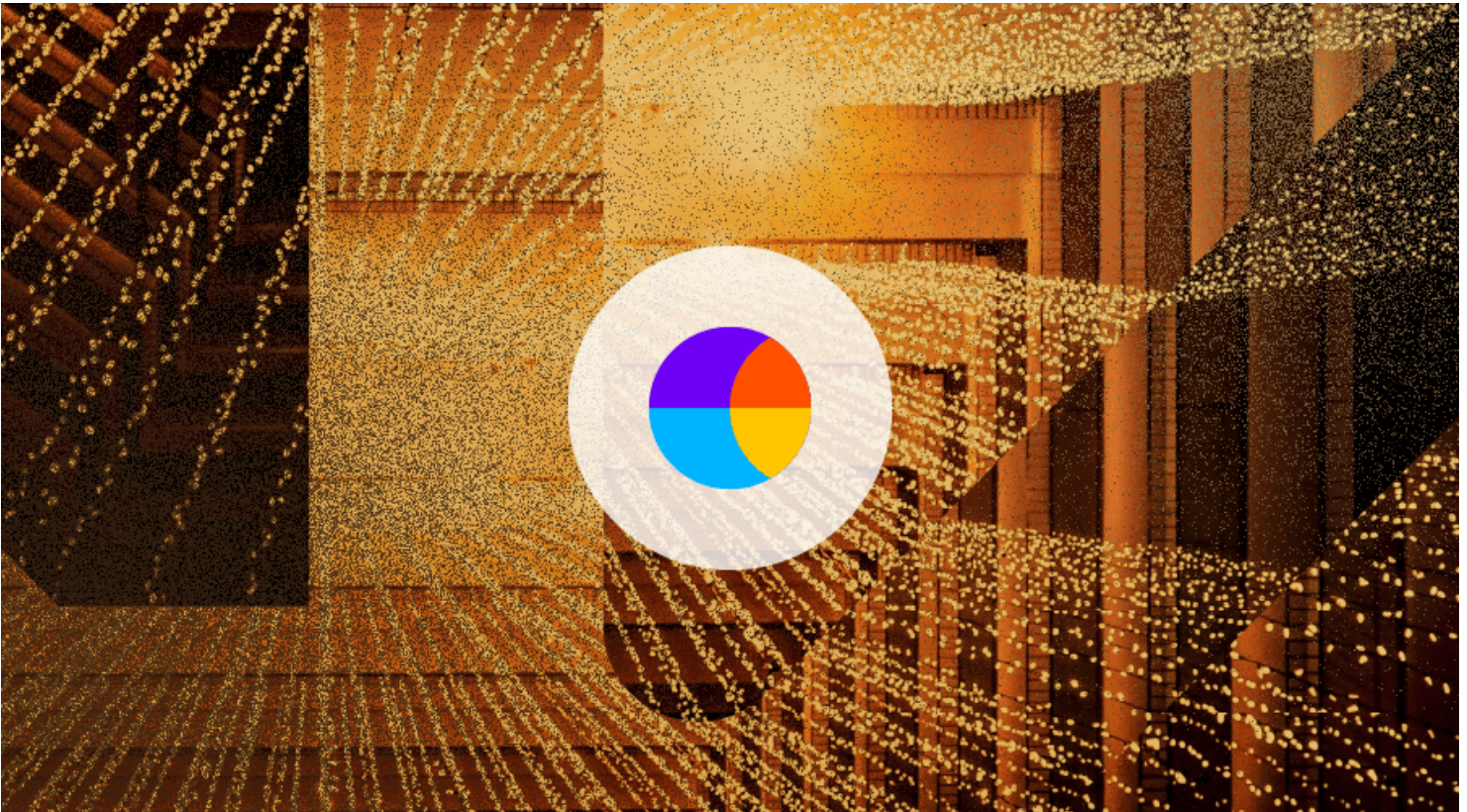


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BBB NATIONAL PROGRAMS

Direct Selling Self-Regulatory Council

Case #187-2024: Government Referral - Olive Tree People, Inc.

Company Description

Olive Tree People, Inc. (“Olive Tree” or the “Company”) is a direct selling company based in Pasadena, Maryland. The Company was founded in 2015 and markets a range of natural beauty and wellness products centered around the benefits of olive tree extracts.

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 in the direct selling marketplace and pertains to income claims disseminated by the Company and its salesforce members on Facebook and Instagram.

The representative claims that formed the basis of this inquiry are set forth below:

Earnings Claims

- “financial freedom, incredible incentives” (3/2023)
- “🌱 Every sale is Income-side income to full-time income (25-35% commission plus bonuses-weekly and monthly pay)” (7/2024)
- “Whether as an additional stream of income 🍀 or you want to make this your full time source of income ✨ the possibilities are endless and available to you!” (8/2024)
- “And here’s the deal, my financial freedom is going to look different than your financial freedom. I don’t need millions of dollars to be financially free. I don’t need the fanciest car and the biggest house and the newest things to feel financially free. Financially free for me getting to spend more time with my husband, it means getting to take worldly adventures with my children, it means getting to nourish my family without having to check the bank account first.” (8/2024)
- “🌟🌟 GOLD OLIVE STAR 🌟🌟 --> thats 100k in volume for my girls 📱 ...What an incredible accomplishment for all of us 📱🌟🌟 100k (and beyond) is a goal I set for my team when I started.. we’ve had a few months where we were just at the cusp of hitting it... and this month, in one of the SLOWEST sales months, we did it. 📱🌟🌟 ...Y’all shout from the rooftops a HUGE congratulations to my 🌟 S I X 🌟 figure team 🍷🔥 TO THE TOP 🚀🚀🚀 ” (7/2024)
- “I’m so excited and blessed to be a part of this amazing company! In just one month, I earned a trip to Austin, and I truly appreciate all the trust and support from everyone.” (5/2024)
- “TAKING BAE & BAKEY TO SPAIN the world of possibilities has opened up since joining Olive Tree People in June. Can't wait to experience this life changing trip with my family as well as the other absolutely incredible women that have earned it.” (10/2023)
- “In my one year here I have easily earned over 3X the amount I ever earned in all my combined years at my last company 🍷🍷🍷 and my team is consistently putting up numbers I only ever dreamed about.” (7/2024)

Company's Non-Participation in the DSSRC Process

On September 13, 2024, DSSRC sent a Notice of Inquiry by email and USPS 2-day mail to Olive Tree at its Santa Monica, CA headquarters. After the Company failed to respond within 15 business days, DSSRC continued to try to contact the Company and sent a 10-day notice by email and USPS 2-day mail on November 13, 2024, indicating that, if the Company failed to provide a response to DSSRC regarding the claims at issue within 10 business days, the matter would be referred to the appropriate government agency. Olive Tree does not provide a telephone number on its Company website (<https://us.olivetreepeople.com/>).

Notwithstanding the numerous opportunities to respond, the Company did not provide a response to the DSSRC inquiry.

Referral to the Government

DSSRC determined that the subject claims being disseminated by Olive Tree salesforce members on social media expressly and inaccurately claimed that Company salesforce members can earn significant income, replace previously earned income, achieve financial freedom, and earn free trips.

As stated in section 13 of the Federal Trade Commission’s (FTC) 2024 Business Guidance concerning Multi-Level Marketing, an MLM’s or its participant’s representations related to the business opportunity, including earnings claims, violate Section 5 of the FTC Act if they are material to consumers and false, misleading, or unsubstantiated. This is true wherever the representations are made, including on social media, in live presentations, in one-on-one conversations, or in any other medium.¹ It is further noted in the FTC Business Guidance that even truthful testimonials from MLM participants who earn large amounts of money or career-level income likely will be interpreted as representing that their experience is representative of what others should expect to receive. Given the reality of MLM participant experiences, such a testimonial is atypical and not representative of what most MLM participants will achieve. Presenting atypical earnings to consumers considering an income opportunity is likely to generate a deceptive impression.

Moreover, section 6 of the DSSRC Earnings Claim Guidance for the direct selling industry, while DSSRC will evaluate any claim based upon the context in which the claim appears and the potential net impression of such claim to the audience, some words and phrases are prohibited when made to a general audience of prospective or current salesforce members. Such words and phrases include statements such as “quit your job,” “be set for life,” “make more money than you ever have imagined or thought possible,” “unlimited income,” “full-time income,” “replacement income,” “career-level income,” or any substantially similar statements or representations. Other terms, such as “passive income” and “residual income,” are prohibited when they convey that income can be continuously earned by salesforce members with little or no ongoing effort.²

It is further noted in the DSSRC Earnings Claim Guidance that some words or phrases carry a particularly high risk of being misleading to consumers when communicated in a general context. Such words and phrases include but are not limited to “financial freedom.”

Regrettably, the Company failed to respond to DSSRC’s efforts to engage in the direct selling industry’s self-regulatory forum.

In accordance with section (V)(C)(4) of the DSSRC Policies and Procedures, in the event the company whose marketing is the subject of a DSSRC inquiry fails to participate in the self-regulatory process, DSSRC may refer the matter to an appropriate government agency for review and possible law enforcement action.

Accordingly, based upon Olive Tree’s failure to respond to the self-regulatory inquiry and address DSSRC’s concerns, this matter has been referred to the FTC and the California Attorneys General Office.

(Case No. 187, closed on 12/13/24)

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[1] See <https://www.ftc.gov/business-guidance/resources/business-guidance-concerning-multi-level-marketing#deceptive>

[2] See section 6 of the DSSRC Earnings claim Guidance for the Direct Selling Industry.

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