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# Case #106-2023: Monitoring Inquiry – Magneceutical Health, LLC

## BBB NATIONAL PROGRAMS

The Direct Selling Self-Regulatory Council

Case Number 106-2023: Monitoring Inquiry – Magneceutical Health, LLC

## Company Description

Magneceutical Health, LLC (“Magneceutical Health” or the “Company”) is a company headquartered in Clearwater, FL that markets a medical device called the Magnesphere, which is a magnetic resonance therapy system designed to help reduce the symptoms associated with chronic stress.

## Basis of Inquiry

The Direct Selling Self-Regulatory Council (“DSSRC”) is a national advertising self-regulation program administered by BBB National Programs. This inquiry was commenced by DSSRC pursuant to its ongoing independent monitoring of advertising and marketing claims in the direct selling industry.

### *Product Performance Claims*

The representative product performance claims that formed the basis of this inquiry were disseminated on YouTube and Facebook. Those claims are set forth below:

- “Are you struggling with pain, anxiety, depression, stress, sleep problems, symptoms of MS, symptoms of Parkinson’s, gut issues or migraines? Then this is something you’re gonna want to try. The Magnesphere is a gentle treatment that uses electromagnetic fields to reset the fight or flight part of the nervous system. This hour of relaxation is just what you need. People usually end the session feeling more relaxed with less pain.”
- “Safe for all ages suffering stress, anxiety, PTSD, pain, or wanting peak performance.”
- “It works by emitting a low level magnetic field around the body in order to target the root of diseases, infections, and toxins on a molecular level, allowing for optimal recovery.
- that Magnetic Resonance Therapy can make a significant improvement for those suffering with PTSD”
- “pain, stiffness, anxiety, energy level, and sleep “
- “improve your depression and anxiety symptoms”
- “More and more evidence on how the Magnesphere can help all types of conditions including Lyme disease. Great job Dr Anissa!
- LYME DISEASE causes pain, weakness and stiffness of muscles and joints, fatigue, brain fog, facial paralysis aka Bell's Palsy, chronic headaches, shooting pains, involuntary twitching, neuropathy, memory loss, depression. If you or someone you know suffers with Lyme Disease I can help. STOP the suffering. STOP taking drugs. START living life to its fullest. Call or stop in to find out how to take control of your life a feel normal again.”
- “Chronic Pain and one session in the Magnesphere... Amazing!
- ‘A pain that I've since 2004 had from an accident, went away for the first time.’”
- Illustration of hand blocking COVID-19 virus with copy stating “11 Signs of Immune System Problems”
- Use it for anxiety, arthritis, ADHD, inflammation, relaxation, PTSD, high blood pressure, insomnia, and more.”
- “Can Magnetic Resonance Therapy Heal PTSD? Magneceutical Health”

### **Company’s Position**

Magneceutical Health is a relatively small company with two full-time employees and three part-time contractors that handle the engineering and regulatory side of the Company’s business. The Company has 100 Clinical systems and 200 Halo systems<sup>1</sup> placed throughout the United States and Canada.

Magneceutical Health began marketing “Magnesphere systems” to healthcare practitioners in 2012. Several years later, the Company also came out with home-based systems called the Halo. Magneceutical Health’s primary sales in the first few years were to healthcare providers (chiropractors, physical therapists, sports medicine, health & wellness spa, etc.).

In 2018, Magneceutical Health made the decision to utilize the direct selling business model. However, approximately one and a half years later, the Company decided to cease its direct selling business model because, among other reasons, its clinical customers were not receptive to selling and marketing the Halo systems. Accordingly, Magneceutical Health discontinued the direct selling model and stopped utilizing Wellness Advisor Agreements, personal websites, financial incentives to build a “downline”, bi-annual conferences, and dissemination of any messages suggesting that consumers can build a business or earn money. Since its departure from the direct selling model, individuals cannot sell a Magnesphere system directly to consumers.

### **Administrative Closing**

Although DSSRC expressed its concern regarding the product performance representations that were disseminated in the social media posts at issue, it recognized that because Magneceutical Health no longer utilizes the direct selling business model to sell products to consumers, that this matter was outside of DSSRC’s jurisdictional purview.<sup>2</sup> DSSRC also confirmed that all of the social media postings at issue were disseminated prior to 2020 – i.e., before the Company transitioned from the direct selling business model.

As noted in Section III of the DSSRC Policy and Procedures, DSSRC reviews earnings claims and product claims made by any direct selling company and/or its salesforce members and evaluates the truthfulness, accuracy, and substantiation of such earnings claims and product claims. Accordingly, as Magneceutical Health no longer provides an income opportunity through a direct selling business model and does not utilize an independent salesforce to sell or market its products, DSSRC agreed that it does not have the appropriate jurisdiction of the matter and, as such, has administratively closed the inquiry.<sup>3</sup>

(Case No. 106-2023, closed on 03/09/23)

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[1] HALO stands for Home And Lifetime Option. This unit is designed for the Home versus a Doctor's clinic.

[2] DSSRC confirmed that the Magneceutical Health website (<https://magneceutical.com>) does not provide a mechanism for independent salesforce members to participate in the Company’s business opportunity.

[3] The fact that DSSRC declined jurisdiction in this matter would not preclude another self-regulatory program or regulatory agency from investigating the truth and accuracy of the subject claims which remain publicly accessible. Notwithstanding, DSSRC remained encouraged that, despite Magneceutical Health no longer being involved in direct sales, the Company has committed to reviewing the appropriateness of all social media posts that have been previously disseminated by past salesforce members.

3.17.23

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