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BBB NATIONAL PROGRAMS

Direct Selling Self-Regulatory Council

Case #213-2025: Administrative Closure - QuiAri, LLC

Company Description

QuiAri, LLC (“QuiAri” or the “Company”) is a direct selling company founded in 2019 and headquartered in Brandon, Florida. The Company specializes in health and wellness products primarily featuring maqui berry, a superfruit known for its high antioxidant content. Their flagship offerings include nutritional shakes and energy supplements aimed at promoting weight management and overall well-being.

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 several earnings claims and one product performance claim disseminated by QuiAri salesforce members.

The representative claims that formed the basis of this inquiry were all disseminated on Facebook and are set forth below.

Earnings Claims

- In 2025... we're unlocking a new era of financial freedom Imagine getting paid in just 5 minutes and igniting a brighter, healthier, more prosperous future.”(December 2024)
- “I have no retirement savings.
Join QuiAri.
I need a permanent vacation.
Join QuiAri.
I want financial freedom.
Join QuiAri.”
(March 2024)
- Yesterday was Amazing 🙌 my millionaire earning coach Tkay Walker from Houston was in the building! Shared her amazing story of how she went from homeless to a millionaire 🙌🙌🙌❤️ you gotta get around people who has been where you trying to go and further in goals! 🙌🙌❤️ her leadership is phenomenal and to have her and the CEO at hands reach to help grow your business is a blessing! I love it over here!
I just wanna take some like-minded people with me to the top who are sick and tired of being sick and tired! And ready for a life change! Mommy freedom! Time freedom! Financial freedom! #igetpaideveryfiveminutes #listeningfastergetmepaidthefastest”
(March 2023)
- “financial freedom...
👛 Earn extra income through an easy-to-join rewards program
⌚ Get paid in just 5 minutes!”
(December 2024)
- “Financial freedom”¹

Product Performance Claim

- “QuiAri energy tablet is highly recommended for the following;
Weak erection, poor blood circulation, poor Menstrual circle, Menstrual cramps and more while as the QuiAri prime gel is specially made for all infections.
Join QuiAri today for better health, financial freedom and time”
(April 2024)

Company’s Position

QuiAri did not attempt to substantiate the claims identified in this inquiry but instead took action to have the claims removed. As a result of its due diligence, the Company reported to DSSRC that all of the subject claims in the inquiry have been removed.

The Company stated to DSSRC that it maintains a strong commitment to promoting truthful and accurate earnings and product performance claims communicated by its independent salesforce, particularly in the context of social media advertising. QuiAri provides ongoing oversight, education, and compliance training designed to ensure that all salesforce members understand and adhere to applicable legal standards and internal policies. Regular communications, training modules, and updated guidance materials are distributed to reinforce the Company's requirements regarding the responsible communication of income opportunities and product performance expectations, with a particular emphasis on transparency and avoiding misleading or unsubstantiated claims.

In addition to its proactive compliance efforts, QuiAri monitors social media activity for potential unauthorized earnings claims. Upon identifying any non-compliant post, the Company promptly contacts the salesforce member involved, provides corrective guidance, and facilitates the swift removal or modification of the post to bring it into compliance. The Company takes these steps seriously and considers them essential to maintaining public trust, upholding industry standards, and fostering a culture of compliance across its salesforce.

Administratively Closed Resolution

DSSRC appreciated the good faith actions taken by QuiAri to address all of the claims identified by DSSRC in this inquiry. DSSRC concluded that the Company's actions were necessary and appropriate.

With respect to the identified earnings claims, DSSRC determined that the social media posts in this inquiry communicated the message that a typical QuiAri salesforce member can generally expect to earn significant income (i.e., "financial freedom") through participation in the Company's business opportunity.

The Federal Trade Commission (FTC) has long held that advertisers are responsible for all reasonable interpretations of their advertising claims, not just the message they intend to convey. As articulated in the FTC's *Policy Statement on Deception* (1983), the Commission will evaluate an advertisement from the perspective of a reasonable consumer and hold advertisers accountable for any interpretation that such a consumer could reasonably take away from the claim. Accordingly, advertisers must ensure that they possess adequate substantiation for every reasonable takeaway that their advertising could create, even if unintended, to ensure compliance with Section 5 of the FTC Act.²

Additionally, the FTC Business Guidance for Multi-Level Marketing ("the FTC Guidance"), states that "any earnings claim should reflect what the typical person to whom the representation is directed is likely to achieve in income, profit, or appreciation."³ The FTC Guidance further notes that claims of significant earnings are atypical to what the average participant would earn.⁴ Thus, disseminating an atypical earnings claims such as one suggesting that a Company representative will receive financial security from the business opportunity may create an inaccurate impression with the prospective salesforce member. In this regard, if a participant in an MLM or direct selling opportunity, makes an income or earning claim they must have a reasonable basis for making any income claims. This includes "reliable, empirical evidence demonstrating that the typical person in the group . . . is likely to realize . . . an amount equal to or greater than that conveyed by the earnings or lifestyle claim."⁵

The DSSRC Guidance on Earnings Claims for the Direct Selling Industry ("the DSSRC Earnings Claim Guidance") similarly cautions direct selling companies and their independent salesforce members against the use of language or images that communicate "earnings beyond what can be generally expected by the typical salesforce member in the depicted circumstances."⁶ The DSSRC Earnings Claim Guidance further notes that "[s]ome 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..."⁷

Regarding the one product performance claim identified by DSSRC in this inquiry, QuiAri voluntarily elected not to support the claim and, instead, had the post removed in its entirety. Nevertheless, it is important to note that pursuant to FTC guidance, health-related claims must be supported by competent and reliable scientific evidence to ensure they are truthful, not misleading, and adequately substantiated. More specifically, the FTC Health Products Compliance Guidance, defines competent and reliable scientific evidence as "tests, analyses, research, or studies that (1) have been conducted and evaluated in an objective manner by experts in the relevant disease, condition, or function to which the representation relates; and (2) are generally accepted in the profession to yield accurate and reliable results."⁸ This research must be "sufficient in quality and quantity based on standards generally accepted in the relevant scientific fields, when considered in light of the entire body of relevant and reliable scientific evidence, to substantiate that the representation is true."⁹

In the absence of reliable data indicating that the Company's products are efficacious in treating the stated conditions, DSSRC agreed that the Company's efforts to remove this post were warranted.

Accordingly, DSSRC appreciated the voluntary action taken by QuiAri to remove the social media post that communicated an unsupported performance claim.

Conclusion

Based upon QuiAri's good faith efforts to modify and remove all of the social media posts identified by DSSRC, DSSRC administratively closed its inquiry.

Company Statement

"QuiAri's mission is built upon the basic principle of helping people live their best lives. We are empowered by "R.E.S.P.E.C.T." Recognition, Excellence, Service, Positivity, Ethics, Collaboration, and Trust. Honesty, transparency, putting people first, and doing what's right are the pillars that have helped support our global success. We will continue to ensure the actions of our independent Promoters and loyal Customers reflect our strong family-oriented culture and lifelong commitment to serving the global community."

[1] DSSRC identified unqualified “financial freedom” claims in 12 different social media posts that were disseminated between March 2023 and December 2024.

[2] *See* FTC Policy Statement on Deception, Letter from the Federal Trade Commission to the Subcommittee on Oversight and Investigations of the House Committee on Energy and Commerce, 103 F.T.C. 174 (1984), available at <https://www.ftc.gov/legal-library/browse/ftc-policy-statement-deception>.

[3] *See* Fed. Trade Comm’n, Business Guidance Concerning Multi-Level Marketing, Section 13 (April 2024) <https://www.ftc.gov/business-guidance/resources/business-guidance-concerning-multi-level-marketing#deceptive>.

[4] *Id.* at Section 13.

[5] *Id.*

[6] Direct Selling Self-Regulatory Council, Guidance on Earnings Claims for the Direct Selling Industry, General Principles (2022). [dssrc_guidanceonearningsclaimsforthedirectsellingindustry.pdf](https://www.dssrc.org/guidance/earnings-claims-for-the-direct-selling-industry.pdf)

[7] *Id.* at Section 6(A).

[8] Fed. Trade Comm’n, Health Products Compliance Guidance, Section B. Substantiating Claims, 12. https://www.ftc.gov/system/files/ftc_gov/pdf/Health-Products-Compliance-Guidance.pdf

[9] *Id.*

May 16, 2025

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