



September 8, 2015

VIA EMAIL AND OVERNIGHT MAIL

Michael Beaman, Chief Executive Officer
Mark Underwood, President
Quincy Bioscience LLC
301 S. Westfield Rd., Suite 200
Madison, WI 53717



Re: Deceptive Marketing for Prevagen

Dear Mr. Beaman and Mr. Underwood:

I am writing to you on behalf of Truth in Advertising, Inc. (“TINA.org”), a nonprofit consumer advocacy organization dedicated to protecting consumers from deceptive advertising. We have found that your company, Quincy Bioscience LLC, has been engaged in a deceptive marketing campaign for the supplement Prevagen, which is aimed at people who are experiencing memory loss. Specifically, we have found that Quincy Bioscience claims Prevagen is clinically proven to improve memory when, in fact, there is no competent or reliable scientific evidence to support such a claim.

As you may know, in order to adequately substantiate health and treatment claims, a study must be “conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the profession to yield accurate and reliable results.”¹ None of the three studies cited on Prevagen’s website meets this standard.²

Some of the deficiencies of these studies include:

- **Bias.** All three studies were conducted by Quincy Bioscience, the very entity that controls the marketing of Prevagen and makes a profit from its sale.
- **Publication.** None of the studies were published in peer-reviewed scientific journals. In fact, there is no study testing the effect of apoaequorin on memory in any peer-reviewed scientific literature.

- **Control.** Neither 2009 study was conducted with a control, which precludes one from drawing any conclusions about cause and effect.
- **Findings.** The 2011 study – the only one of the three that was double-blinded and placebo-controlled – exaggerates the significance of the findings by highlighting the change over time just within the participants who received the synthetic apoaequorin without comparison to the participants who received the placebo. Such a comparison is scientifically meaningless. Further, the study did not find a significant difference between the two groups with regard to cognitive function.
- **Sampling.** Both 2009 studies were based on a small group of participants’ (56 and 55, respectively) self-reported responses to just three questions. In short, these two studies amount to nothing more than anecdotal information.
- **Relevance.** One of the 2009 studies – *Impact of PrevaGen on Sleep Quality* – did not examine memory, but rather the supplement’s impact on participants’ amount of sleep, the amount of times they wake up at night, and the quality of their sleep. Thus, its findings are irrelevant to Quincy’s claims regarding PrevaGen’s effect on memory.

Moreover, TINA.org has consulted with an expert in nutrition and supplements at Columbia University Medical Center who opined, among other things, that Quincy Bioscience’s studies do not support the marketing claims it is making with regard to PrevaGen.

Based on this information, we intend to notify the Federal Trade Commission that Quincy Bioscience LLC is deceptively marketing PrevaGen, unless, by **September 16, 2015**, you show us that you have fully corrected the issues described above across all of Quincy Bioscience’s marketing materials and that you have made every effort to alert your PrevaGen customers of these issues.

Sincerely,



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

¹ Federal Trade Commission – Dietary Supplements: An Advertising Guide for Industry, available at <https://www.ftc.gov/tips-advice/business-center/guidance/dietary-supplements-advertising-guide-industry>; Federal Trade Commission – Advertising Substantiation Principles, available at <https://www.ftc.gov/sites/default/files/attachments/training-materials/substantiation.pdf>.

² The three studies cited by Quincy Bioscience as support for its health claims are: (1) *The Effects of the Calcium Binding Protein Apoaequorin on Memory and Cognitive Functioning in Older Adults*, Mark Y. Underwood, et al., 2011; (2) *Impact of Prevagen on Memory*, Prevagen Quality of Life Study, 2009; and (3) *Impact of Prevagen on Sleep Quality*, Prevagen Quality of Life Study, 2009. See <https://www.prevagen.com/research/>.