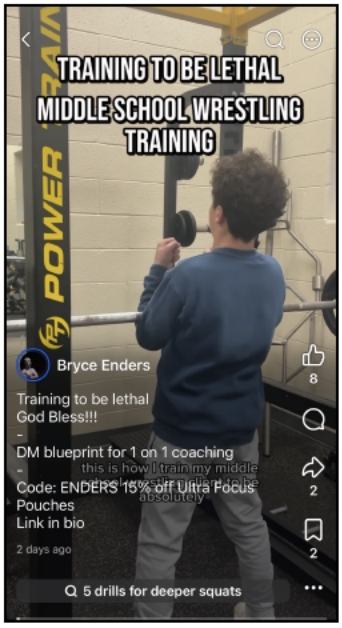
"Even a 13 year old can have these…"[65]



"Can I take these? But, bro I'm 12. Yeah, if you can and want to take these caffeine pouches, they're perfect for intense focus…"[66]



"No age requirement for these!!"[67]



"This is how I train my middle school wrestling client to be absolutely lethal on the mat. … He's in 7th grade … Code: ENDERS 15% off Ultra Focus Pouches Link in bio."[68]



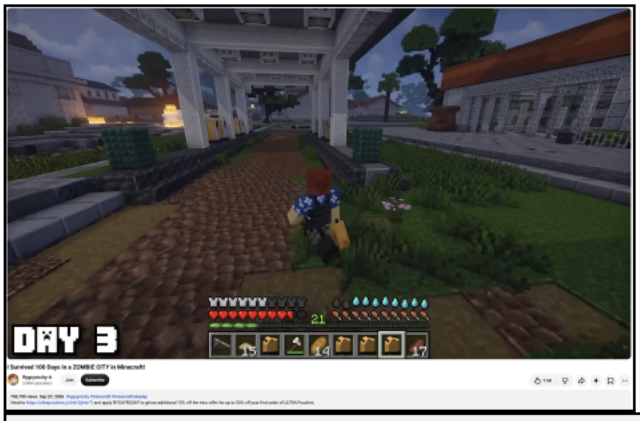
"Yes, you can bring these to school"[69]

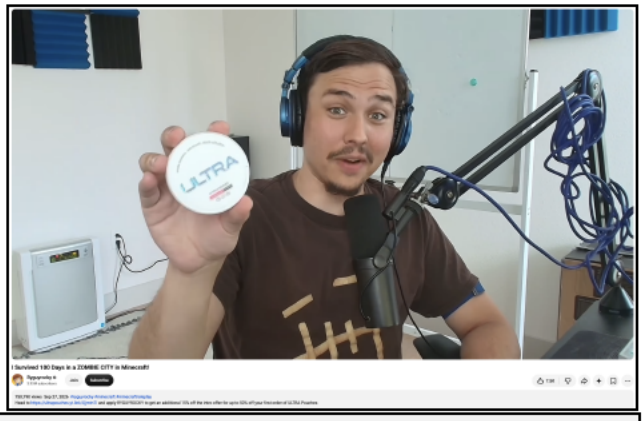
Ultra also sponsors youth sports. This fall, it sponsored the Anderson Independent Youth Soccer Association (AIYSA), a Kentucky soccer club for children.[70] Players' jerseys bear the Ultra logo, and Ultra is listed as a sponsor on AIYSA's website.



"AIYSA fall ball – sponsored by @ultrapouches"[71]

Ultra also reaches minors by sponsoring gaming YouTubers.[72] For example, it has sponsored Ryguyrocky,[73] who has nearly 4 million subscribers and is known for his content surrounding the popular video game Minecraft, a game rated "E10+ (Everyone 10+)."[74] In a sponsored video from September, which has been viewed more than 775,000 times, Ryguyrocky credits Ultra pouches, which he says are "100% safe" and "don't have caffeine," with giving him sharp focus and clearing up his brain fog.



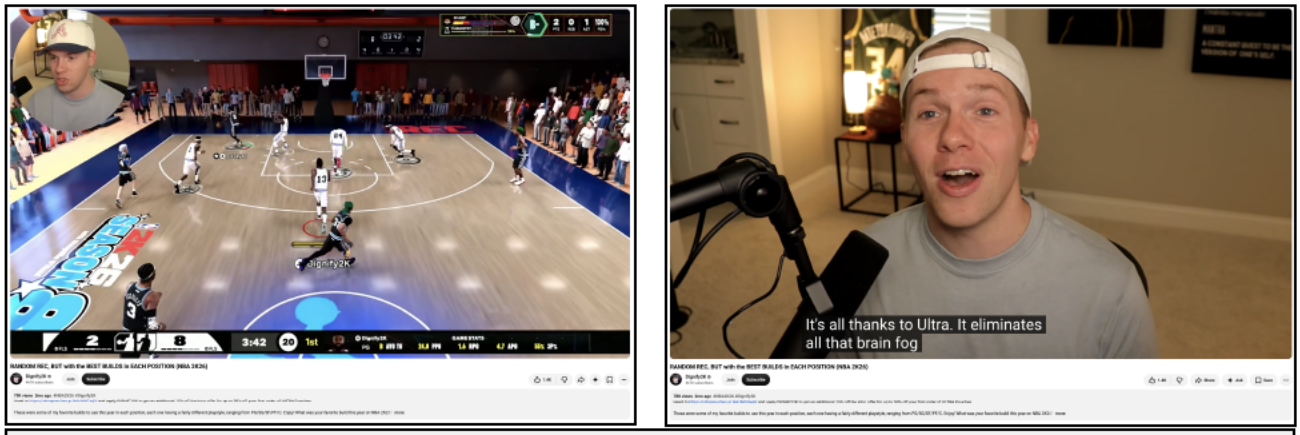


750,790 views Sep 27, 2026 #ryguyrocky #minecraft #minecraftroleplay
Head to https://ultrapouches.yt.link/QjmtnTI and apply RYGUYROCKY to get an additional 15% off the intro offer for up to 50% off your first order of ULTRA Pouches

"Ultra Pouches provide you with sharp focus and smooth energy. … within five minutes, it kicks in, and you now get one to two hours of high energy and intense focus. And I'll be honest, I've actually been using Ultra Pouches for quite a while now, and honestly, they're just amazing. … I probably use like two to three of those every single day, allowing me to get so much more work done throughout the day because they literally clear up my brain fog. It not only puts me in a better mood, but I've also noticed my memories getting better as well. Now, up front, I've got to tell you, these pouches do not contain nicotine, and they also don't have caffeine. There is nothing addicting about

these pouches. They're 100% safe. ... Now, what's cool about Ultra Pouches is you can actually use them whenever you want cuz unlike other energy supplements like caffeine, they don't actually impact your sleep. They actually have a shorter half-life than caffeine. So, you can use these and get a fine night's rest. And for all you sports players out there, you're also safe because Ultra is not banned by WADA. So, if you want to unlock an extra two to three hours of deep work and focus every day, or simply start dominating your gaming sessions, go ahead and scan the QR code you see on screen right now to check out Ultra Pouches today. Or you could simply click the link down below. But again, if you want easy energy without the crash, and that will make your day a whole lot more focused, scan that QR code to try out Ultra Pouches today."[75]

Similarly, Ultra has sponsored Dignify2K, a YouTuber who has more than 465,000 subscribers and is known for his tutorials and streams of NBA 2K, a game rated "E" for Everyone.[76] In a sponsored video from August, he credits Ultra with keeping him "locked in."



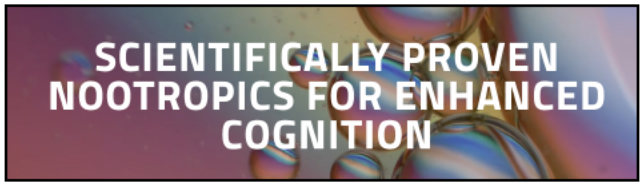
"I want to give a big shout out to Ultra for sponsoring today's video. A lot of you guys ask me how I stay locked in, how I can play so often in the random rec. It's all thanks to Ultra. It eliminates all that brain fog and kicks in in just five minutes. Ultra is non-addictive, has no nicotine, and no caffeine. It doesn't damage your heart, your sleep, or your gums. Gives you no spikes or jitters or crashes, so it is the perfect thing to get you dialed in. Sometimes when I'm recording a video where I'm using all of an NBA player's animations, it takes me a very long time. So, shout out to Ultra. A couple of those and I'm ready to go."[77]

A sampling of more than 40 examples of such reckless marketing materials, some of which also make inappropriate health claims, is available at www.truthinadvertising.org/evidence/ultra-reckless-marketing/.

C. Ultra's Lack of Scientific Substantiation

Although Ultra claims its products are "scientifically proven," "clinically proven" and "backed by research," TINA.org is not aware of any peer-reviewed, randomized

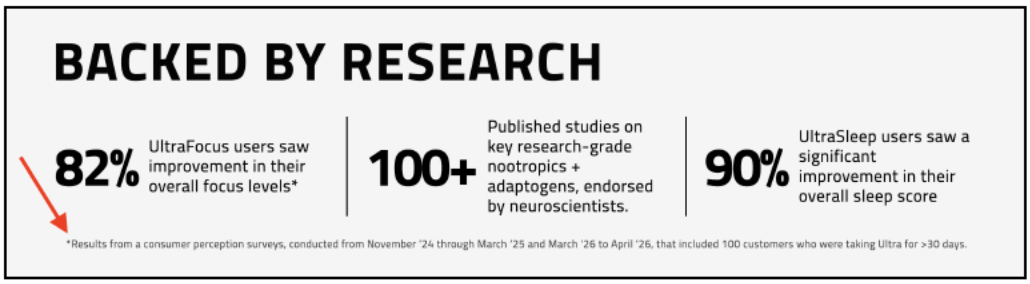
controlled studies showing that Ultra Focus Pouch's specific formulation, dosage and delivery method produce the advertised benefits. Ultra's claims that its Focus Pouches treat ADHD, replace Adderall, deliver instant focus and mental clarity, and suppress appetite, among other things, require both competent and reliable scientific substantiation and prior FDA approval.[78] Ultra has neither.[79]



Instead, Ultra appears to rely on consumer perception surveys and ingredient studies,[80] neither of which is sufficient to substantiate its health and disease-treatment claims.

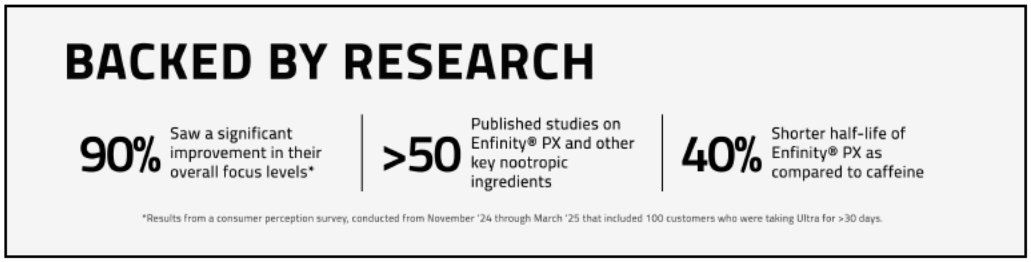
Consumer Perception Surveys

Until recently, fine print on Ultra's Science webpage disclosed that its advertised results come from "consumer perception surveys…that included 100 customers who were taking Ultra for >30 days."[81]



Ultra Science page in August 2026

Ultra has since removed the disclaimer from its Science page.[82] The disclaimer still appears on other company webpages, however, where the cited percentages of the study results are curiously different, as shown below.[83] Specifically, on its Science page, Ultra states that "82% of Ultra Focus users saw improvement in their overall focus levels*," whereas elsewhere it claims that "90% Saw significant improvement in their overall focus levels*."[84]



Ultra "Intro Offer" page captured Nov. 6, 2026

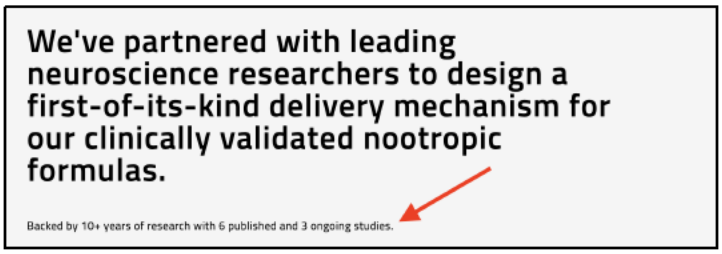
Regardless of the discrepancy, such survey results are not competent and reliable scientific evidence for health and disease-treatment claims.[85] Among other issues, these types of studies lack a control group, are not placebo-controlled, and rely on subjective self-reports. Nor is there any indication as to whether the surveyed participants had an ADHD diagnosis or any other history of focus or attention issues.

Ingredient Studies

Ultra touts "100+ Published studies on key research-grade nootropics + adaptogens, endorsed by neuroscientists"[86] in some places, and ">50 Published studies on Enfinity® PX and other key nootropic ingredients"[87] in others. Whatever the purported number may be, Ultra does not name, cite or link to any of these studies. And while some studies do exist on the Focus Pouch's individual ingredients, they are of limited value.

By way of example, there are studies concerning paraxanthine, but none support the marketing claims made by Ultra for one or more reasons, including (but certainly not limited to) that they are rodent or in vitro studies, sponsored by a paraxanthine manufacturer, have small sample sizes, involve oral ingestion and/or have nothing to do with cognitive functioning.[88] Moreover, such isolated ingredient studies cannot substantiate Ultra's health claims because, among other things, they do not take into account the product's specific blend of ingredients, dosages and delivery method.[89] For example, TINA.org is not aware of any studies examining the efficacy of paraxanthine when absorbed through the lining of the mouth, as is Ultra's delivery mechanism. And despite Ultra's claims that one of its main concerns is the safety of its products,[90] TINA.org is also not aware of any published studies examining the product's (or paraxanthine's) safety for minors.

Unnamed, Uncited Studies



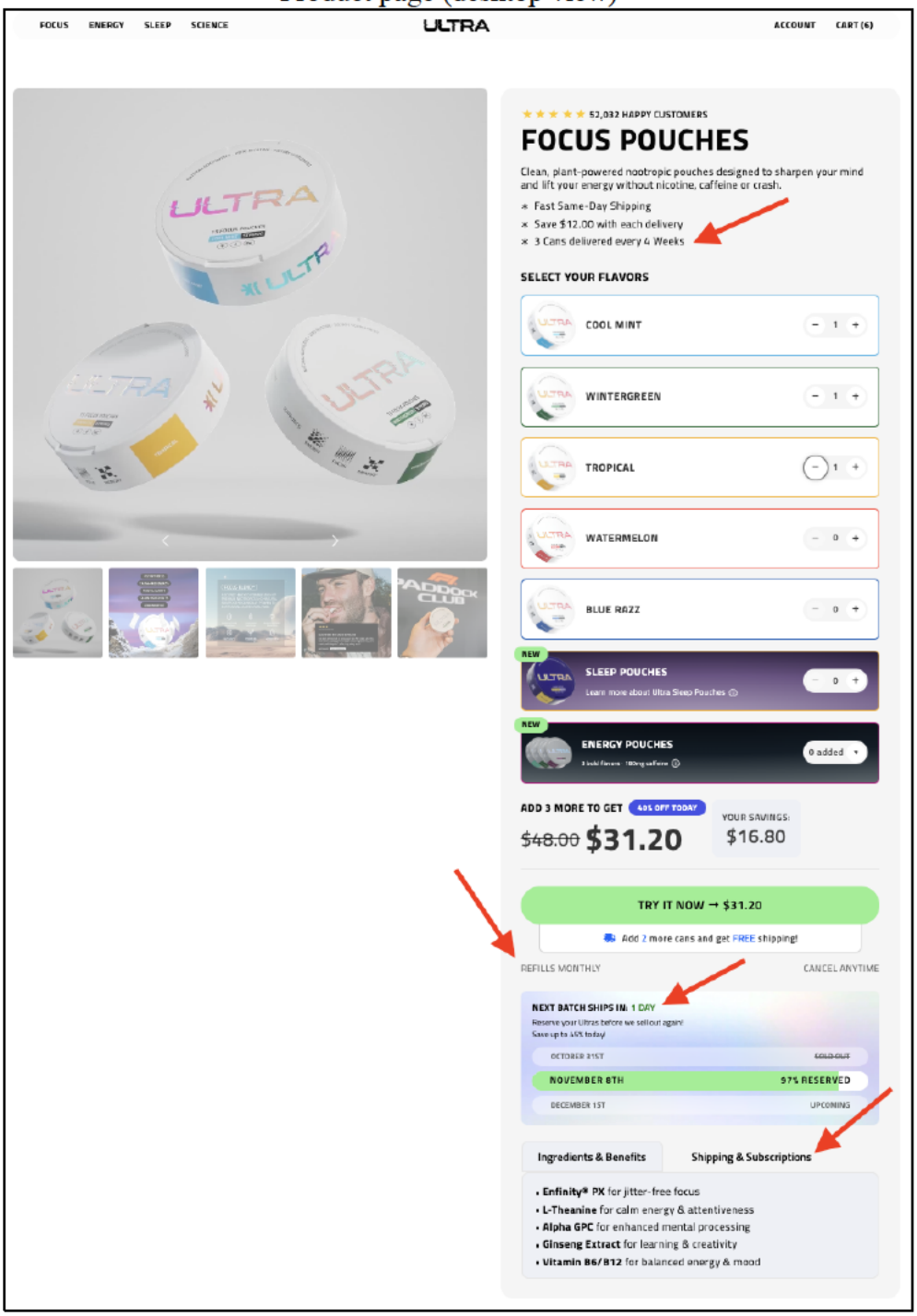
Ultra also claims to be "Backed by 10+ years of research with 6 published and 3 ongoing studies."[91] Again, Ultra does not identify any of these studies, and TINA.org is not aware of any published studies testing Ultra's Focus Pouch for effects on focus or cognitive function.[92]

D. Ultra's Failure to Properly Disclose the Terms of Its Subscription

Ultra sells its products through subscriptions without adequately disclosing their material terms. On the product page, the only hint of a subscription above the "Try It Now" button, which takes shoppers to the next screen, is small gray print stating "3 Cans

delivered every 4 Weeks." All other subscription information on the page appears below that button, some in fine, gray print and some hidden under a "Shipping & Subscriptions" tab that shoppers must click to reveal.

Product page (desktop view)[93]



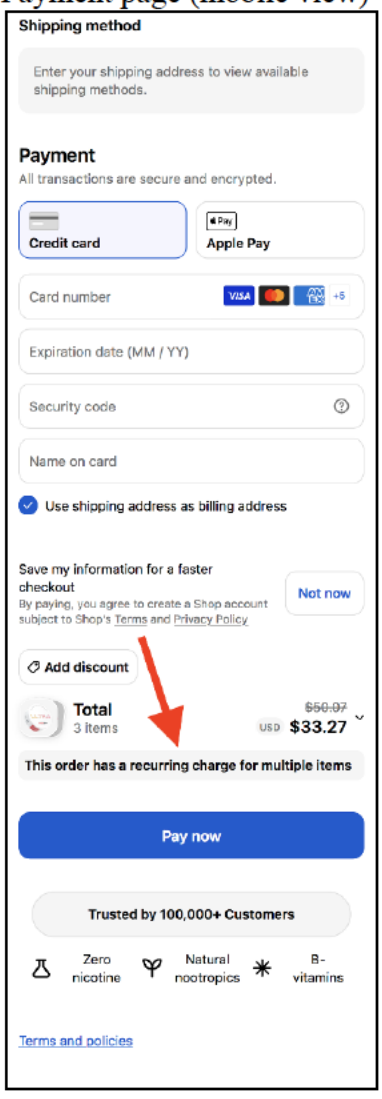
After clicking the "Shipping & Subscriptions" tab, in the second bullet, shoppers are told "We want your subscription to work on your terms. You can pause, skip, or cancel at any

time. Just be sure to make any changes **before your next order is processed.** Head to your Account page and click Manage Subscription whenever you need to adjust."

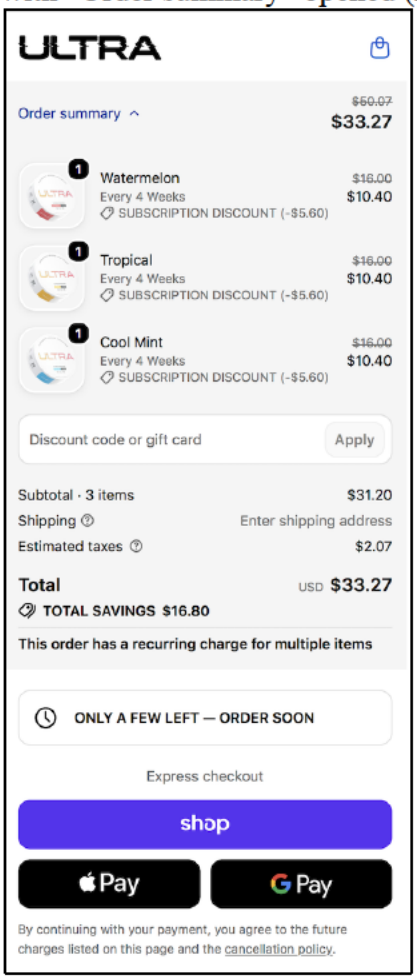


On the payment page, vague references to a subscription are hidden in a drop-down that shoppers must click to open and that appears below the prompts for payment.

Payment page (mobile view)



Payment page with "Order summary" opened (mobile view)[94]



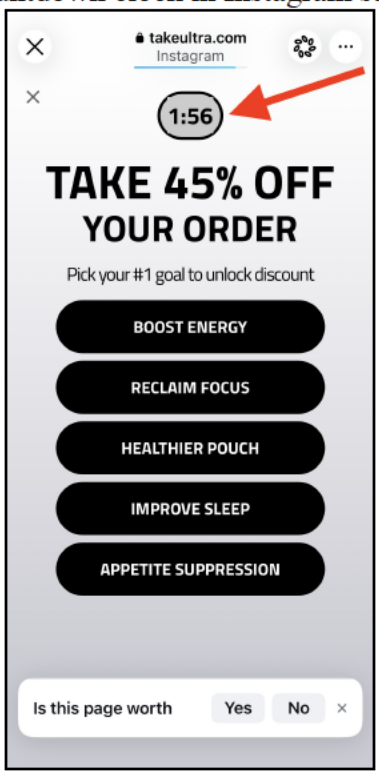
Further, nowhere during the checkout process does the company make clear that the subscriptions renew automatically and continue indefinitely until consumers take affirmative steps to end the recurring monthly charges. This material information appears in a 500+-word Subscription Policy hyperlinked at the very bottom of the company's webpages.[95]

View on mobile[96]

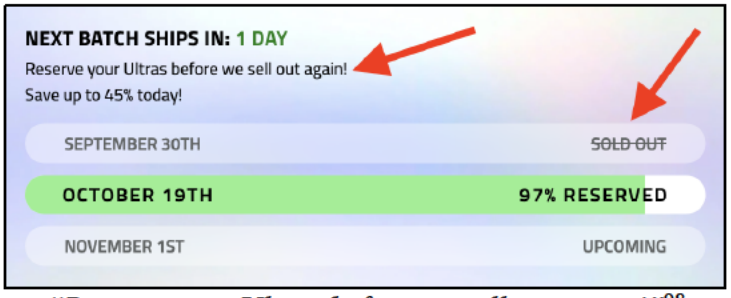


Throughout its advertising and checkout process, Ultra also uses pressure tactics to rush shoppers, including a countdown timer, threats of selling out, and claims of limited quantities.

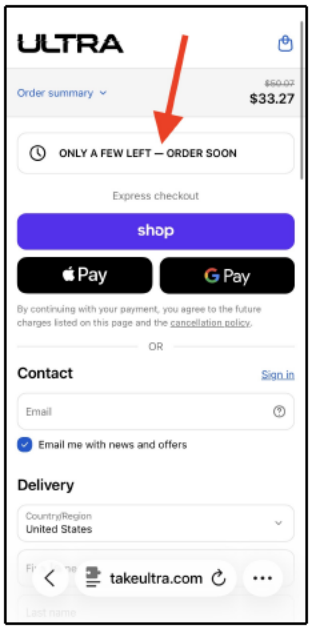
Countdown clock in Instagram story



(In reality, nothing happens when the clock reaches 0:00.[97])



"Reserve your Ultras before we sell out again!"[98]



"ONLY A FEW LEFT – ORDER SOON"[99]

A step-by-step walkthrough of how the Ultra checkout process works, as well as where and how subscription terms are disclosed, is available at www.truthinadvertising.org/evidence/ultra-checkout-process/.

Finally, despite stating that Ultra users can cancel their subscription "at any time before [their] next billing date without penalty," numerous consumers have reported experiencing difficulty canceling their subscriptions.[100] Recent examples include:

> "I am extremely disappointed with my experience with Ultra Pouches. I made what I believed was a one-time purchase, only to discover that I had been enrolled in a recurring subscription without knowingly agreeing to one. When I attempted to cancel the subscription, I found the process unnecessarily complicated and difficult to navigate. … I was charged for another order that I never intended to place. When I contacted customer support, I was informed that the order was already in transit and could not be canceled…" (Oct. 27, 2026, BBB)
>
> "I've tried for months to cancel this they keep charging me. I've tried emailing them too. this is scam." (Oct. 21, 2026, BBB)
>
> "I have been trying to cancel this subscription for months but no matter what I do, they keep charging me and sending me more. Dont sign up for this scam!" (Oct. 2, 2026, BBB)
>
> "It's business has very preditory billing and cancelation practices they enroll you in a hidden billing subscription and bill in the middle of the night only to say you missed the refund window" (Sept. 22, 2026, BBB)

“Complete scam. I never agreed to a subscription. They add it in the fine print and then hit your card randomly. Then you cant actually cancel your subscription like they say you can, only push it out. Do not try them as the pouches are over priced, nasty, and as full of caca as the subscription they lock you into. Ill be disputing the charges and changing my card number if I need to.” (Sept. 22, 2026, BBB)

“Would leave 0 stars if i could. They lock you into subscriptions upon your first order and do not tell the customer. Your subscription is renewed in the middle of the night (mine at 4:18am). I cancelled at 7am the next day when i saw the email (after numerous attempts at getting the account page to load) and since the order was already processed there was nothing they could do. The company is a scam, the products do not work. Do not purchase” (Aug. 27, 2026, BBB)

“Unknowingly signed me up for a subscription and there is no way to cancel it” (Aug. 24, 2026, BBB)

“I’m unable to cancel a subscription for the product. When i placed an order the site didn't inform me that i was being signed up for a subscription. the site gives instruction to cancel, the when you actually try and do as they direct it doesn't exist. then they give you an email to use in order to cancel, then you email the account just to be told it’s not a valid email account. I tried to cancel my payment method but the only options you have are to add another credit card not cancel the existing one.” (Aug. 12, 2026, BBB)

“Their site intentionally places you into a reoccurring subscription package when you order. In order to cancel the subscription you have to go to the "manage subscription" tab which intentionally does not load. I've tried it on every browser and device I own. This is a fraudulent practice and this company needs to be looked into further.” (Aug. 10, 2026, BBB)

“Don’t waste your money. I canceled my sub, they still charged me and shipped anyway. Even though they had over a 24 hour notice of "accidently" charging me. Once I saw the charge, I emailed them, they shipped the order anyway 28 hours later, then emailed me claiming they couldn't cancel the order because it already shipped. Terrible customer service, terrible product. They state you can try it risk free, but offer no refunds or anyway to ask about refunds even when contacted. They ignored every email request.” (Sept. 21, 2026, Trustpilot)[101]

“Giving a one star. Their products sucks, the flavor is not great at all. And MAJOR WARNING!!!! Do not order off their website, you will automatically be enrolled in a reoccurring subscription that you cannot cancel!!! When you try to cancel it will only give you options to skip orders or pause orders and not cancel completely cancel. Stay away from ultra pouches.” (July 8, 2026, Trustpilot)[102]

“They won’t let me cancel. There are no options to and when I try to cancel, it glitches. I’ve been trying to cancel for months and have been talking to customer

service about canceling for well over a month but they keep charging. Stay away from this scam!" (Oct. 2, 2026, Trustpilot)[103]

In short, Ultra steers consumers into autorenewing subscriptions while failing to clearly and conspicuously disclose all material terms and conditions, to obtain consumers' express informed consent and to provide a simple way to cancel, in violation of the Restore Online Shoppers' Confidence Act (ROSCA) and Section 5 of the FTC Act.[104]

III. Conclusion

Ultra's unfair and deceptive marketing invites consumers, including minors, to treat its Focus Pouch as a clinically proven treatment for ADHD, a substitute for prescription Adderall and a means to achieve almost instant mental focus and clarity, among other things, while encouraging product use that conflicts with its own label warnings. Its checkout practices compound these risks by making it easy to unintentionally enroll in recurring shipments without informed consent and then encounter difficulty when trying to cancel. TINA.org urges the FDA and FTC to investigate and take appropriate enforcement action.

Sincerely,



Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.



Bonnie Patten, Esq.
Executive Director
Truth in Advertising, Inc.

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nicola@takeultra.com

[1] *Nuro Pouches, Inc.*, FormDs, https://www.formds.com/issuers/nuro-pouches-inc; Press Release, Ultra, *Pouches Minus the Nicotine: Ultra Raises $11 Million to Build a Clean, Non-Addictive Pouch for High Performers* (Jan. 20, 2026), https://www.businesswire.com/news/home/20260120688296/en/CORRECTING-and-REPLACING-Pouches-Minus-the-Nicotine-Ultra-Raises-$11-Million-to-Build-a-Clean-Non-Addictive-Pouch-for-High-Performers [hereinafter *Ultra Press Release*]; *Form D: Nuro Pouches, Inc.*, StreetInsider, https://www.streetinsider.com/SEC+Filings/Form+D+Nuro+Pouches,+Inc./25967856.html; *Eric Drymer*, LinkedIn, https://www.linkedin.com/in/eric-drymer-478b24143/; *Nicola Cantini*, LinkedIn, https://www.linkedin.com/in/nicola-cantini-1a20ba1a4/; Nicola Cantini (@cantini.nicola), Instagram profile page, https://www.instagram.com/cantini.nicola/.

[2] In January 2026, Ultra announced an $11 million Series A financing round led by Left Lane Capital and joined by the founders of Harry's, Grüns, and Rockstar Energy, as well as NFL quarterbacks Joe Burrow and Dak Prescott. *See Ultra Press Release*, *supra* note 1; Trade: Venture Capital (@tradedvc), Instagram (Jan. 20, 2026), https://www.instagram.com/p/DTwDGn-EW4I/; Traded: Venture Capital, Facebook (Jan. 20, 2026), https://www.facebook.com/TradedVC/posts/ultra-the-nicotine-free-oral-pouch-startup-founded-by-eric-drymer-raised-11-mill/1544060224391101/; Maha Haq, *Tired? Wired? Can't Focus? There's a Pouch for That*, Vice (Sept. 14, 2026), https://www.vice.com/en/via/zynification-of-caffeine/; Dak Prescott, Facebook (Nov. 2, 2026), https://www.facebook.com/100044287186516/posts/1669524994533724/?mibextid=wwXIfr&rdid=kUKYzTBhk39au97o#. *See also* Ani Freedman, *Ultra Lands $11 Million to Make Nicotine-Free Pouches Mainstream*, Athletech News (Jan. 20, 2026), https://athletechnews.com/ultra-lands-11-million-to-make-nicotine-free-pouches-mainstream/.

[3] *Ultra Press Release*, *supra* note 1.

[4] Ultra Focus Pouch packaging, https://truthinadvertising.org/wp-content/uploads/2026/11/Ultra-Focus-Pouch-packaging.pdf ("Do not swallow pouch."); Ultra, Homepage, https://takeultra.com/ ("Effects typically begin within minutes of placement. … The tingle is normal and a sign the ingredients are activating. It typically fades within a few minutes of placement and means absorption is underway.").

[5] "Ultra's formula centers on paraxanthine, a metabolite of caffeine, delivered through Enfinity®." *Ultra Press Release*, *supra* note 1.

Paraxanthine does not occur naturally. *See* A. Lelo et al., *Comparative Pharmacokinetics of Caffeine and Its Primary Demethylated Metabolites Paraxanthine, Theobromine and Theophylline in Man*, 22 Brit. J. Clinical Pharmacology 177 (1986), https://bpspubs.onlinelibrary.wiley.com/doi/epdf/10.1111/j.1365-2125.1986.tb05246.x.

The paraxanthine in Ultra is made by Ingenious Ingredients, L.P., and is branded as Enfinity®. *See* Ingenious Ingredients homepage, https://ing2.com/.

Ultra also refers to paraxanthine as its "secret ingredient." *See, e.g.,* Ultra partner Colin Reich, Facebook (Oct. 2, 2026), https://www.facebook.com/reel/1791892292010504.

[6] Ultra, FAQ page, https://takeultra.com/pages/faq.

[7] Neal L. Benowitz et al., *Sympathomimetic Effects of Paraxanthine and Caffeine in Humans*, 58 Clinical Pharmacology & Therapeutics 684, 684, 688 (1995), https://ascpt.onlinelibrary.wiley.com/doi/epdf/10.1016/0009-9236%2895%2990025-X (finding that paraxanthine, like caffeine, "significantly increased diastolic blood pressure, plasma epinephrine levels, and free fatty acids," and concluding that "[c]affeine and paraxanthine have similar sympathomimetic actions"); Lelo et al., *supra* note 5 ("The total plasma clearances of CA and PX were similar in magnitude (2.07 ± 0.96 and 2.20 ± 0.91 ml min^{-1} kg^{-1}, respectively)… The half-lives of CA and PX were similar in value (4.1 ± 1.3 and 3.1 ± 0.8 h, respectively) … the unbound plasma clearances of CA and PX were similar (3.11 ± 1.50 and 4.14 ± 1.85 ml min^{-1} kg^{-1}, respectively)… the unbound volume of distribution of PX (1.18 ± 0.37 l kg^{-1}) was similar to that of CA (1.06 ± 0.26 l kg^{-1}).").

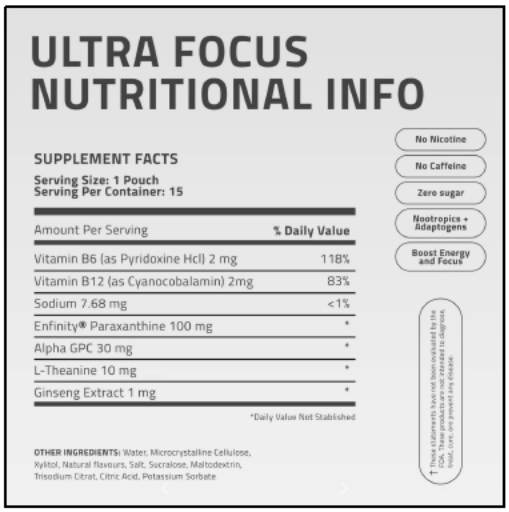
Although the Lelo study reported a mean half-life of 3.1 hours for paraxanthine and 4.1 hours for caffeine, the authors described the two half-lives as "similar in value" and reported no statistically significant difference between them. Marketing that touts paraxanthine's "shorter half-life" therefore rests on a difference that the authors of this study did not believe was meaningful. The study also found that the two compounds' rates of clearance from the bloodstream "were similar in magnitude," with no statistically significant difference.

[8] According to expert opinion and relevant scientific literature, the body converts approximately 70–80% of ingested caffeine into paraxanthine. Lelo et al., *supra* note 5, at 177 ("PX [paraxanthine] formation accounting for approximately 70% of CA [caffeine] metabolism"); Benowitz et al., *supra* note 7, at 684 ("Caffeine is metabolized extensively (on average 80%) to paraxanthine."). Each caffeine molecule converts to one paraxanthine molecule, but a caffeine molecule weighs about 7.8% more (194.19 g/mol vs. 180.16 g/mol). PubChem, *Caffeine*, https://pubchem.ncbi.nlm.nih.gov/compound/Caffeine; PubChem, *Paraxanthine*, https://pubchem.ncbi.nlm.nih.gov/compound/Paraxanthine. Thus, 100 mg of paraxanthine corresponds to about 108 mg of caffeine (100 × 194.19 ÷ 180.16), and because only 70–80% of caffeine becomes paraxanthine, producing 100 mg of paraxanthine requires approximately 135–154 mg of caffeine (108 ÷ 0.80 ≈ 135; 108 ÷ 0.70 ≈ 154).

[9] Ctrs. for Disease Control & Prevention, *The Buzz on Energy Drinks*, https://www.cdc.gov/school-nutrition/media/images/2024/09/The_Buzz_on_Energy_Drinks_infographic.png ("American Academy of Pediatrics recommends Adolescents aged 12-18 should not exceed 100 mg/day or an average cup of coffee"); Am. Acad. of Child & Adolescent Psychiatry, *Caffeine and Children*, Facts for Families No. 131, https://www.aacap.org/AACAP/Families_and_Youth/Facts_for_Families/FFF-Guide/Caffeine_and_Children-131.aspx ("There is no proven safe dose of caffeine for children. Product regulations are based on practices dating as far back as the 1940's. At this time, pediatricians advise against routine caffeine use for children under 12 and against any use of energy drinks for all children and teens. They also suggest limiting caffeine to at most 100 mg (about two 12 oz cans of cola) daily for those 12-18 years old."); Operation Supplement Safety, *Energy Drinks and Teens*, https://www.opss.org/article/energy-drinks-and-teens ("The American Academy of Pediatrics recommends that children and teens consume no more than 100 mg of caffeine per day (equal to about 2 cans of caffeine-containing soda or one 8 oz. cup of coffee) and avoid energy drinks altogether. They provide no nutritional benefit."); Columbia U. Irving Med. Ctr., *Caffeine and Kids* (Aug. 3, 2022), https://www.cuimc.columbia.edu/news/caffeine-and-kids#:~:text=How%20much%20caffeine ("Until a safe amount is determined, if it's impossible to avoid, people age 12 to 17 should have less than 100 mg of caffeine per day."); Jennifer Temple et al., *The Safety of Ingested Caffeine: A Comprehensive Review*, 8 Frontiers Psychiatry 80 (2017),

https://pmc.ncbi.nlm.nih.gov/articles/PMC5445139/ ("The threshold of caffeine toxicity appears to be … 100 mg/day in healthy adolescents (12–18 years old)").

[10] Ultra, Intro Offer page, https://takeultra.com/pages/intro-offer-2.



See also Ultra Focus Pouches, Amazon, https://www.amazon.com/Ultra-Pouches-Nicotine-Free-Caffeine-Free-Paraxanthine/dp/B0FSG4V4H8?th=1.

[11] Ultra, Energy Pouches page, https://takeultra.com/products/energy-pouches.

[12] Ultra, Sleep Pouches page, https://takeultra.com/products/sleep-pouches.

[13] *Ultra Focus Pouches*, Amazon, https://www.amazon.com/stores/ULTRA/page/0D63FBF5-E7E7-49F4-8414-E53A02A70EDA?lp_asin=B0FSG4V4H8&ref_=ast_bln&store_ref=bl_ast_dp_brandlogo_sto.

[14] *Ultra Focus Pouches,* TikTok Shop, https://shop.tiktok.com/us/pdp/ultra-focus-pouches-nootropics-6-clean-ingredients-sharp-focus-smooth-energy-nicotine-free-caffeine-/1732115320752410690.

[15] *Ultra Pouches*, Faire, https://www.faire.com/direct/ultrapouches.

[16] Freedman, *supra* note 2.

[17] *Id.*

[18] *Take Ultra,* SponsorRadar, https://sponsorradar.com/brands/take-ultra.

[19] Ultra, Affiliate Program page, https://takeultra.com/pages/affiliate.

[20] *Ultra Press Release, supra* note 1.

[21] *See* Elie Abdelnour et al., *ADHD Diagnostic Trends: Increased Recognition or Overdiagnosis?*, 119 Mo. Med. 467 (2022), https://pmc.ncbi.nlm.nih.gov/articles/PMC9616454/; Dan Bernardi, *What's Driving the Rise in ADHD Diagnosis Among Children and Adults?*,

Syracuse Univ. Coll. of Arts & Scis. (Sept. 30, 2024), https://artsandsciences.syracuse.edu/news-all/news-2024/whats-driving-the-rise-in-adhd-diagnosis-among-children-and-adults/; *General Prevalence of ADHD in Children*, CHADD, https://chadd.org/about-adhd/general-prevalence-children/.

[22] This marketing campaign is likely to have a disproportionate effect on teen boys given their propensity to use nicotine pouches and rates of ADHD diagnosis and prescriptions. *See* Leslie Cantu, *Young Males, Prior Cigarette or E-Cigarette Users Most Likely to Use Oral Nicotine Pouches, Hollings Researcher Finds*, MUSC Hollings Cancer Ctr. (May 12, 2025), https://hollingscancercenter.musc.edu/content-hub/News/2025/05/12/young-males-most-likely-to-use-oral-nicotine-pouches-hollings-researcher-finds ("Those most likely to use oral nicotine pouches were males in late adolescence or early adulthood."); Zara Abrams, *Use of Nicotine Pouches Increases Significantly Among U.S. Teens*, Keck Sch. of Med. of USC (Apr. 30, 2025), https://keck.usc.edu/news/use-of-nicotine-pouches-increases-significantly-among-u-s-teens/ (reporting that pouch use "nearly doubled among U.S. high school students between 2023 and 2024," and that male teens were more likely than their peers to use pouches; young "Zynfluencers" on social media "often link pouch use to confidence, masculinity and mental sharpness"); Am. Soc'y of Clinical Oncology, *What to Know About Nicotine Pouches and Cancer Risk*, Am. Cancer Soc'y (Oct. 16, 2025), https://www.cancer.org/cancer/latest-news/what-to-know-about-nicotine-pouches-and-cancer-risk.html ("[U]se of pouches is rising quickly among teens and young adults. According to the 2024 National Youth Tobacco Survey, nicotine pouches are the second most used tobacco product among high school students."); Lara Robinson et al., Health Res. & Servs. Admin., Maternal & Child Health Bureau, *Attention-Deficit/Hyperactivity Disorder (ADHD) Prevalence and Health Care Access, 2024* (July 2026), https://mchb.hrsa.gov/sites/default/files/mchb/data-research/ADHD-NSCH-Data-Brief.pdf (finding that "[a] higher percentage of boys than girls had a current ADHD diagnosis," including 17.5% of boys aged 12 to 17, compared with 12.0% of girls in that age group); Melissa L. Danielson et al., *ADHD Prevalence Among U.S. Children and Adolescents in 2022: Diagnosis, Severity, Co-Occurring Disorders, and Treatment*, 53 J. Clinical Child & Adolescent Psych. 343 (2024), https://pmc.ncbi.nlm.nih.gov/articles/PMC11334226/ (finding that 15.5% of adolescents aged 12 to 17, or about 4.0 million, had been diagnosed with ADHD, and that 53.6% of children aged 3 to 17 with current ADHD were taking ADHD medication); Melissa L. Danielson et al., *Trends in Stimulant Prescription Fills Among Commercially Insured Children and Adults — United States, 2016–2021*, 72 Morbidity & Mortality Wkly. Rep. 327 (2023), https://www.cdc.gov/mmwr/volumes/72/wr/mm7213a1.htm (finding that, among persons aged 5 to 64, males aged 10 to 14 had the highest prevalence of stimulant prescription fills of any age and sex group, followed by males aged 15 to 19).

[23] Ultra Pouches, *Guilt-free focus in a pouch*, YouTube (Oct. 20, 2025), https://www.youtube.com/watch?v=aq8fdsCMTqY.

[24] *Id.*

[25] *Ultra Pouches for Focus*, YouTube (July 19, 2026), https://www.youtube.com/watch?v=EQ3lO-pDZ3s.

[26] Ultra Pouches, *Locked in the healthy way*, YouTube (Feb. 23, 2026), https://www.youtube.com/shorts/xhVQoT3a81U.

[27] Ultra Pouches, *MIAMI VACATION MODE*, YouTube (Jan. 5, 2026), https://www.youtube.com/shorts/t20beYgmiF8.

[28] Ultra, Instagram Story Ad (linking to Ultra, Intro Offer page, https://takeultra.com/pages/intro-offer-2) (captured by TINA.org on Oct. 24, 2026).

[29] Ultra, Instagram Story Ad (linking to Ultra, Intro Offer page, https://takeultra.com/pages/intro-offer-2) (captured by TINA.org Oct. 31, 2026).

[30] "Focus Formula" Instagram Story Ad (captured by TINA.org Nov. 8, 2026). *See also* Meta Ad Library, https://www.facebook.com/ads/library/?active_status=active&ad_type=all&country=US&is_targeted_country=false&media_type=all&search_type=page&sort_data[mode]=total_impressions&sort_data[direction]=desc&view_all_page_id=1311145008758050; *Focus Formula*, Facebook profile page, https://www.facebook.com/people/Focus-Formula/61595424696549/#.

[31] Ultra (@ultrapouches), Instagram (Jan. 11, 2026), https://www.instagram.com/reels/DTYcG-ckaMS/.

[32] Google Sponsored Search Results (captured by TINA.org Oct. 14, 2026).

[33] Searches for "u16baseball" (a reference to under-16 youth baseball) and "legos" also led to YouTube videos that were preceded by Ultra pre-roll ads.

Of note, Google Ads allows advertisers to exclude ads from specific videos and channels. Google Ads Help, *About Content Suitability*, https://support.google.com/google-ads/answer/3306596; Google Ads Help, *About Content Exclusions for Video Campaigns*, https://support.google.com/google-ads/answer/7515513; Google Ads Help, *About Demographic Targeting*, https://support.google.com/google-ads/answer/2580383.

[34] Ultra, *ADHD Student Survival Guide* (YouTube pre-roll advertisement), *archived at* https://truthinadvertising.org/wp-content/uploads/2026/11/Ultra_YT_Preroll_ADHDStudentSurvivalGuide.mp4.

[35] The Sick Podcast – Talking Titans (@thesickpodcasttitans), Instagram (Oct. 20, 2025), https://www.instagram.com/p/DQCmO29kQSG/.

[36] Mitch (@mitchhod), TikTok (Aug. 27, 2026), https://www.tiktok.com/@mitchhod/video/7678790231327362317?_r=1&_t=ZP-9AQFcibsPVP.

[37] Justin Finds (@justinfinds_), TikTok (Sept. 4, 2026), https://www.tiktok.com/@justinfinds_/video/7681849739205233933?q=Ultra%20Pouches%20Varsity%20Sports&t=1791239203584.

[38] dan (@danielreynoldsx), TikTok (June 2, 2026), https://www.tiktok.com/@danielreynoldsx/video/7647007754493627678.

[39] *See* 21 C.F.R. § 101.93(g)(2). *See also, e.g.,* Warning Letter from FDA to TEK Naturals (Feb. 5, 2019), https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/tek-naturals-565026-02052019 ("Examples of some of the website claims that provide evidence that your products are intended for use as drugs include the following: … 'Adderall and similar drugs used to treat ADD and ADHD, are among the most abused drugs in the U.S. and abroad.… [T]he drugs can be highly addictive.… Mind Ignite™ is a

safe and highly effective alternative to Adderall.' … 'Ginkgo Biloba is known to … treat the symptoms of ADD and ADHD…' … 'The benefits of PS [Phosphatidylserine] … counteract the symptoms of ADHD' … 'It also has been known to alleviate symptoms of ADHD'").

[40] Ultra labels its pouches as dietary supplements, but they do not meet the statutory definition because a dietary supplement must be "intended for ingestion." 21 U.S.C. § 321(ff)(2)(A)(i). The FDA has repeatedly said that "products intended to enter the body through the skin or mucosal tissues are not dietary supplements." *See, e.g.,* Warning Letter from FDA to McDaniel Water LLC (Sept. 7, 2021), https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/mcdaniel-water-llc-616186-09072021 ("Only products that are intended solely for ingestion may be lawfully marketed as dietary supplements. See section 201(ff)(2)(A)(i) of the FD&C Act, 21 U.S.C. 321(ff)(2)(A)(i). Topical products and products intended to enter the body through the skin or mucosal tissues are not dietary supplements. Therefore, your [product] is not a dietary supplement."); Joint Warning Letter from FTC & FDA to Rooted Apothecary, LLC (Oct. 10, 2019), https://www.ftc.gov/system/files/attachments/press-releases/ftc-fda-warn-florida-company-marketing-cbd-products-about-claims-related-treating-autism-adhd/cbd_warning_letter_10-22-19.pdf ("Because sublingual products are intended to enter the body directly through the skin or mucosal tissues, they are not intended for ingestion. Therefore, your [...] products do not meet the definition of a dietary supplement under the FD&C Act for this additional reason."); *see also* PricePlow (@priceplow), *Are focus pouches even legal?*, TikTok (Dec. 19, 2025), https://www.tiktok.com/@priceplow/video/7585546042876235063.

Ultra's pouches are designed to work through the mucosal tissue of the mouth, not through ingestion. Not only does the product label tell consumers, "Do not swallow pouch," but Ultra's website states that its ingredients are *absorbed* in the mouth: "Effects typically begin within minutes of placement. . . . The tingle is normal and a sign the ingredients are activating. It typically fades within a few minutes of placement and means absorption is underway."; "Pop 1-2 pouches in your mouth. Let them find a comfortable spot, and your saliva will help release the ingredients." Ultra Focus Pouch packaging, https://truthinadvertising.org/wp-content/uploads/2026/11/Ultra-Focus-Pouch-packaging.pdf; Ultra homepage, https://takeultra.com/; Ultra FAQ page, https://takeultra.com/pages/faq. Ultra also promotes the product as an alternative to ingested forms: "No pills, no drinks . . . ." Ultra FAQ page, https://takeultra.com/pages/faq. Because Ultra pouches are not dietary supplements, any structure/function claims Ultra makes cannot rely on the dietary supplement exemption, making such marketing assertions drug claims pursuant to 21 U.S.C. § 321(g)(1)(C).

[41] *See, e.g.,* Warning Letter from FDA to Beach Weekend Management LLC dba Nic and Jet Fuel (Feb. 5, 2026), https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/beach-weekend-management-llc-dba-nic-and-jet-fuel-719715-02052026 ("Examples from your product labeling, including on your website, that provide evidence of the intended use (as defined in 21 CFR 201.128) of these products as drugs include, but may not be limited to, the following:… 'Sparks Focus + Clarity . . . cut through mental clutter . . . help you zone in on what matters.' … 'Boosts Dopamine . . . tap into your brain's dopamine system, enhancing motivation, drive, and satisfaction.' …'This is clean fuel. Think sharper focus, calmer nerves, and sustained drive — without the crash.' … 'Mental clarity without the jitters[,] Sustained energy without crashes[,] Laser-sharp focus for hours'…'triggers the release of dopamine, acetylcholine, norepinephrine, serotonin, and beta-endorphins. The result? Better focus, faster reaction time, improved memory, appetite suppression, and reduced anxiety.'"); Warning Letter from FDA to NV Nutrition, LLC (Dec. 1, 2021, https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-

letters/nv-nutrition-llc-617979-12012021 ("Some examples of claims observed on your websites and social media websites that established the intended use of your products as drugs include, but may not be limited to, the following: ... On the webpages titled, 'Focus' and 'Focus XL':'Nutriair Focus. . . full of nootropics, which may improve cognitive function.'"); Warning Letter from FDA to VitaCig, Inc. (Dec. 1, 2021), https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/vitacig-inc-617847-12012021 ("Examples of some of the claims observed on your website... that provide evidence that your products are intended for use as drugs include, but may not be limited to, the following: ...VitaCig® FOCUS . . . is an inhalable natural cognitive booster. . . . It has a stimulation effect, improves your concentration, helps support optimal cognition and acute focus, bringing clarity of mind."); Warning Letter from FDA to VitaStik, Inc. (Dec. 1, 2021), https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/vitastik-inc-617713-12012021 ("Your website ... also includes various "Category" tags such as ... 'Mental Clarity / Focus,'... that ... provide evidence of your products' intended uses."); Warning Letter from FDA to Peak Nootropics LLC aka Advanced Nootropics (Feb. 5, 2019), https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/peak-nootropics-llc-aka-advanced-nootropics-557887-02052019 ("Examples of some of the website claims that provide evidence your products are intended for use as drugs include the following: ... Enhances Alertness & Focus").

[42] Ultra, Intro Offer page, https://takeultra.com/pages/intro-offer-2; Ultra, Focus Pouches page, https://takeultra.com/products/focus-pouches-v2-1.

[43] Ultra Banner Ad (captured by TINA.org Oct. 18, 2026).

[44] *Ultra Store,* Amazon, https://www.amazon.com/stores/Ultra/page/0D63FBF5-E7E7-49F4-8414-E53A02A70EDA?lp_asin=B0FSG4V4H8&ref_=ast_bln&store_ref=bl_ast_dp_brandlogo_sto.

[45] Ultra, Meta advertisement (Oct. 9, 2026) (archived by TINA.org), https://truthinadvertising.org/wp-content/uploads/2026/11/Ultra_MetaAd_10_9_26-scaled.png; https://truthinadvertising.org/wp-content/uploads/2026/11/Ultra_MetaAd_10_9_26.mp4.

[46] Ultra, Meta advertisement (Aug. 6, 2026) (archived by TINA.org), https://truthinadvertising.org/wp-content/uploads/2026/11/Ultra_MetaAd_8_6_26_C.png.

[47] Ultra Pouches, *What you choose to put in your body is never a small decision. That's why people choose Ultra*, YouTube (Aug. 25, 2026), https://www.youtube.com/shorts/zPojmyVFo3o.

[48] Ultra Pouches (@ultrapouches), Instagram (Mar. 31, 2025), https://www.instagram.com/p/DH3-7CrxzJN/.

[49] Discipline Daily (@discipline.daily_1), TikTok (Feb. 14, 2026), https://www.tiktok.com/@discipline.daily_1/video/7606820651734748446?q=ultra%20pouches%20in%20school&t=1791927445342.

[50] Mari's Review Spot (@mari_review_spot), Instagram (Feb. 21, 2026), https://www.instagram.com/reel/DVCacwDCcsp/?psln=NjFkYTBsMzJrYWZu.

[51] Ultra partner Nate Diaz, Facebook (Dec. 27, 2025), https://www.facebook.com/nathandiaz209/videos/2107063923159793/. Nate Diaz has approximately 2.3 million followers on Facebook and 7.2 million on Instagram.

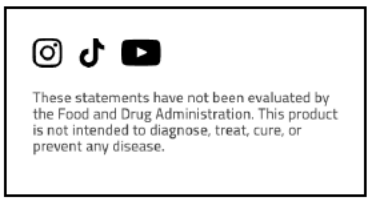
[52] Ultra Partner Dak Prescott, Facebook (Nov. 2, 2026), https://www.facebook.com/100044287186516/posts/1669524994533724/?mibextid=wwXIfr&rdid=kUKYzTBhk39au97o#.

[53] John Campea, *What To Expect From D23's Marvel, Star Wars, Pixar Presentation Tonight*, YouTube (Aug. 14, 2026), https://www.youtube.com/watch?v=ACvA1wl0mmI.

Ultra may also be promoting its pouches through undisclosed partnerships. For example, a Men's Journal Instagram Story (a screenshot of which is shown below) leads viewers to a Men's Journal article promoting Ultra but does not disclose any material connection. *See* M. Gilligan, *3 Reasons Health-Conscious Men Are Making the Switch to Ultra Pouches*, Men's J. (last updated Aug. 7, 2026), https://store.mensjournal.com/lander/ultra-pouches-healthier-switch/.



[54] Ultra, Homepage, https://takeultra.com/ (footer at bottom of webpage).



[55] Ultra also makes unsubstantiated and unapproved health claims with regard to its other products. For example, it claims its Sleep Pouches can reduce anxiety symptoms and cortisol levels. *See* Ultra, Sleep Pouches page, https://takeultra.com/products/sleep-pouches.

[56] Ultra, Focus Pouches page, https://takeultra.com/products/focus-pouches-v2-1 ("HOW MANY FOCUS POUCHES SHOULD I TAKE DAILY? We recommend taking between 3-4 Pouches per day, whenever you need an energy boost, have cognitively demanding work, or would like to achieve flow state. Most customers use ULTRA for clean early morning focus, midday slump alternative to coffee, and a clean alternative to pre-workout at the gym. Do not exceed 4 Pouches per day.")

This recommended limit is also disclosed in inconspicuous fine print on the back of containers for its Focus Pouches.

See also Children Should Avoid Drinks with Sugar, Caffeine, AAP News (Dec. 1, 2023), https://publications.aap.org/aapnews/news/27276/Children-should-avoid-drinks-with-sugar-caffeine?autologincheck=redirected.

[57] Ultra (@ultrapouches), TikTok (June 23, 2026), https://www.tiktok.com/@ultrapouches/video/7654658606008110350. *See also* Ultra (@ultrapouches), TikTok (Sept. 6, 2026), https://www.tiktok.com/@ultrapouches/video/7682573512078347534.

U.S. Food & Drug Admin., *Spilling the Beans: How Much Caffeine Is Too Much?*, https://www.fda.gov/consumers/consumer-updates/spilling-beans-how-much-caffeine-too-much ("The FDA estimates toxic effects, like seizures, can be observed with rapid consumption of around 1,200 milligrams of caffeine.").

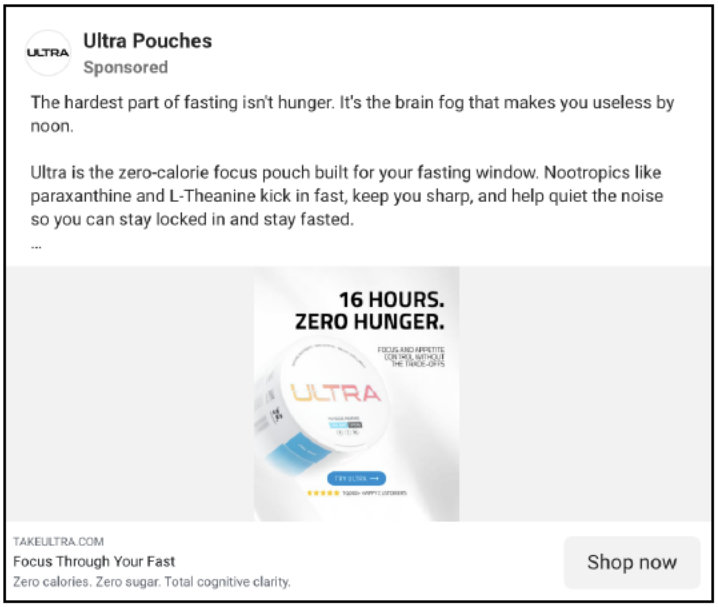
Of note, Ultra also pushes the Focus Pouches as appetite suppressants, claiming "proven appetite suppression" and weight-loss support. *See* Ultra, Focus Fasting page, https://takeultra.com/pages/focus-fasting-intro; Ultra Pouches, Facebook (Oct. 5, 2026), https://www.facebook.com/reel/1089000920400271; Ultra, Meta advertisement (Aug. 6, 2026) (archived by TINA.org), https://truthinadvertising.org/wp-content/uploads/2026/11/Ultra_MetaAd_8_6_26_B.png.



"FAST LONGER. FEEL BETTER. FORGET THE HUNGER.
Silence the hunger with the first clean energy pouch.
Support weight loss with proven appetite suppression that won't break your fast."



"Enhanced Willpower"



"The hardest part of fasting isn't hunger. It's the brain fog that makes you useless by noon. Ultra is the zero-calorie focus pouch built for your fasting window. ... 16 HOURS. ZERO HUNGER."

Because the peak age of onset for eating disorders is between 14 and 19, promoting an appetite suppressant to teens is alarming. *See* Beate Herpertz-Dahlmann, *Adolescent Eating Disorders: Update on Definitions, Symptomatology, Epidemiology, and Comorbidity*, 24 Child & Adolescent Psychiatric Clinics N. Am. 177, 177 (2015), https://www.sciencedirect.com/sdfe/pdf/download/eid/1-s2.0-S1056499314000893/first-page-pdf ("the peak age of onset occurs between 14 and 19 years."); José Francisco López-Gil et al., *Global Proportion of Disordered Eating in Children and Adolescents: A Systematic Review and Meta-analysis*, 177 JAMA Pediatrics 363 (2023), https://pmc.ncbi.nlm.nih.gov/articles/PMC9941974/ ("mid to late adolescence is a peak period of eating disorders and their symptoms … Adolescence represents a critical period for the onset of eating disorders.").

In addition, Ultra's marketing may introduce the pouch habit to young people who have never used pouches. The company itself has noted that "roughly 30% of buyers reported they had never used nicotine products." *Ultra Press Release*, *supra* note 1. And while Ultra claims its pouches are not addictive, it leans into addiction as a marketing tactic. In one Ultra YouTube Short, for example, someone pulls Ultra cans out of the oversized pockets of their shorts, explaining that the pockets hold enough Ultra cans to "feed [their] addiction." Ultra Pouches, ***Need the room***, YouTube (July 13, 2026), https://www.youtube.com/shorts/pcr-BrqfYEA.



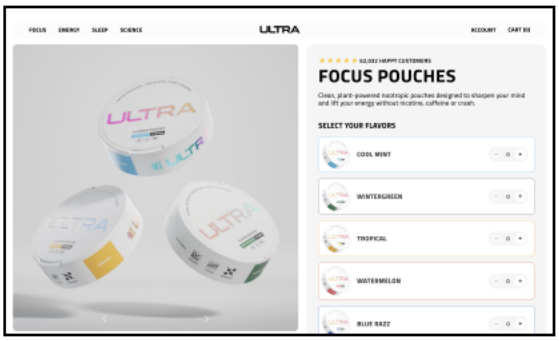
"Why are your pants so big?? to feed my addiction…"

This is especially troubling because people with ADHD, one of Ultra's target audiences, face a higher risk of substance use problems, including with nicotine. *See Childhood ADHD, Depression Increases Risk for Addiction*, Healio (Aug. 2, 2017), https://www.healio.com/news/psychiatry/20170802/childhood-adhd-depression-increases-risk-for-addiction; B. Bilgi et al., *Attention-Deficit/Hyperactivity Disorder and Nicotine Dependence in Adults*, 54 Archives Neuropsychiatry 322 (2017), https://pmc.ncbi.nlm.nih.gov/articles/PMC5758075/.

[58] Ultra Pouches, *Can't even chance running out of Ultras got my karma at the end tho…*, YouTube (Sept. 7, 2026), https://www.youtube.com/shorts/hjb3RXGhdU4.

The Focus Pouches are also marketed and packaged much like Ultra's Energy Pouches, which contain 180 mg of caffeine and which, according to Ultra's FAQs, are intended only for adults. Ultra, Energy Pouches, page, https://takeultra.com/products/energy-pouches (this warning is missing from the FAQs regarding the Focus Pouches). Both are advertised as providing an energy boost.

Ultra Focus Pouches



Ultra Energy Pouches



A single Energy Pouch contains nearly twice the daily caffeine limit recommended for teens, and Ultra's FAQs state the company does "not recommend exceeding 2 pouches per day" or 360 mg, "per FDA guidelines." *Id.* Ultra's Energy canister looks remarkably similar to its Focus canister, raising the risk that consumers, including minors, confuse the products.

Certain high schools do not allow access to Ultra's website while on their premises as the pouches are categorized as "drugs."



"Oops, takeultra.com is not available because it is categorized as Drugs."

[59] Ultra Pouches, *4-5 Ultra pouches everyday for over a year and no gum recession in sight*, YouTube (Aug. 22, 2026), https://www.youtube.com/shorts/VyaptYbVqsE.

[60] Nicola Cantini (@cantininicola), TikTok (Feb. 17, 2026), https://www.tiktok.com/@cantininicola/video/7607916849266724117?_r=1&_t=ZP-9BLPlgdhUy7.

[61] Ultra Pouches, *Start your morning right*, YouTube (Mar. 25, 2026), https://www.youtube.com/shorts/RdQX0XQ6-WI; Ultra Pouches, *Best of Both Worlds*, YouTube (Apr. 23, 2026), https://www.youtube.com/shorts/QDXTdGp41vs; Ultra Pouches, *Unlocking 25th Hour of the day*, YouTube (Feb. 2, 2026), https://www.youtube.com/shorts/uvChMT8AEFY; Ultra Pouches (@ultrapouches), Instagram (Jan. 11, 2026), https://www.instagram.com/reels/DTYcG-ckaMS/; Ultra, Meta advertisement (Oct. 9, 2026) (archived by TINA.org), https://truthinadvertising.org/wp-content/uploads/2026/11/Ultra_MetaAd_10_9_26-scaled.png, https://truthinadvertising.org/wp-content/uploads/2026/11/Ultra_MetaAd_10_9_26.mp4; Justin Finds (@justinfinds_), TikTok (Sept. 4, 2026), https://www.tiktok.com/@justinfinds_/video/7681849739205233933.

[62] Nicola Cantini (@cantininicola), TikTok (Oct. 16, 2025), https://www.tiktok.com/@cantininicola/video/7561887450101058824?_r=1&_t=ZP-9BLOfOX0CEx ("This is me and my brother's startup, Ultra Pouches. A way that we could put it is, like, if Zyn and Adderall had a baby – but it's all natural, it's not 18+. There's no caffeine in it. There's no nicotine in it. There's nootropics in it…")

[63] Ultra Pouches (@ultrapouches), Instagram (Sept. 5, 2025), https://www.instagram.com/reel/DOOzI8TADv0/.

[64] Cruzz (@dealsconcruz), TikTok (Apr. 13, 2026), https://www.tiktok.com/@dealsconcruz/video/7628364339287821581?q=Ultra%20Pouches%20age%20requirement&t=1791324659281.

[65] cronch (@cronch), TikTok (Oct. 3, 2026), https://www.tiktok.com/@cronch/video/7692439931091750175.

[66] Braden (@dealsbybraden), TikTok (Aug. 17, 2026), https://www.tiktok.com/@dealsbybraden/video/7674998430430792973.

[67] Better Alternatives (@betteralternatives), TikTok (Feb. 5, 2026), https://www.tiktok.com/@betteralternatives/video/7603540877218270495.

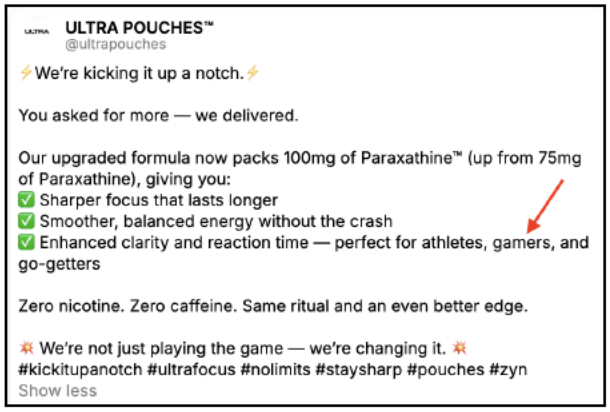
[68] Bryce Enders, Facebook (Nov. 2, 2026), https://www.facebook.com/reel/1599012725358815.

[69] Grubatt (@grubatt), TikTok (Feb. 28, 2026), https://www.tiktok.com/@grubatt/video/7611784571180436767.

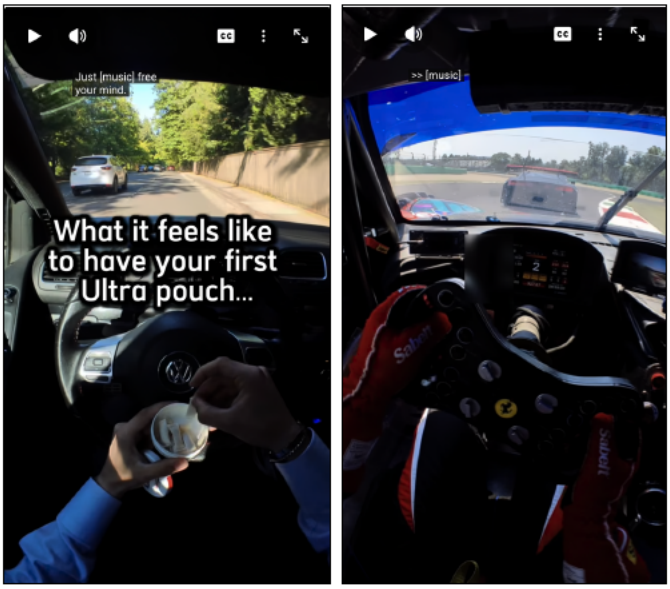
[70] Anderson Indep. Youth Soccer Ass'n, ***Home***, https://www.aiysa.net/.

[71] Destany Wilson (@desmarie_27), Instagram (Sept. 13, 2026), https://www.instagram.com/p/DdPQDg9INX7/?stkn=YmpjdXoyZ2w5cmNj (Child's face redacted by TINA.org).

[72] Ultra also promotes its pouches as "perfect" for gamers, which is significant as the overwhelming majority – 85% – of U.S. teens play video games, and 41% do so daily; among teen boys, those figures rise to 97% and 61%. ***See*** Ultra, ***Link.me***, https://link.me/ultrapouches; Jeffrey Gottfried & Olivia Sidoti, ***Teens and Video Games Today***, Pew Rsch. Ctr. (May 9, 2024), https://www.pewresearch.org/internet/2024/05/09/teens-and-video-games-today/.



In one YouTube short, Ultra uses a video game simulation to depict "[w]hat it feels like to have your first Ultra pouch." Ultra Pouches, ***WARNING: Performed by an extremely locked in professional. Do NOT try this at home***, YouTube (Aug. 20, 2026), https://www.youtube.com/shorts/SY9ssneL-DA. The video opens on a person driving an ordinary car; after the driver takes an Ultra Pouch, the scene transforms into what looks like a racing video game, with the driver now behind the wheel of a Ferrari race car.



[73] Ryguyrocky (@ryguyrocky), YouTube, https://www.youtube.com/@ryguyrocky.

[74] *What Parents Need to Know About Minecraft*, ESRB, https://www.esrb.org/blog/what-parents-need-to-know-about-minecraft/; *see also* Ofcom, *Children's Media Literacy Report 2024*, https://www.ofcom.org.uk/siteassets/resources/documents/research-and-data/media-literacy-research/children/children-media-use-and-attitudes-2024/childrens-media-literacy-report-2024.pdf?v=368229.

[75] Ryguyrocky, *I Survived 100 Days in a ZOMBIE CITY in Minecraft!*, YouTube (Sept. 27, 2026), https://www.youtube.com/watch?v=6pZxlj40UvE; Ryguyrocky (@ryguyrocky), YouTube, https://www.youtube.com/@ryguyrocky.

World Anti-Doping Agency, *Prohibited List*, https://www.wada-ama.org/en/prohibited-list (caffeine is not a prohibited substance).

[76] Dignify2K (@Dignify2K), YouTube, https://www.youtube.com/@Dignify2K; *NBA 2K26*, ESRB, https://www.esrb.org/ratings/40735/nba-2k26/; *NBA 2K27*, ESRB, https://www.esrb.org/ratings/41460/nba-2k27/.

[77] Dignify2K, *RANDOM REC, BUT with the BEST BUILDS in EACH POSITION (NBA 2K26)*, YouTube (Aug. 1, 2026), https://www.youtube.com/watch?v=jbx5xTwyIxU.

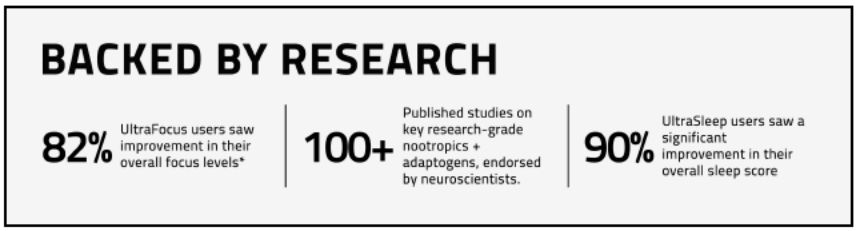
[78] *See supra* notes 39–41.

[79] 15 U.S.C. § 45; 21 U.S.C. §§ 331(d), 355(a).

[80] Ultra, Science page, https://takeultra.com/pages/science.

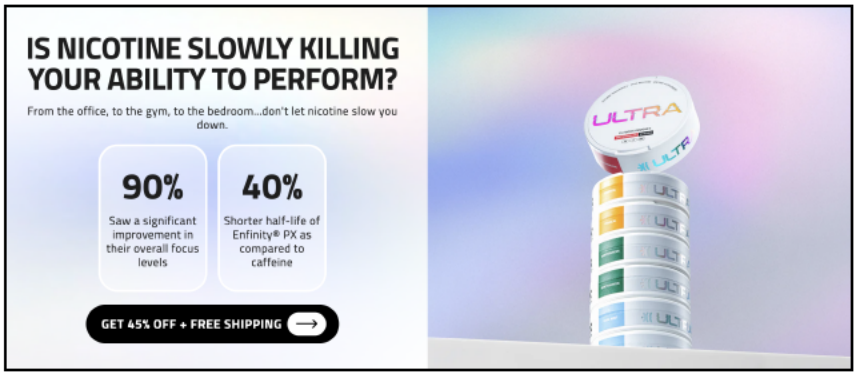
[81] *Id.;* Ultra, Science page (archived Aug. 5, 2026), https://web.archive.org/web/20260805090725/https://takeultra.com/pages/science.

[82] Ultra, Science page, https://takeultra.com/pages/science.



Ultra Science page captured Nov. 6, 2026

[83] Ultra, Intro Offer (Watermelon) page, https://takeultra.com/pages/intro-offer-watermelon?srsltid=AYCX9vJ3-_d-I125h7UX5nI7DtvLW9an73gjeZk7hx_pyPIcaGc0CjIP. *See also, e.g.,* Ultra, Intro Offer page, https://takeultra.com/pages/intro-offer-2.



[84] *Id.*

[85] Fed. Trade Comm'n, *Health Products Compliance Guidance* (Dec. 2022), https://www.ftc.gov/business-guidance/resources/health-products-compliance-guidance ("Anecdotal evidence about the individual experiences of consumers, including surveys of consumer experiences, are never sufficient to substantiate claims about the effects of a health product. Even if consumer experiences are genuine, they may be attributable to a placebo effect or other factors unrelated to the product. For the same reason, a healthcare practitioner's observation about the effect of a health product on patients is anecdotal and doesn't provide evidence of a causal relationship. Individual experiences aren't a substitute for scientific research."). *See also POM Wonderful, LLC v. FTC, 777 F.3d 478* (D.C. Cir. 2015), https://media.cadc.uscourts.gov/opinions/docs/2015/01/13-1060-1535012.pdf.

[86] Ultra, Science page. https://takeultra.com/pages/science.

[87] *Compare* Ultra, Science page, https://takeultra.com/pages/science, *with* Ultra Intro Offer (Watermelon) page, https://takeultra.com/pages/intro-offer-watermelon?srsltid=AYCX9vJ3-_d-I125h7UX5nI7DtvLW9an73gjeZk7hx_pyPIcaGc0CjIP.

[88] *See* K.N. Gross et al., *A Dose-Response Study to Examine Paraxanthine's Impact on Energy Expenditure, Hunger, Appetite, and Lipolysis*, J. Dietary Supplements (2024), https://doi.org/10.1080/19390211.2024.2351222 (study sponsored by paraxanthine manufacturer Ingenious Ingredients, L.P., that measured energy expenditure, hunger, and fat metabolism rather than cognition, focus, or attention, in only 21 adults given paraxanthine alone in swallowed capsules); Martin Purpura et al., *An Assessment of Mutagenicity, Genotoxicity, Acute-, Subacute*

and Subchronic Oral Toxicity of Paraxanthine (1,7-Dimethylxanthine), 158 Food & Chem. Toxicology 112579 (2021), https://pubmed.ncbi.nlm.nih.gov/34597720/ (toxicology study performed on rats by researchers affiliated with Ingenious Ingredients, measured no cognitive outcomes); S.K. Szlapinski et al., *Paraxanthine Safety and Comparison to Caffeine*, 5 Frontiers Toxicology 1117729 (2023), https://pmc.ncbi.nlm.nih.gov/articles/PMC9932512/ (safety study conducted in bacteria, mouse cells, and rats that tested paraxanthine alone, measured no cognitive outcomes, and acknowledged that "human toxicity studies on paraxanthine are scarce"); Dante Xing et al., *Dose-Response of Paraxanthine on Cognitive Function: A Double Blind, Placebo Controlled, Crossover Trial*, 13 Nutrients 4478 (2021), https://pmc.ncbi.nlm.nih.gov/articles/PMC8708375/ (study funded by Ingenious Ingredients, with three authors who are company principals, that tested swallowed capsules of paraxanthine alone in only 12 healthy young adults who had no known cognitive deficit condition, and acknowledged it was "limited by the sample size, tests performed, and assessment of healthy younger adults"); Choongsung Yoo et al., *Acute Paraxanthine Ingestion Improves Cognition and Short-Term Memory and Helps Sustain Attention in a Double-Blind, Placebo-Controlled, Crossover Trial*, 13 Nutrients 3980 (2021), https://pubmed.ncbi.nlm.nih.gov/34836235/ (study funded by Ingenious Ingredients and co-authored by its principals that tested a single 200 mg swallowed capsule of paraxanthine alone in only 13 healthy adults free from known cognitive deficit conditions); Choongsung Yoo et al., *Paraxanthine Provides Greater Improvement in Cognitive Function than Caffeine After Performing a 10-km Run*, 21 J. Int'l Soc'y Sports Nutrition 2352779 (2024), https://pubmed.ncbi.nlm.nih.gov/38725238 (study funded by Ingenious Ingredients that gave a single swallowed dose of paraxanthine to only 12 trained runners, and measured cognition after a 10-km run at a competition pace).

[89] *See Health Products Compliance Guidance*, *supra* note 85; U.S. Food & Drug Admin., *Guidance for Industry: Substantiation for Dietary Supplement Claims Made Under Section 403(r)(6) of the Federal Food, Drug, and Cosmetic Act* (Dec. 2008), https://www.fda.gov/regulatory-information/search-fda-guidance-documents/guidance-industry-substantiation-dietary-supplement-claims-made-under-section-403r-6-federal-food.

[90] *See, e.g.,* Ultra Pouches, *Ultra is the tool you can actually trust. Just the ritual you love made the right way… SAFE*, YouTube (Sept. 28, 2026), https://www.youtube.com/shorts/3Walx6TImLo.



Cantini: *"While building Ultra, there was one thing I promised me and my brother we wouldn't compromise, and it's safety. I'll tell you why. This format right here, pouches in general, have only been used unsafely. Can't say who's been using them, we're not allowed to do that anymore, but there's one thing I can say. At Ultra, we made it crucial – safe. My mom takes it, my dad takes it. I built it with my brother. We tried all the original samples ourselves. We took them from the best possible suppliers out there. So yes, it's going to be a little bit more expensive than the competition that's filled up with literal poison, guys. If you want to unlock that next level – everyone does, everyone has it, you're competing against yourself – use this tool to make yourself better. The same format, same ritual you love, but it's safe. 'Cause safety matters to us at Ultra."*

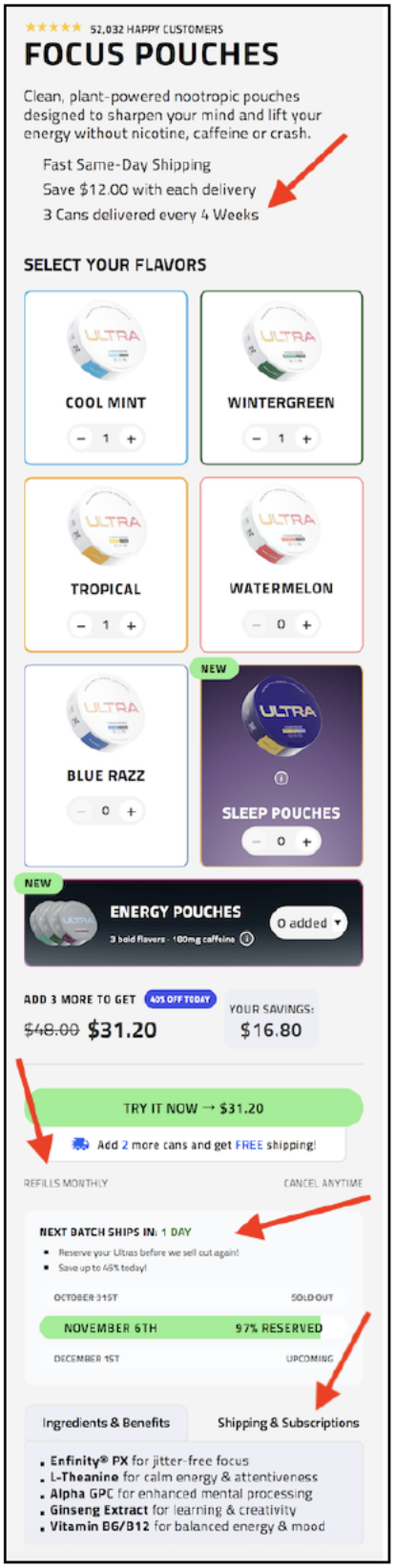
[91] Ultra, Science page, https://takeultra.com/pages/science.

[92] Ultra also lends some ads an air of medical authority with a "Clinicians' Choice" badge, "Verified by frontrowMD," stating that "Thousands of clinicians shared this with their patients without compensation," as the screenshots taken of a Focus Formula Instagram Story ad show. *See* Ultra, Facebook Advertisement Featuring Dak Prescott (Nov. 2, 2026), https://truthinadvertising.org/wp-content/uploads/2026/11/Ultra_FB_DakPrescott_11_2_26.png (screenshot archived by Truth in Advertising).

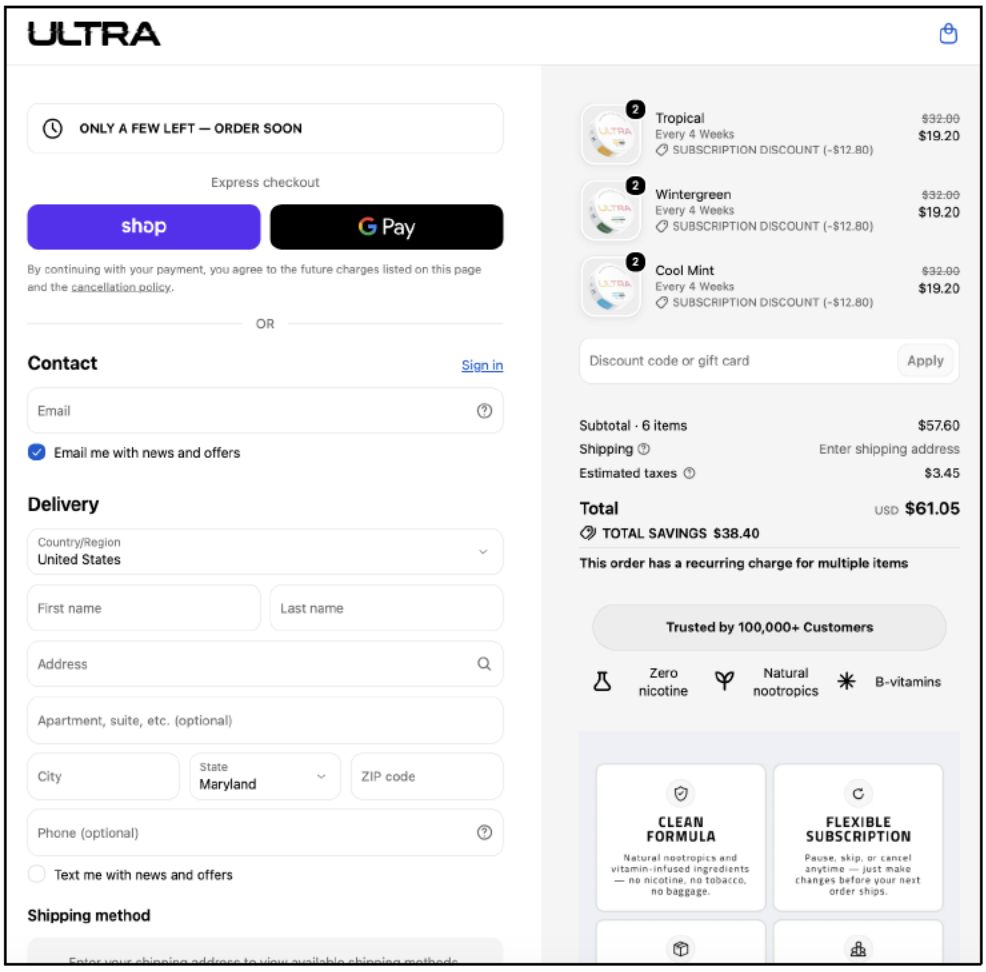


But FrontrowMD is a marketing company whose badges reflect how many clinicians in its network have shared a product on their personal discount pages – a figure that is not evidence of the product's efficacy. *See* FrontrowMD, ***Home***, https://www.frontrowmd.com/; FrontrowMD, *Clinicians' Choice*, https://www.frontrowmd.com/clinicians-choice.

[93] Mobile view:

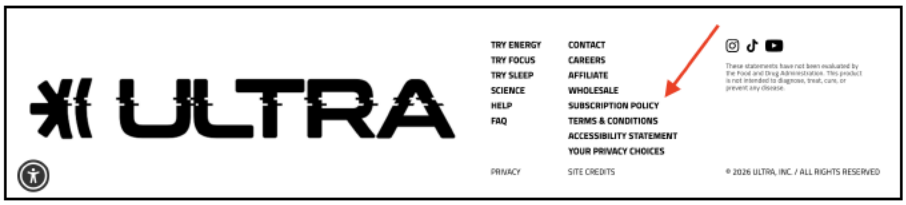

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Clean, plant-powered nootropic pouches designed to sharpen your mind and lift your energy without nicotine, caffeine or crash.
Fast Same-Day Shipping
Save $12.00 with each delivery
3 Cans delivered every 4 Weeks
SELECT YOUR FLAVORS
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WATERMELON
BLUE RAZZ
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ENERGY POUCHES
3 bold flavors · 100mg caffeine
0 added
ADD 3 MORE TO GET 40% OFF TODAY
$48.00 $31.20
YOUR SAVINGS:
$16.80
TRY IT NOW → $31.20
Add 2 more cans and get FREE shipping!
REFILLS MONTHLY
CANCEL ANYTIME
NEXT BATCH SHIPS IN: 1 DAY
Reserve your Ultras before we sell out again!
Save up to 45% today!
OCTOBER 31ST
SOLD OUT
NOVEMBER 6TH
97% RESERVED
DECEMBER 1ST
UPCOMING
Ingredients & Benefits
Shipping & Subscriptions
Enfinity® PX for jitter-free focus
L-Theanine for calm energy & attentiveness
Alpha GPC for enhanced mental processing
Ginseng Extract for learning & creativity
Vitamin B6/B12 for balanced energy & mood

[94] On a desktop, the limited information that is behind "Order summary" on a mobile device appears to the right side of the prompts for payment information.

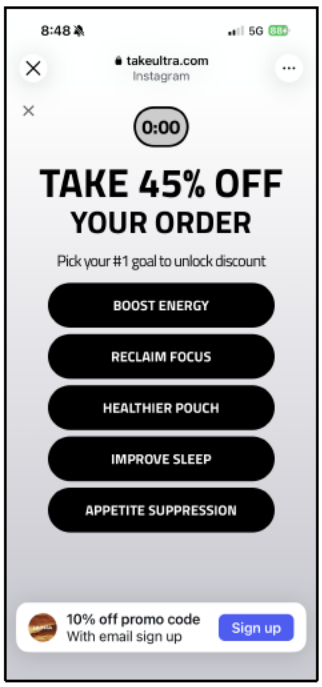


[95] Ultra, Subscription Policy page, https://takeultra.com/pages/subscription-policy.

[96] Desktop view:



[97] Captured by TINA.org Oct. 13, 2026.



Captured by TINA.org Oct. 24, 2026.

[98] Ultra, Focus Pouches page, https://takeultra.com/products/focus-pouches-v2-1.

[99] Ultra, Checkout, Payment page, https://shop.app/checkout/67601203378/cn/hWNG2IDnm1i3Z4T3vO7mp7zO/en-us/shoppay?_mcs=3.AMPS&_r=AQABMHcwcxpDr8mayQ7GmFBoxUQFoOfXOG_2HbBdqbY5OxdpSKMR&redirect_source=checkout_automatic_redirect&tracking_unique=12b8ca7f-2164-4068-805d-469ef3b1c78d&tracking_visit=a82411bd-9e05-4d31-867f-171d6fda90f5&_cs=3S.AMP.

[100] *Ultra Pouches: Customer Reviews*, Better Bus. Bureau, https://www.bbb.org/us/ny/brooklyn/profile/online-retailer/ultra-pouches-0121-87183753/customer-reviews; *Take Ultra Reviews*, Trustpilot, https://www.trustpilot.com/review/takeultra.com.

All typographical errors were in the original consumer complaints.

[101] Consumer Review, Trustpilot (Sept. 21, 2026), https://www.trustpilot.com/reviews/6ab1cfe4e6fcd798ae42d4b5.

[102] Consumer Review, Trustpilot (July 8, 2026), https://www.trustpilot.com/reviews/6a4e7e4303b316c6b0fc9075.

[103] Consumer Review, Trustpilot (Oct. 2, 2026), https://www.trustpilot.com/reviews/6abfbd619262a2a0fe760f7a.

[104] Restore Online Shoppers' Confidence Act, 15 U.S.C. § 8403; 15 U.S.C. § 45.