



Mary K. Engle
Associate Director

United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

September 9, 2019

VIA FEDERAL EXPRESS

Brett Benning, CEO
Ocanna Co.
1002 E. University Dr. Ste. 101
Phoenix, AZ 85034

Dear Mr. Benning:

The Federal Trade Commission (“FTC”) is an independent federal agency whose mission is to maintain a competitive marketplace for the benefit of both businesses and consumers. The FTC seeks to protect consumers by enforcing laws and rules that promote truth in advertising and fair business practices, and by educating consumers and businesses about their rights and responsibilities. We are writing to express concern that you may be making false or unsubstantiated advertising claims about the health benefits of products containing cannabidiol (CBD), a chemical compound derived from the cannabis plant.

Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52, prohibit unfair or deceptive advertising. Specifically, it is unlawful to advertise that a product can prevent, treat, or cure human disease unless the advertiser possesses competent and reliable scientific evidence, including, when appropriate, well-controlled human clinical studies substantiating that the claims are true at the time they are made. This substantiation requirement applies whether the advertiser disseminates such health claims directly via traditional advertising or indirectly via the use of a product name, website name, or metatags. This requirement also extends to consumer endorsements. It’s not enough that an endorsement represents the consumer’s honest opinion or experience. Reasonable consumers may interpret an endorsement claiming a health benefit from the use of a product as representing that the product is likely to be effective in achieving that benefit. Under FTC law, an advertiser must possess and rely on competent and reliable scientific evidence to support health claims, both express and implied, made through the use of endorsements.

FTC staff has reviewed your website, www.ocannacbd.com, for potential violations of the FTC Act. We are concerned that one or more of the health benefit claims excerpted below may not be substantiated by competent and reliable scientific evidence.

Excerpts from www.ocannacbd.com/product/gummies

OCANNA CBD GUMMIES

Delicious and highly effective, our CBD infused gummies...

BENEFITS

- Fights inflammation – the root cause of most major degenerative diseases, including arthritis, heart disease, fibromyalgia, cancer, asthma, and a wide spectrum of autoimmune disorders. May also aid with... epileptic seizures and anxiety disorders.

* * *

Related products

Cream

Ocanna's organic CBD Cream is formulated with... CBD extract that reduces inflammation, providing... arthritis pain relief...

* * *

Oil

Ocanna CBD Oil is a natural dietary supplement that may be effective in the fight against... depression, PTSD, ... and epilepsy, in addition to a broad spectrum of inflammatory diseases including heart disease, arthritis, fibromyalgia, [and] asthma....

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Excerpts from www.ocannacbd.com/cbd-hope-for-digestive-distress

CBD – Hope for Digestive Distress

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The study of CBD's (cannabinoids) and their potential curative affects [sic] on gut health and the issues directly relating to it, should be considered one of the more exciting aspects of this amazing curative. For anyone suffering with the activity-limiting issues of digestive distress, be it Crohns, IBS, ulcers, GERD, Leaky Gut and more, the potential to ease or alleviate their symptoms goes well beyond heartening.... [C]hronic digestive ailments such as Crohns disease have been experimentally treated with promising results using CBD. Crohns disease is the result of ulcers and lacerations within the stomach and small intestines that remain untreated for a prolonged duration. The soothing anti-inflammatory properties of CBD are invaluable for such disorders.

Excerpts from www.ocannacbd.com/cbd-a-potent-therapy-for-fibromyalgia

CBD – A Potent Therapy For Fibromyalgia

* * *

[U]sing a plant-based product like CBD oils and cream to reduce both fibromyalgia pain and inflammation... can be an excellent alternative.

* * *

Excerpts from www.ocannacbd.com/promising-affects-of-cbd-on-arthritis-pain

Promising Affects [sic] of CBD on Arthritis Pain

* * *

CBD- A Potent Therapy For Arthritis

CBD is best known for its analgesic properties (pain relief), anti-inflammatory abilities (reducing swelling and the localized burning sensation), along with antibacterial properties. This makes it very effective in mitigating the most common symptoms of arthritis.

CBD products can ease or eliminate arthritic symptoms....

* * *

For those suffering from the excruciating pain of arthritis, CBD is a precious, plant-based gift.

In 2008, a review related to research on CBD and its ability to manage pain foretold the possibility of CBD becoming a potent formulation in the near future. With every new study and report, we see more scientific evidence surfacing that shows how and why CBD is effective in treating arthritis

Excerpts from www.ocannacbd.com/testimonials-supporting-cbd-and-wellness

I have good news. It DOES work

Just wanted to give a review update on my newfound journey with Ocanna CBD. I think it's been a good 2 weeks or so that I've been on this CBD oil, and I have some good news. It DOES work. I utilize this amazing oil for my panic/anxiety attacks. I woke up yesterday and realized I hadn't had any in a little while, then stopped and attributed it to this bottle of goodness. If CBD can help so many people to either get off of meds or lessen the use of them, let's utilize it more. It

has piqued my curiosity so much so that I will be trying out the Chews maybe next month. Thanks Team Ocanna!

–Shan Apr 12, 2018

My patients with Autism

Yes!!! I am recommending it after trying it myself to my patients with Autism. The topical is my favorite because can put on the bottoms of their feet or up their backs and can start with just a small amount to be sure they tolerate it well. Then can go up. Once they have used the topical, then go to the oil. We are starting slowly with 1-2 drops then working up. Have 2 kids on it, both are 4 years old and so far so good! Parents are happy they are sleeping through the night!

– Windy Jun 19, 2018

Osteoarthritis

I'm a retired Marine, after spending 20 years in uniform, romping and stomping all over the globe. Unfortunately, it left me with osteoarthritis in all of my main joints. I was maxing out my pain meds and didn't want to have to get doped up with strong narcotics, so I needed to do something. After taking CBD oil for 2 weeks I noticed a difference and after 2 months I've been able to cut my pain meds in half. As I continue to adjust the dosage of CBD, I'm hoping to cut back further on the pain meds or get off them completely.

– Michael Nov 05, 2018

Arthritis Relief At Last!

Severe arthritis pain is an unwelcome companion in my life. Both hands and feet are so bad with rheumatoid arthritis that I've got fused joints in both. It's the bone-on-bone pain in my right hip and knee that really slowed me down though. I could hardly go anywhere because moving hurt so much. And at night – there was no quality sleep because of excruciating pain. Nothing seemed to cut the pain or give me any real relief.

Then my daughter sent me Ocanna 300mg CBD cream hoping it might work. I was amazed at what a difference it made. In just a few days, I was able to walk throughout two stores alongside my husband, and never had to stop or slow down. Better yet, I'm sleeping without fighting constant pain, even when I accidentally roll onto my right side.

I admit to hesitating about using a cannabis-based product (that's just how my generation views this stuff), but now that I've experienced how effective it really is, I'll never hesitate again. I'm an 85-year old believer in the power of Ocanna and their CBD cream!

– Barbara March 18, 2019

Brett Benning, CEO
Ocanna Co.
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We strongly urge you to review all claims for your products, including consumer testimonials, and ensure that those claims are supported by competent and reliable scientific evidence. Violations of the FTC Act may result in legal action seeking a federal district court injunction or an administrative cease and desist order. An order also may require that you refund money to consumers.

With regard to the advertising claims discussed above, please notify staff attorney Keith Fentonmiller via electronic mail at kfentonmiller@ftc.gov within fifteen (15) working days of receipt of this letter, of the specific actions you have taken to address FTC staff's concerns. If you have any questions regarding compliance with the FTC Act, please contact Mr. Fentonmiller at 202-326-2775.

Very truly yours,

A handwritten signature in blue ink that reads "Mary K. Engle". The signature is written in a cursive, flowing style.

Mary K. Engle
Associate Director
Division of Advertising Practices