



On April 28, 2020, the FTC announced a preliminary order in a civil enforcement action against a supplement manufacturer that allegedly made false and unsubstantiated claims regarding COVID-19 and cancer.

Specifically, the FTC alleged that Whole Leaf Organics had marketed its "Thrive" product as an "anti viral wellness booster" that treated, prevented, or reduced the risk of COVID-19. The FTC also alleged that Whole Leaf Organics marketed three products containing cannabidiol (CBD) as effective cancer treatments. The FDA had already issued a [warning letter](#) in November 2019 to Whole Leaf Organics for making unapproved drug claims about its CBD-infused products. But according to the [FTC](#), the problematic claims remained on the company's website months later. In a [statement](#) announcing the preliminary order in which the company agreed to cease making COVID-19 and cancer-related claims, the FTC Bureau of Consumer Protection Director

Andrew Smith noted: "There's no proof that any product will prevent or treat COVID-19 or that any CBD product will treat cancer. Let's be clear: companies making these claims can look forward to an FTC lawsuit like this one."

## Authors



### [Jason S. Howell](#)

Partner

[JHowell@perkinscoie.com](mailto:JHowell@perkinscoie.com)   [206.359.3134](tel:206.359.3134)



### [Jared H. Bryant](#)

Practice Attorney

[JBryant@perkinscoie.com](mailto:JBryant@perkinscoie.com)   [206.359.3664](tel:206.359.3664)



### [Thomas \(Tommy\) Tobin](#)

Counsel

[TTobin@perkinscoie.com](mailto:TTobin@perkinscoie.com)   [206.359.3157](tel:206.359.3157)

## Explore more in

[Consumer Protection](#)

Blog series

## Consumer Protection Review

Consumer Protection Review helps businesses that market and sell to consumers navigate federal and state legal issues related to advertising, privacy, promotions, products liability, government investigations, unfair competition, class actions and general consumer protection. [Subscribe ?](#)

[View the blog](#)