

- [Vendor Privacy Program](#)
- [Volkswagen Car-Net & Audi Connect](#)

Our 501c3 Foundation



[Learn About CISR](#)

[What Is BBB National Programs?](#)

1. [Home](#)
2. [Programs](#)
3. [Advertising Self-Regulation](#)
4. [Direct Selling Self-Regulatory Council \(DSSRC\)](#)
5. [Case Decisions](#)
6. [Case 129-2023: Monitoring Inquiry – Zinzino, LLC](#)

Case #129-2023: Monitoring Inquiry – Zinzino, LLC

BBB NATIONAL PROGRAMS

Direct Selling Self-Regulatory Council
Case #129-2023: Monitoring Inquiry – Zinzino, LLC

Company Description

Zinzino, LLC (“Zinzino” or the “Company”) is a direct selling company founded in 2005 that offers nutritional supplements to consumers. The Company is headquartered in Frölunda, Sweden and has a subsidiary in Jupiter, Florida.

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.

DSSRC was concerned that the representative claims below communicate the message that that Zinzino products are efficacious in addressing serious health-related conditions.

Product Performance Claims:

- “CORONA VIRUS PROTECTION
 - ...providing a reassuring solution against viral infections”
 - Image with copy stating “...supporting normal brain function, heart function, and immune system”
- “Healthyme for Zinzino is sharing a COVID-19 Update

BOOST YOUR IMMUNE SYSTEM”

 - “When I wake up in the morning I used to have a hard time to bend down because I felt a bit of pain in the lower back or in the foot joints and that is actually completely gone”
 - “We’re all worried right now about the Coronavirus pandemic, so now more than ever, is the time to balance our health and boost the immune system.”
 - “#psoriasis #eczema #dermatitis #diabetes #arthritis #C[h]ronicpain”
 - “You notice that your high blood pressure goes away, you noticed that perhaps some joint pain might have disappeared, dermatitis, psoriasis...they go away.”
 - “Benefits are attributable to reduced inflammation and improved cellular membrane fluidity. Users experience improved arthritis pain, greater energy and stamina, faster recovery from exercise, fewer headaches, better sleep, and mental clarity.”
 - “#WorldDiabetesDay #WorldDiabetesDay2022 #DiabetesAwareness #Diabetes #DiabetesAwarenessMonth”
 - “Support the immune system; lower cholesterol and enhance heart health; improve gut health; decrease inflammation; may fight cancer; regulate blood sugar levels; lower risk of obesity

#preventscancer”
 - “Would you like to catch less cold or any other viruses? ... I would like to share an amazing immune system boosting supplement from Zinzino beta glucans. If you have oncology, autoimmune disorders or any virus diseases like covid or flu it is stunning product to help your immune system! You can use it for prevention or if you have any ailments. Support the immune system; lower cholesterol and enhance heart health; improve gut health; decrease inflammation; may fight cancer; regulate blood sugar levels; lower risk of obesity”¹

Company’s Position

Zinzino did not attempt to substantiate the product performance claims identified by DSSRC and instead took action to contact the salesforce members who were responsible for the social media posts and request that the posts be taken down. The Company was successful in removing four of the eleven social media posts and modifying one post to remove the claim at issue.

Zinzino informed DSSRC that all of the remaining posts were disseminated in 2020. In addition, the Company advised DSSRC that the Zinzino compliance team in Sweden attempted to contact the salesforce members responsible for the remaining social media posts without success.²

Analysis and Recommendation

Product Performance Claims

DSSRC expressed its appreciation to Zinzino for its good faith efforts to remove or significantly modify five of the eleven social media posts at issue and determined that the Company’s actions were necessary and appropriate.

Zinzino did not dispute that the Company's products were not intended to diagnose, treat, cure, or prevent any disease and there was no testing data provided by the Company to DSSRC indicating that its products are effective against the health-related conditions referenced in the posts.³

Despite the Company's efforts, DSSRC remained concerned that the remaining health-related posts were still accessible by the public. It is a fundamental principle of advertising law that an advertiser has the burden to possess a reasonable basis for any substantive claims communicated by its advertising at the time the claims are disseminated and that all health-related claims must be supported by competent and reliable scientific evidence.⁴ In addition, an advertiser has an obligation to support any express or implied claims that may be reasonably interpreted by consumers.⁵ When a direct selling company is made aware of improper product claims that were made by an individual that was not within its geographical control or who was an active distributor when such claim was made but that has since become an inactive distributor of the company, DSSRC acknowledges that the direct selling company may not be able to require such salesforce members to remove a social media post. In that instance, DSSRC nonetheless recommends that the direct selling company make a bona fide, good faith effort to have the improper claim removed.

Here, as a demonstration of its good faith efforts, DSSRC requested that the Company provide DSSRC with copies of its communication to the salesforce members asking the salesforce members to remove the posts. The Company advised DSSRC that it had attempted to contact the salesforce members responsible for the remaining posts and provided DSSRC with copies of the correspondence to the salesforce members.

Zinzino also subsequently informed DSSRC that the individuals responsible for the remaining posts were no longer active salesforce members with the Company. Distinguishing between active and inactive salesforce members is important since inactive salesforce members might not have updated contact information in the direct selling company's records, whereas active members presumably maintain ongoing communication with the company and are subject to the company's enforcement policies.

As Zinzino has indicated that the remaining social media posts were disseminated by salesforce members that are no longer active with the Company, DSSRC was appreciative of the Company's good faith efforts to contact those individuals and request that the posts be removed. In addition to these actions, DSSRC recommended that the Company take additional steps to remove such claims including utilizing the mechanism that websites and social media platforms may have for removal of trademark or copyright violations. The Company should also consider including a reply in the comment section of an improper post indicating that the claim has not been authorized by the Company. If the subject claim communicated by a former salesforce member occurs on a website or platform without a reporting mechanism, DSSRC recommends that the Company should also contact the website or platform in writing and request removal of the subject claims or posts.⁶

For the foregoing reasons, DSSRC administratively closed its inquiry and will continue to monitor the product performance claims being disseminated by Zinzino and its salesforce members.

Conclusion

DSSRC acknowledged that Zinzino removed four of the subject social media posts and significantly modified another post and also provided DSSRC with copies of correspondence sent to the inactive salesforce members who were responsible for the remaining posts. As such, it was determined that the Company demonstrated that it made a good faith effort to address DSSRC's concerns in this inquiry and that the Company actions were necessary and appropriate.

Notwithstanding these efforts from the Company DSSRC recommended that the Company take further action to address the removal of the unsupported posts including contacting the platform in writing and requesting removal of the subject claims or posts and also consider including a reply in the comment section of those posts, indicating that the claims have not been authorized by Zinzino.

Based upon the good faith actions taken by the Company to address the concerns before DSSRC, the inquiry was administratively closed.

Company Statement

"Zinzino immensely proud to stand at the forefront of the direct selling industry. We're dedicated to providing top-notch products and enabling individuals to realise their fullest potential. Our unwavering commitment extends to nurturing a business environment that is not only transparent but also deeply rooted in ethics.

We understand the significance of abiding by industry standards and championing principles of integrity and responsibility. In that vein, Zinzino wholeheartedly endorses the recommendations set forth by the Direct Selling Self-Regulatory Council (DSSRC). We recognise that the DSSRC's guidelines are expertly crafted to ensure equitable business practices, safeguard consumer interests, and promote trust within the direct-selling community. Embracing these recommendations is a pivotal stride in showcasing our steadfast dedication to compliance and accountability.

Zinzino eagerly anticipates integrating these industry standards into our operations, continually enhancing and refining our endeavours in our relentless pursuit of excellence. We firmly believe that by placing compliance and ethical conduct at the core of our practices, we can fortify the trust and confidence that our cherished Customers and esteemed Brand Partners have in us.

Our company commits to leading with transparency, integrity, and an unwavering commitment to the prosperity of our Customers and Brand Partners. Together, hand in hand with the guidance of DSSRC, we look forward to co-creating a sustainable future for both Zinzino and the dynamic direct selling industry.”

(Case No. 128-2023. Closed on 10/23/23)

©2023 BBB National Programs

[1] This same post was disseminated by two different Zinzino salesforce members.

[2] Zinzino noted that the two posts referencing COVID-19 were also part of a 2021 inquiry with DSSRC.

[3] It is well-established that claims concerning the efficacy of health products should be supported by competent and reliable scientific evidence. In its recently published Health Products Compliance Guidance, the Federal Trade Commission 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.” In addition, the FTC requires that the 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.”

[4] See FTC Policy Statement Regarding Advertising Substantiation at <https://www.ftc.gov/legal-library/browse/ftc-policy-statement-regarding-advertising-substantiation>.

[5] *Id.*

[6] See DSSRC Case #13-2020, Young Living Essential Oils, LLC.

10.18.23

Subscribe to Stay Up-to-Date