

Complaint

IN THE MATTER OF
MICHAEL D. MILLER**CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATIONS OF
SEC. 5 AND 12 OF THE FEDERAL TRADE COMMISSION ACT**

Docket C-3941; File No. 9923225
Complaint, May 16, 2000--Decision, May 16, 2000

This consent order prohibits Respondent Natural Heritage Enterprises from making representations, without competent and reliable scientific evidence, that any Essiac product, service, or program, or any other food, drug, or dietary supplement is effective in the treatment, prevention, mitigation, or cure of certain enumerated diseases, or regarding the health benefits, performance, safety or efficacy of any such product or service. The order also prohibits Respondent from misrepresenting the connection between their website and other website or the existence, contents, validity, result conclusions, or interpretation of any test, study, or research. In addition the order prohibits Respondent from representing that the experience represented by any user testimonial or endorsement of the product, service, or program represents the typical or ordinary experience of members of the public who use the product, service, or program, unless the representation is substantiated or Miller discloses, clearly and prominently, in close proximity to the endorsement or testimonial, either what the generally expected results would be for users of the product, or the limited applicability of the endorser's experience to what consumers may generally expect to achieve. Respondent is required to provide a list of consumers who ordered the product after September 15, 1996 and send to each of them, by first class mail a notice regarding the scientific research of their products. Respondent must also pay \$17,500 redress to be paid in redress to consumers. Any representations allowed by the Food and Drug Administration in a final or tentative standard are not prohibited by the order.

Participants

For the Commission: *L. Mark Eichorn, C. Lee Peeler, and BE.*

For the Respondents: *Jonathan Emord, Emord and Associates.*

Complaint

COMPLAINT

The Federal Trade Commission, having reason to believe that Michael D. Miller ("respondent"), individually and doing business as Natural Heritage Enterprises, has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Michael D. Miller is a resident of Colorado. His principal office or place of business is 183 Bellevue Overlook, Crestone, Colorado 81131. Individually or in concert with others, he formulates, directs, or controls the policies, acts, or practices of the business operating under the trade name "Natural Heritage Enterprises."
2. Respondent has manufactured, advertised, labeled, offered for sale, sold, and distributed products to the public, including "Rene Caisse's Original Herbal Tea Remedy," including by means of three Internet Web sites, www.essiacsource.com, www.cancerinformation.org, and www.remedies.net, which provide product and purchase information. "Rene Caisse's Original Herbal Tea Remedy" is also described as "Rene Caisse's Essiac Tea" or "Essiac Tea," and is referenced herein as "Essiac Tea." Essiac Tea is a mixture of four herbs (burdock root, sheep sorrel, rhubarb root, and slippery elm bark) sold either alone or in combination with additional herbs. Essiac Tea is either a "food" or a "drug" within the meaning of Sections 12 and 15 of the Federal Trade Commission Act.
3. The acts and practices of respondent alleged in this complaint have been in or affecting commerce, as "commerce" is defined in Section 4 of the Federal Trade Commission Act.

Complaint

4. Respondent has disseminated or has caused to be disseminated, via the Internet among other means, advertisements for Essiac Tea, including but not necessarily limited to the attached Exhibits A through H. These advertisements contain the following statements:

- A. "I got into this business in 1992 when I found out that the herbal remedy, an Ojibway herbal tea, really did help sick people. . . . As time went on, we were also pleasantly surprised to find out that our herbal tea also works for other immune system related illnesses such as lupus, leukemia, chronic fatigue syndrome, multiple sclerosis, diabetes, lymphoma, Hiv & Aids [sic], etc. . . .

One of the things that we have learned from our customers is that our herbal tea also works on pets. Dogs and cats with cancer and tumors have been cured. Feline leukemia too. Any illness which is effected by a lowered or weakened immune system seems to respond well to our herbal remedy. . . . An exciting part of our business is hearing from our customers that a terminal illness has been conquered. Yes, we hear an amazing litany of stories about people and pets making complete comebacks."

Excerpt of Advertisement on Linked Web Site Page
[Exhibit A]

- B. "What To Do For a Cancerous Condition in the Prostate

If your prostate is already cancerous, you may wish to consider a holistic alternative medicine using an herbal remedy. For additional information about this herbal approach: Click Here to Learn About This Herbal Approach." [hyperlinks to www.essiacsource.com> homepage]

Excerpt of Advertisement on Linked Web Site Page
[Exhibit B]

Complaint

- C. "For some 60 years Essiac has been known to be an effective natural herbal remedy and therapy."

Excerpt of Advertisement on Linked Web Site Page
[Exhibit C]

- D. "Testimonials From Essiac Users

I began taking Essiac for severe arthritis and severe fatigue. The results are unbelievable! . . . The results are wonderful. The results were also immediate. . . .

My Brother-in law gave me a bottle of Essiac. I enjoyed the taste, soon realized a 20 year stomach problem was gone. . . . My nephew in Wisconsin learned that he had cancer. . . . He takes the tea faithfully, and one year later all is in remission. . . .

I took Essiac for prostate cancer. Under doctor's orders I was given chemotherapy. I also took Essiac, and as a result the PSA rating went down below zero (0). I took the combination for 16 months and when it held below zero I quit the chemotherapy. . . .

I had ovarian cancer which was diagnosed as widespread. . . . I had found an article about Essiac and told the doctors I was going to try it. Well the results have been remarkable. I had lost over sixty-two pounds, and have now gained over sixteen back. . . . I do not believe that I would be alive now if it had not been for Essiac. . . .

I had breast cancer. I started taking Essiac 3 weeks prior to my first chemotherapy session. Every side effect that was predicted I would have were so-o-o diminished that I hardly noticed them. My blood work, both chemistry and

Complaint

hemo[] were, I was told, FANTASTIC for a chemotherapy patient. . . .”

Excerpt of Advertisement on Linked Web Site Page [Exhibit D]

- E. “What kind of Clinical Trials or Tests have been done on Rene Caisse’s Essiac Tea?

In 1937, Rene Caisse presented her Ojibway herbal formula to the Royal Cancer Commission in Canada. After a thorough study, their report stated that ‘Essiac is a cure for cancer’. In the 1950s, Dr. Charles Brusch (John F. Kennedy’s personal physician) conducted trials in his clinic at Cambridge, Massachusetts. After studying Essiac tea for a number of years, he reported ‘Essiac is a cure for cancer, period’. . . .

Will your herbal remedy cure xxxxxxxx illness?

[This question always places us in a difficult position. In meetings with FDA officials, we have been specifically told that we cannot in any way tell anyone that our herbal remedies will cure any specific disease or illness. For instance, we cannot even mention that Essiac is a remedy for cancer, much less state that it cures cancer in some people. . . .]”

Excerpt of Advertisement on Web Site Frequently Asked Questions Page [Exhibit E]

- F. “Important Information for All who are Interested in facts about HIV and AIDS

. . . In 1993 Dr. Gary Glum of Los Angeles worked with a Los Angeles AIDS project. The project had sent 179 AIDS patients home to die. They had pneumocystis carini and histoplasmosis. Their weight was down and their cell counts were less than ten.

The project gave Dr. Glum five of these patients to work with. He took them off AZT and put them on a protocol of taking 2 ounces of Essiac herbal remedy tea three times a day. By February of 1994 all of the other 174 patients had died. Dr. Glum’s five patients were still alive. They

Complaint

were exercising, eating three meals a day, and their weights were back to normal, and they had no appearance of illness.

Does this sound preposterous? Many cannot believe that there are simple herbal remedies which do help HIV and AIDS patients. If you dare. If you have the intellectual courage. If you really want the truth, please check out the herbal remedy Essiac Tea."

Excerpt of Advertisement on Linked Web Site Page [Exhibit F]

- G. "Essiac tea has not been approved by the United States FDA, and we are therefore not able to comment about any specific illness. But there are websites on the internet which do not sell Essiac, and are therefore able to more directly address questions about specific illnesses. On the left sidebar are several websites which we recommend [sic] which may be able to assist you if you seek such answers. If, after reading about this famous indian [sic] herbal remedy, you decide to buy some of Rene Caisse's herbal tea, I hope that you will remember us, and will return to this website to buy your herbal remedy."

Excerpt of Advertisement on Web Site Homepage [Exhibit G]

- H. "<meta NAME="Keywords"

CONTENT="cancer, cancer treatments, Essiac ESSIAC Essiac essiac essiac TEA tea tea tea CANCER CANCER Cancer cancer CURES Cures cures cures information, brain tumors, lymphoma help, essiac, ESSIAC teas, natural colon treatments, natural remedies remedies REMEDIES remedies remedies REMEDY Remedy remedy remedy HERBAL HERBAL herbal Herbal HERBS Herbs herbs herbs thyroid fibromyalgia, brain tumors, Brain Tumors, natural colon cures, colon remedies, lymphoma information, diabetes, information, ovarian treatments, herbal remedies, herbal remedy, herbal

Complaint

teas, remedy, immune systems remedy, immune system, breast, fatigue, help thyroid, lupus teas, breast cancer, breast solutions, prostate answers, prostate prostate solutions lung liver healing lymphoma diabetes ovarian chronic lung immune systems liver leukemia solutions lung therapy liver cures leukemia leukemia leukemia cures books herbs books rene caisse diabetes healing Rene Caisse arthritis holistic options holistic answers holistic arthritis Rene caisse,">"

Keyword Metatags from www.essiacsource.com Web Site
[Exhibit H]

5. In addition to the representations detailed above, respondent has embedded specific disease references in the "metatags" of respondent's Internet Web site, www.essiacsource.com. A metatag is a word or words embedded in an Internet Web site, which are not normally displayed visually to the consumer, that may be used by an Internet search engine for the purpose of selecting sites in response to an Internet user's search request. Disease references appearing only in the metatags and not in the Web pages displayed visually to the consumer include, among others, the following terms: "natural colon treatments," "thyroid," "fibromyalgia," "natural colon cures," and "colon remedies."

Respondent's use of these metatag references increases the likelihood that consumers who research the topics of fibromyalgia and cures for illnesses relating to the colon on the Internet will find information about Essiac Tea.

6. Furthermore, in the descriptions of the image files that pop up on the viewer's screen when a consumer rolls the mouse over an image on the www.essiacsource.com site ("mouseover text"), the following descriptions appear:

- "breast, colon, cancer cures. chronic fatigue syndrome, HIV AIDS, lung liver cancer."
- "Cures cancer, leukemia, lymphoma. Cures lupus, breast, prostate cancer."
- "Essiac. tea. cures brain cancer.gif"

Complaint

- "Essiac tea cures diabetes, bone, liver, colon, brain cancer, tumors, ovarian cancer."

Respondent thus used mouseover text as an additional means to communicate representations to the consumer viewing the [≤www.essiacsource.com>](http://www.essiacsource.com) Web site.

7. Through the means described in Paragraphs 4, 5, and 6, taken together, respondent has represented, expressly or by implication, that Essiac Tea is effective in the treatment or cure of cancer, leukemia, brain tumors, lymphoma, bone cancer, ovarian cancer, breast cancer, prostate cancer, diseases of the colon, thyroid conditions, fibromyalgia, diabetes, lupus, chronic fatigue syndrome, multiple sclerosis, HIV and AIDS, arthritis, diseases affecting the lungs and liver, any illness which is affected by a lowered or weakened immune system, and certain pets' illnesses, including cancer, tumors, and feline leukemia.

8. Through the means described in Paragraphs 4, 5, and 6, taken together, respondent has represented, expressly or by implication, that he possessed and relied upon a reasonable basis that substantiated the representations set forth in Paragraph 7, at the time the representations were made.

9. In truth and in fact, respondent did not possess and rely upon a reasonable basis that substantiated the representations set forth in Paragraph 7, at the time the representations were made. For example, there are no competent and reliable clinical studies demonstrating that Essiac Tea is effective in the treatment or cure of cancer, leukemia, brain tumors, lymphoma, bone cancer, ovarian cancer, breast cancer, prostate cancer, diseases of the colon, thyroid conditions, fibromyalgia, diabetes, lupus, chronic fatigue syndrome, multiple sclerosis, HIV and AIDS, arthritis, diseases affecting the lungs and liver, any illness which is affected by a lowered or weakened immune system, or certain pets' illnesses, including cancer, tumors, and feline leukemia. Therefore, the representation set forth in Paragraph 8 was, and is, false or misleading.

10. Through the means described in Paragraph 4, respondent has represented, expressly or by implication, that scientific proof, including clinical trials and tests, demonstrates that Essiac Tea is

Complaint

effective in the mitigation, treatment, prevention, and cure of cancer.

11. In truth and in fact, scientific proof, including clinical trials and tests, does not demonstrate that Essiac Tea is effective in the mitigation, treatment, prevention, and cure of cancer. Therefore, the representation set forth in Paragraph 10 was, and is, false or misleading.

12. Through the means described in Paragraph 4, respondent has represented, expressly or by implication, that testimonials from consumers appearing in the advertisements for Essiac Tea represent the typical or ordinary experience of members of the public who use the product.

13. In truth and in fact, testimonials from consumers appearing in the advertisements for Essiac Tea do not represent the typical or ordinary experience of members of the public who use the product. Therefore, the representation set forth in Paragraph 12 was, and is, false or misleading.

14. Through the means described in Paragraph 4, respondent has represented, expressly or by implication, that Web sites to which the homepage ([\(<www.essiacsource.com>\)](http://www.essiacsource.com)) site links are independent sites not materially connected with respondent.

15. In truth and in fact, certain Web sites to which the homepage ([\(<www.essiacsource.com>\)](http://www.essiacsource.com)) site links are not independent sites but are materially connected with (and created by) respondent. Therefore, the representation set forth in Paragraph 14 was, and is, false or misleading.

16. The acts and practices of respondent as alleged in this complaint constitute unfair or deceptive acts or practices, and the making of false advertisements, in or affecting commerce in violation of Sections 5(a) and 12 of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission this sixteenth day of May, 2000, has issued this complaint against respondent.

By the Commission.

Complaint Exhibits

Exhibit A

Pets cancer dogs cats tumors Essiac...feline leukemia Aids [Anonymized]://anon.free.anonymizer.com/http://bonuspages.com/essiac/pets.htm



Is Your Dog, Cat or Other Pet Sick?

I Have a Natural Herbal Remedy Which Heals Many

My name is Michael Miller and I own a small company which makes and sells a brand of herbal remedy which is widely known as "Essiac" tea. I got into this business in 1992 when I found out that the herbal remedy, an Ojibway herbal tea, really did help sick people. Our business has grown, and most of our new business has come from word-of-mouth. As you know, word-of-mouth advertising only works if your product works! As time went on, we were also pleasantly surprised to find out that our herbal tea also works for other immune system related illnesses such as lupus, leukemia, chronic fatigue syndrome, multiple sclerosis, diabetes, lymphoma, Hiv & Aids, etc..

How did we find out? Our customers told us! Our customers have been a great source of knowledge and feedback. You see, there are only 3 people in our company. We all share taking telephone orders, and we are friends with our customers. Sometimes we teach them, sometimes they teach us!

We Learned That Essiac Also Heals Pets

One of the things that we have learned from our customers is that our herbal tea also works on pets. Dogs and cats with cancer and tumors have been cured. Feline leukemia too. Any illness which is effected by a lowered or weakened immune system seems to respond well to our herbal remedy. One of the tea's effects is that it builds the immune system, another is that it detoxifies the body. These result in the herbal tea assisting the body to recover from a wide range of illnesses.

We have had customers successfully use our tea on cats, dogs, horses, and a ferret. One race horse owner gave our remedy to his horse a case (12 bottles) at a time. It worked. Some of our customers tell us that they take our tea along with their pets.

Is Your Pet Terminal?

It may not be too late. An exciting part of our business is hearing from our customers that a terminal illness has been conquered. Yes, we hear an amazing litany of stories about people and pets making complete comebacks.

Please Check Out Our EssiacWebsite

[Click here for our Essiac Pets Website](#)

[Click here for our Regular Essiac Website](#)

Complaint Exhibits

Exhibit B

Prostate Glands Health Information Cures [Anonymized]

<http://anon.free.anonymizer.com/h...es.com/essiac/prostate.health.htm>

Prostate Health

Information about the Prostate Gland

The prostate: The prostate gland is the largest gland of the male reproductive system. It is located below the bladder. It surrounds the urethra (the tube through which urine and semen flows). The prostate is about the size of a chestnut, and is composed of muscular tissues.

The prostate increases in size up to the age of puberty. At that point it remains a stable size for the rest of the man's life. Sometimes, beginning at about age 45, further enlargement may occur. The reasons why this enlargement occurs are not clearly known or understood. However holistic oriented researchers are giving much credence to the ideas that nutritional deficiencies, mineral deficiencies, toxicity within the body, and emotional factors may play a large role in the health and condition of the prostate gland.

The Function of the Prostate: The purpose of the prostate is to secrete a slightly acidic, milky fluid into the urethra. This fluid contains enzymes which balance the acid levels of the fluids within the urethra (urinary duct), and assist the movement of sperm as it passes through the duct on its important role of recreation. Actually, about 25 percent of the seminal fluid consists of this milky fluid which has been secreted by the prostate gland.

Nutrients for the Prostate

Magnesium, zinc and calcium have been identified by researchers as very important nutrients to the prostate gland and the reproductive system. As an example, few people realize the at least one mg. of zinc is excreted with each ejaculation. For a man with an active sex life, that can add up to a lot of zinc! It won't be long before his body will be zinc-deficient.

Zinc: Zinc is a major component of semen. It plays an important role in the process of fertility, sexual performance, and reproduction. The processes are complicated, but can basically they can be described as assisting the many complicated enzymes and enzymatic reactions which occur during sex and the

Complaint Exhibits

Prostate Glands Health Information Cures [Anonymized]

<http://anon.free.anonymizer.com/h...es.com/essiac/prostate.health.htm>

reproductive process, as well as occurring during many other important body functions.

Magnesium: Magnesium is important in neuromuscular activity. Muscles need a proper level of magnesium in order to contract properly. Both the RNA and the DNA activity of muscles is affected by magnesium. As far as the body as a whole, magnesium is necessary for the proper assimilation of calcium and Vitamin D in the body. In the prostate itself, magnesium is important in order to have the proper level of muscle contraction for an adequate secretion of seminal fluid during the sexual experience.

Calcium: An essential mineral, calcium serves many purposes within the body. Bones, teeth, membrane structures, and other cellular structure functions are dependent upon an adequate level of calcium in the body.

Conclusion: Insuring that your body has an adequate level of zinc, magnesium, and calcium can benefit the health of your prostate.

What To Do For an Enlarged (swollen) Prostate

If your prostate is already swollen and enlarged, there is a herbal remedy which is prepared for the specific purpose of shrinking enlarged and swollen prostates. If you would like additional information about this herbal remedy: [Click Here to Learn How to Shrink Prostates.](#)

What To Do For a Cancerous Condition in the Prostate

If your prostate is already cancerous, you may wish to consider a holistic alternative medicine using an herbal remedy. For additional information about this herbal approach: [Click Here to Learn About This Herbal Approach.](#)

To Visit Our Links Page: [Click Here](#)

This website furnished by
Natural Heritage Enterprises
PO Box 278, 183 Bellevue Overlook
Crestone CO 81131, USA

8
FastCounter by LinkExchange

Complaint Exhibits

Exhibit C

!Cats cancer cures, Cats Feline T...ukemia, Feline lupus [Anonymized]http://anon.free.anonymizer.com/http://www.remedies.net/essiac7.html



Cat cancer, tumors, feline leukemia reasearch information

Essiac Tea: A Natural Feline Herbal Remedy

A Holistic Therapy For Cats Using Herbs

For feline leukemia, cancer and tumors in cats

Feline Alternative Medicine; Healing Herbs Cures; Cat Cancer Remedies

Essiac
Tea:
[To Order](#)
[Press Here](#)

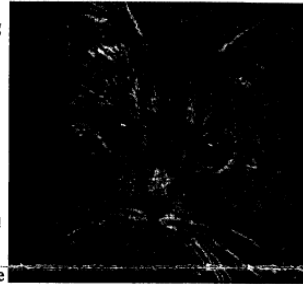
Links to
other Essiac
sites below:

[The Essiac
Story:
To Read](#)
[The Essiac
Story
Press](#)

[Personal
Stories:
Lucy:
Kathryn:
Lynn:
Candy:](#)

[Newspaper
Articles:](#)

Note: There is a newly expanding awareness of the therapeutic and healing qualities of natural herbal remedies for cats and other pets. It is now widely accepted that strengthening the immune system and building the body's natural defense system is the effective way to combat illness and poor health. Feline leukemia and cancer tumors in cats are cured. A program of natural or alternative feline medicine and diet modification is now recommended by many veterinarians. Feline leukemia and cancer tumors in cats For instance, cat and feline cancer studies indicate that cancer develops when the body's immune system is weakened; therefore a strengthened immune system is important in the fight against cancer.



This website offers information about a natural holistic herbal medicine therapy for cats called Essiac Tea. As explained below, we suggest this herbs formula for feline leukemia and cancer tumors in cats. Consult your veterinarian for specific advice about the use of herbs for your feline pets.

Complaint Exhibits

!Cats cancer cures, Cats Feline T...ukemia, Feline lupus [Anonymizd]tp://anon.free.anonymizer.com/http://www.remedies.net/essiac7.html

Vancouver
Sun

Hello,

Essiac
Websites
You
Should
Visit:
History of
Essiac

My name is Mike Miller, and I first learned of Essiac in 1992. At that time, few had heard of Essiac Tea, the herbal remedy from Canada. I set out to manufacture and distribute a brand of this herbal tea which we call "Rene Caisse's Original Herbal Tea Remedy". Our goal is to provide the best possible herbal tea at a very fair price. We use only the finest organic herbs in our herbal formula. Our prices are such that everyone can now afford this special herbal remedy. And awareness of our herbal tea has grown so that our business now ships herbal tea all over the world, including to many people for feline leukemia and cancers and tumors in their cats.

Essiac
Article:

The story of this herbal tea remedy, widely known as "Essiac Herbal Tea", and how it was found among the Ojibway tribe in 1922, you will find interesting. They made their herbal tea using the herbs Burdock Root, Sheep Sorrel, Rhubarb Root and Slippery Elm Bark. For a more detailed explanation of the Essiac story see the left sidebar which will direct you to other websites which have information about the story of Essiac tea therapy. For specific cases of cat cancer and tumors, and feline leukemia, we are including at the end of our website testimonials of feline leukemia feline lupus, cat cancer and cat tumor success stories.

Essiac
Article:

About The
Herbs:
FREE:
Herbs
Booklet

Our Links
Page:
Links to
other sites
of interest

For some 60 years Essiac has been known to be an effective natural herbal remedy and therapy. We gradually began to discover that our herbal tea helps a wide range of illnesses in felines. Dogs and cats, as well as other animals, respond to this herbal remedy. So now we find that immune system illnesses in dogs, cats, and other pets are successfully treated with our herbal tea. How do we know? Our customers tell us! They report that their dogs and cats recover from cancer, tumors, lupus, infections, feline leukemia, arthritis, etc.

How do you administer the herbal tea to your cat or feline? We suggest that you mix the herbal tea with an equal amount of water, and place it in your feline's water bowl. The cat will drink it when she is thirsty. However many of our customers report that they use a syringe to administer the tea directly into their feline's mouth.

On the left sidebar are several websites which we recommend to give additional general information about Essiac. If, after reading about Essiac, you decide to buy some herbal tea for your cat, I hope that you will remember us, and will return to this website to buy your feline herbal remedy.

Sincerely,

Michael D. Miller

Natural Heritage Enterprises, PO Box 278, 183 Bellevue Overlook, Crestone CO 81131, USA. Tel: 719 256 4876. email: herbs@fone.net

Complaint Exhibits

!Cats cancer cures, Cats Feline T...ukemia, Feline lupus [Anonymized]http://anon.free.anonymizer.com/http://www.remedies.net/essiac7.html

About Essiac



How does Essiac herbal tea work? The 8 herbs in Essiac are reported to interact on the body as follows:

Builds the Immune System	Detoxifies The Body	Removes Heavy Metals
Restores Energy Levels	Cleanses the Blood	Promotes Cell Repair

In performing these functions, the herbal formulation in Essiac synergistically enhances and strengthens your cat's body and its natural feline defenses. Thus strengthened, the cat's body is able to better protect and heal itself of illness. For additional information about the herbs in Essiac, you are welcome to print out a free copy of "The Essiac Herbs Book" which is located on the left sidebar.

**We want Essiac to do this
for your cat!**



Our Products

In Bottles: We sell the herbal tea in 16 oz. bottles, ready to drink. The price per bottle is \$14.50.

In Package of Dried Herbs: We also sell the herbal tea in a package of dried herbs which you brew into herbal tea. Each package contains 1/3 cup of herbs, and brews one-half gallon of herbal tea. The price per package is \$12.00. Brewing instructions are included with each package of dried herbs.

Complaint Exhibits

!Cats cancer cures, Cats Feline T...ukemia, Feline lupus [Anonymized]p://anon.free.anonymizer.com/http://www.remedies.net/essiac7.html

Bonus Program: If you purchase 12 bottles of the liquid tea or 12 packages of the dried herbs, you will receive an additional bonus of 6 for free. Pay for 12 and get 18!

Shipping & Handling: Within the USA the charge is \$3.00 for orders up to \$25.00, and \$5.00 for orders greater than \$25.00. We ship our herbal tea worldwide. For international orders, an extra charge equal to the air delivery shipping rate to your country will be added. Because of the excess weight of bottle we only ship the dried herb packages overseas and to Canada.

ORDER HERE

To Order Herbal Tea: Click Here:

To Check Out Our Money Back Guarantee: Click Here

Frequently Asked Questions: Click Here

For a FREE COPY of the Essiac Herbs Book: Click Here



Our Links Page



Join our mailing list and receive a FREE monthly copy of the

Natural Cancer Therapies Newsletter!

To join: Enter your email address: then click the 'Join List' button:

Join List

☒ Subscribe ☐ Unsubscribe

A Service of WebPromote Engage

Complaint Exhibits

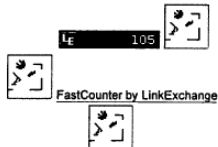
!Cats cancer cures, Cats Feline T...ukemia, Feline lupus (Anonymized) <http://anon.free.anonymizer.com/http://www.remedies.net/essiac7.html>

Natural Heritage Enterprises
PO Box 278, 183 Bellevue Overlook
Crestone CO 81131, USA



Phone: 719 256 4876
Fax: 719 256 4874
email: herbs@fone.net

Clarification: The Canadian nurse Rene Caisse was given her herbal remedy formula in 1922 by an Ojibway medicine man. She later named the herbal remedy Essiac. The name "Essiac" has since been issued as a trademark to an American company. Therefore it should be clearly understood that our herbal formula is not named Essiac. It is named "Rene Caisse's Original Herbal Tea Remedy". The formula which Rene Caisse used was made public when she submitted it to the Royal Cancer Commission in 1937 for evaluation. In addition, many people who worked with Rene Caisse over the years were taught the formula, including the Canadian researcher Sheila Snow. Others, such as Dr. Gary Glum of Los Angeles, were given the formula by her family after her death. We were first given the formula by Dr. Glum. It has since been verified as authentic on two separate occasions by women who actually prepared the herbal tea for Rene Caisse.



For a good reference for illnesses with dogs..cats..horses..leukemia..feline..pets..cancer forum. Also cancer curer
research..cancer committee..cancer information..cancer
studies..dogs..cats..horses..leukemia..feline..pets..cancer..forum..cancer research..cancer cures committee..cancer
information..cancer studies..dogs..cats..horses..leukemia..feline cures..This website offers information about a
natural holistic herbal medicine therapy for cats called Essiac Tea. As explained below, we
suggest this herbs formula for feline leukemia and cancer tumors in cats. Consult your
veterinarian for specific advice about the use of herbs for your feline pets. pets. See our website for
alternative treatments for your dog and cat and pet that work.

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>
<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>	<u>15</u>
<u>16</u>	<u>17</u>	<u>18</u>	<u>19</u>	<u>20</u>

[Jump](#) [Bug Report](#) [Help](#)

Complaint Exhibits

Exhibit D

I began taking Essiac for severe ...s and severe fatigue [Anonymized] <http://anon.free.anonymizer.com/h...essiacsource.com/testimonials.htm>



This webpage is found at <http://bonuspages.com/essiachandbook/testimonials.htm>

Testimonials From Essiac Users

I began taking Essiac for severe arthritis and severe fatigue. The results are unbelievable! I am doing everyday normal things that I haven't been able to accomplish for 10 years; 10 years that have taken a great toll on my life. Since I have been taking Essiac I have felt the years float away, and I have regained the feeling of youth again. I am very happy with the results. My daughter Donna Geary of Alta Loma gave me my first bottle. The results are wonderful. The results were also immediate. Thank you for this wonderful drink.

Lucy Claudine Gibson

Lakewood California

My Brother-in law gave me a bottle of Essiac. I enjoyed the taste, soon realized a 20 year stomach problem was gone. It gives me an all-around better feeling. I am 60 years old, and I work 7 days a week.

My nephew in Wisconsin learned that he had cancer. Sent him the book "Canada's Cancer Cure" about Essiac. He was unable to take Chemo because of other health problems. He takes the tea faithfully, and one year later all is in remission.

Robert W. Heath

Fenwick, Michigan

Complaint Exhibits

I began taking Essiac for severe ...s and severe fatigue [Anonymized]<http://anon.free.anonymizer.com/h...essiacsource.com/testimonials.htm>

My friend was diagnosed with Lung Cancer. I took it upon myself to give him a book on Essiac. He returned the next day to tell me that he was interested, and I set him up with a supply. They had planned on Chemotherapy but first wanted to monitor the growth rate which consisted of periodic x-rays. The first sets of x-rays showed such slow (almost negligible) growth that they waited for the second set to confirm the situation. After the second set of x-rays, the doctor told Bob that if he had had such success with chemotherapy, he (the doctor) would have been pleased to take the credit for such improvement.

We are both grateful to the people who keep an open mind and heart to give cancer patients hope for cure. I deeply believe Essiac has helped cure Bob, and I'm much more comfortable using it rather than making no effort to stay healthy systemically. If you'd like to share this letter with anyone, you have our blessing.

Greg Krepala
292 Martin Ct.
Aptos CA 95003

I took Essiac for prostate cancer. Under doctor's orders I was given chemotherapy. I also took Essiac, and as a result the PSA rating went down below zero (0). I took the combination for 16 months and when it held below zero I quit the chemotherapy. Since then the PSA readings went like this:

October: 0.15

April: 0.37

October 0.58

April 0.73

I have been continuing to take Essiac.

Paul E. Roche
East Haven, Connecticut

I had ovarian cancer which was diagnosed as widespread. They removed my ovaries and six inches of colon. I was advised afterwards that they could not remove all of the cancer cells and they recommended chemotherapy. I refused because of heart problems (I had two heart surgeries the previous years). I had found an article about Essiac and told the doctors I was going to try it. Well the results have been remarkable. I had lost over sixty-two pounds, and have now gained over sixteen

Complaint Exhibits

I began taking Essiac for severe ...s and severe fatigue [Anonymized] <http://anon.free.anonymizer.com/h...essiacsource.com/testimonials.htm>

back. Have been stronger and able to resume my work with ceramics. I do not believe that I would be alive now if it had not been for Essiac. I recommend it to everyone, and I am amazed at how cancer touches so many lives.

Doris Kearns

Porter, Texas

ps: My last exam by the oncologist showed results which were "perfect, perfect". I feel wonderful.

I had breast cancer. I started taking Essiac 3 weeks prior to my first chemotherapy session. Every side effect that was predicted I would have were so-o-o diminished that I hardly noticed them. My blood work, both chemistry and hemo. were, I was told, FANTASTIC for a chemotherapy patient. I play duplicate bridge with as many as 140 people attending a local game. Everyone commented on my appearance and energy level and were amazed. Some started taking Essiac for general health reasons. How do I know that it was Essiac? I went to California after my 5th chemo., and stayed for three weeks. Since we were moving from place to place, I did not take Essiac. Upon returning home I received my 6th and final treatment. I was so very sick: nausea, diarrhea, heartburn so bad that I couldn't sleep, and I was so very tired. I start radiation in a week, and you can bet that I will not be without my Essiac.

June K. Outerson

Phoenix, Maryland

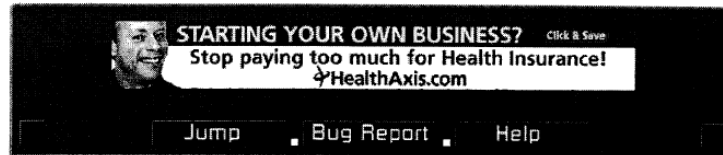
[Return To Home Page](#)

ANONYMIZER.COM Privacy is Your Right

Complaint Exhibits

Exhibit E

Natur.^{al} Herbal Cancer Cures, Questions answered. [Anonymized] <http://anon.free.anonymizer.com/ht...essiacsource.com/essiacteaFAQ.htm>



Frequently Asked Questions

Listed below are the answers to many frequently asked questions about the Rene Caisse herbal tea.

Table of Contents

1. What is the proper dosage?
2. How soon should I see results ?
3. Will the herbal tea conflict with any type of medicines I might be taking?
4. What kind of Clinical Trials or Tests have been done on Rene Caisse's Essiac tea?
5. What is the difference between the Essiac tea which has 4 herbs in it, and the tea which has 8 herbs in it?
6. What does the herbal tea taste like?
7. Does the herbal tea really work?
8. Will your herbal remedy cure xxxxxxxx illness?

1. What is the proper dosage?

[We are not doctors and are not permitted to diagnose or prescribe. However, Rene Caisse, in her writings, suggested that people with an illness take 2 oz. of tea twice daily on an empty stomach. Many of our customers tell us that they prefer to take their 2 oz. of tea at bedtime, and then again first thing in the morning. These are times when the stomach is normally empty, and when the tea can be absorbed by the body without having to compete with food in the stomach. Rene Caisse also suggested that people without an illness should take 2 oz. of tea once a day on an empty stomach.

Most take the tea cold, as it comes from the refrigerator. Some mix it with a small amount of water. Others choose to heat it, but remember DO NOT MICROWAVE the herbal tea as some of the teas healing powers will be destroyed.

Some of our customers give the herbal tea to their pets. We suggest for both dogs and cats one oz. of herbal tea twice daily on an empty stomach. Another method is to mix the tea half-and-half with water, and place it in the pet's water dish, so that the pet will drink it with his or her water.]

Complaint Exhibits

Natural Herbal Cancer Cures, Questions answered. [Anonymized] <http://anon.free.anonymizer.com/ht...essiacsource.com/essiateaFAQ.htm>

Back to Top

2. How soon should I see results ?

[Results vary from individual to individual, but most people tell us that they observe some type of results from taking the tea within 2 to 3 weeks.]

Back to Top

3. Will the herbal tea conflict with any type of medicine I might be taking ?

[Again, we are not doctors, and cannot diagnose or prescribe. However we have never had a customer report any conflict with the herbal tea and their medicine. All of the herbs in the tea are classified as foods.

In her writings, Rene Caisse emphasized that her Essiac tea helped people who were undergoing Radiation or Chemotherapy, and that the tea helped their bodies "undo" the harmful side effects of Radiation and Chemotherapy.]

Back to Top

4. What kind of Clinical Trials or Tests have been done on Rene Caisse's Essiac tea ?

[In 1937 Rene Caisse presented her Ojibway herbal formula to the Royal Cancer Commission in Canada. After a thorough study, their report stated that "Essiac is a cure for cancer". In the 1950s, Dr. Charles Brusch (John F. Kennedy's personal physician) conducted trials in his clinic at Cambridge, Massachusetts. After studying Essiac tea for a number of years, he reported "Essiac is a cure for cancer, period".

Rene Caisse herself presented stacks of papers about her Essiac tea to the United States Food and Drug Administration, requesting their approval of her tea. The FDA declined to investigate the claims about the herbal tea, stating that it only evaluated drugs.

At present, there is kind of a "catch-22" about evaluating natural healing modalities such as Essiac tea. Large amounts of money are required to conduct the type of trials which would be acceptable to the mainstream medical establishment. Who is going to fund such studies? It is estimated that \$200 million is required to conduct the studies which are required by the FDA for the approval of a new medicine. It is almost as if the rules are written so that only the large pharmaceutical companies can play in this game. Their inducement to study natural medicines, which have no profit potential for them, is not very high.]

Back to Top

5. What is the difference between the Essiac tea which has 4 herbs in it, and the tea which has 8 herbs in it?

[The original formula which Rene Caisse got from the Ojibway Indians has 4 herbs in it: Burdock

Complaint Exhibits

Natural Herbal Cancer Cures, Questions answered. [Anonymized] <http://anon.free.anonymizer.com/ht...essiacsource.com/essiacfaq.htm>

Root, Sheep Sorrel, Rhubarb Root, and Slippery Elm Bark. It was this 4 herb formula which she presented to the Canadian Royal Cancer Commission in 1937. Later, during the 1950s when she worked with Dr. Charles Brusch in Massachusetts, they on occasion added small "potentiizing" amounts of 4 other herbs to the formula. Dr. Brusch later presented this "8" herb formula to the public. In our opinion, both formulas are basically the same. In the 4 herb formula Burdock Root and Sheep Sorrel (which Rene Caisse called the "cancer killers") comprise 93 % of the herbs. In the 8 herb formula they comprise 92 % of the herbs. We use the 8 herb formula.]

Back to Top

6. What does the herbal tea taste like?

[It has a mild, earthy taste. Most of our customers tell us that they either like the taste, or that they tolerate the taste.]

Back to Top

7. Does the herbal tea really work?

[Yes. We could not stay in business, given the low costs of our products, if the tea didn't work. As a matter of fact, word-of-mouth sells more herbal tea for us than anything else. We sell more of our "Bonus Buy" (buy 12, get 18) to our established customers than anything else.]

Back to Top

8. Will your herbal remedy cure xxxxxxxx illness?

[This question always places us in a difficult position. In meetings with FDA officials, we have been specifically told that we cannot in any way tell anyone that our herbal remedies will cure any specific disease or illness. For instance, we cannot even mention that Essiac is a remedy for cancer, much less state that it cures cancer in some people. We cannot even show them written testimonials from others. We are only permitted to state that our herbal remedy has general "therapeutic value". Thus we find ourselves with our "hands tied", so to speak, and we cannot freely answer such questions.

What we are permitted to tell people is that Essiac builds the immune system, detoxifies the body, and strengthens the body. If you will "surf" the net and read about the immune system, you will basically find that all illness results when the immune system becomes depleted or weakened. Basically, if you have a strong and healthy immune system, you won't become sick, period. *Our herbal remedy strengthens your immune system.*

We are all aware that modern society causes a lot of toxins, chemicals, and poisons to enter our body. Years of accumulated pesticides, insecticides, chemicals from gas fumes, auto emissions, ingested paint, etc., which have become lodged in our bodies are recognized as a major cause of illness and disease. *Our herbal remedy removes these poisons from your body.*

A strong body is better able to resist illness. Should you become ill, a strong body is better able to fight the illness. *Our herbal remedy helps to make your body strong.*

So, indirectly, we are able to address your question: Our herbal remedy, in building the immune system, detoxifying the body, and strengthening the body, will assist you to overcome all illness.]

Complaint Exhibits

Natural Herbal Cancer Cures, Questions answered. [Anonymized] <http://anon.free.anonymizer.com/ht....essiacsource.com/essiacteaFAQ.htm>

[Back to Top](#)

[Return to Home Page](#)

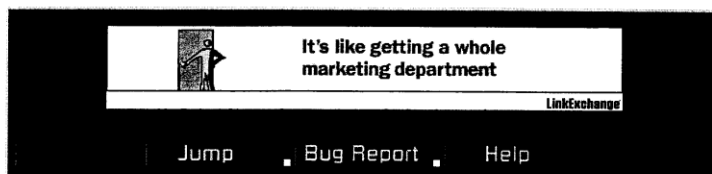
Natural Heritage Enterprises
PO Box 278, 183 Bellevue Overlook
Crestone CO 81131, USA
Tel: 719 256 4876
Fax: 719 256 4874

[Jump](#) [Bug Report](#) [Help](#)

Complaint Exhibits

Exhibit F

Essiac Herbal Remedy for HIV, AIDS [Anonymized]

<http://anon.free.anonymizer.com/h...bonuspages.com/essiac/hiv aids.htm>

Important Information for All who are Interested in facts about HIV and AIDS

Truth is truth: Please read this truth. In 1993 Dr. Gary Glum of Los Angeles worked with a Los Angeles AIDS project. The project had sent 179 AIDS patients home to die. They had pneumocystis carini and histoplasmosis. Their weight was down and their cell counts were less than ten.

The project gave Dr. Glum five of these patients to work with. He took them off AZT and put them on a protocol of taking 2 ounces of Essiac herbal remedy tea three times a day. By February of 1994 all of the other 174 patients had died. Dr. Glum's five patients were still alive. They were exercising, eating three meals a day, and their weights were back to normal, and they had no appearance of illness.

Does this sound preposterous? Many cannot believe that there are simple herbal remedies which do help HIV and AIDS patients. If you dare. If you have the intellectual courage. If you really want the truth, please check out the herbal remedy Essiac tea.

[Click Here for Information about Essiac Herbal Remedy](#)

Complaint Exhibits

Essiac Herbal Remedy for HIV, AIDS [Anonymized]

<http://anon.free.anonymizer.com/h...bonuspages.com/essiac/hiv aids.htm>

[Click Here to go to our Essiac Website](#)

This webpage is furnished by Natural Heritage Enterprises

46 33
FastCounter by LinkExchange

Jump Bug Report Help

Complaint Exhibits

Exhibit G

!Essiac tea. FREE Book: Holistic herbal alternative remedy.

<http://www.essiacsource.com>**Essiac Tea: A Natural Herbal Remedy****The Holistic Therapy Using Herbs***Alternative Medicine; Healing Herbs; Remedies***Essiac
Tea:
[To Order](#)
[Press Here](#)****Links to
other Essiac
sites below:****The Essiac
Story:
[To Read](#)
[The Essiac](#)
[Story](#)
[Press](#)****Personal
Stories:
[Lucy](#)
[Kathryn](#)
[Lynn](#)
[Candy](#)**

Note: There is a newly expanding awareness of the therapeutic and healing qualities of natural herbal remedies. It is now widely accepted that strengthening the immune system and building the body's natural defense system is the effective way to combat illness and poor health. A program of natural or alternative medicine and diet modification is now recommended by many physicians. Cancer studies indicate that cancer develops when the body's immune system is weakened; therefore a strengthened immune system is important in the fight against cancer.



This website offers information about a natural alternative holistic medicine therapy called Essiac Tea. It is not yet endorsed by the FDA, and we cannot therefore claim that Essiac cures any disease. Consult your doctor for specific advice.

Hello,

**Newspaper
Articles:
[Vancouver](#)
[Sun](#)****Essiac
websites
You
Should
Visit:
[History of](#)
[Essiac](#)****[Essiac](#)
[Article:](#)****[Essiac](#)
[Article:](#)****About The
Herbs:
[FREE:](#)
[Herbs](#)
[Booklet](#)****Our Links
Page:
[Links to](#)
[other sites](#)
[of interest](#)**

My name is Mike Miller, and I first learned of Essiac in 1992. At that time, few had heard of this herbal tea of the Ojibway Indian tribe which the Canadian nurse Rene Caisse had named Essiac Tea. I set out to manufacture and distribute a brand of this herbal tea which we call "Rene Caisse's Original Herbal Tea Remedy". Our goal is to provide the best possible brand of this herbal tea at a very fair price. We use only the finest organic herbs in our herbal formula. Our prices are such that everyone can now afford this herbal tea. And awareness of this herbal tea remedy has grown so that our business now ships our herbal tea all over the world.

The story of this herbal remedy, widely known as Essiac Herbal Tea, and how it was found among the Ojibway tribe in 1922, you will find interesting. They made their herbal tea remedy using the herbs Burdock Root, Sheep Sorrel, Rhubarb Root and Slippery Elm Bark. For a more detailed explanation of the Essiac story see the left sidebar which will direct you to other websites which have information about the story of Essiac tea therapy.

Essiac tea has not been approved by the United States FDA, and we are therefore not able to comment about any specific illness. But there are websites on the Internet which do not sell Essiac, and are therefore able to more directly address questions about specific illnesses. On the left sidebar are several websites which we recommend which may be able to assist you if you seek such answers. If, after reading about this famous Indian herbal remedy, you decide to buy some of Rene Caisse's herbal tea, I hope that you will remember us, and will return to this website to buy your herbal remedy.

Sincerely,

Michael D. Miller

Exhibit G

Natural Heritage Enterprises, PO Box 278, 183 Bellevue Overlook, Crestone CO 81131,

Complaint Exhibits

!Essiac tea. FREE Book: Holistic herbal alternative remedy.

<http://www.essiacsource.com/>

[of interest](#) Natural Heritage Enterprises, PO Box 278, 183 Bellevue Overlook, Crestone CO 81131,
USA; Tel: 719 256 4876 email: herbs@hone.net

**Frequently
Asked
Questions:
[Click Here](#)**

About Essiac

How does Essiac herbal tea work? The 8 herbs in Essiac are reported to interact on the human body as follows:

Builds the Immune System	Detoxifies The Body	Removes Heavy Metals
Restores Energy Levels	Cleanses the Blood	Promotes Cell Repair

In performing these functions, the herbal formulation in Essiac synergistically enhances and strengthens the body and its natural defenses. Thus strengthened, the body is able to better protect and heal itself of illness. For additional information about the herbs in Essiac, you are welcome to print out a free copy of "The Essiac Herbs Book" which is located on the left sidebar.

Our Products

In Bottles: We sell the Herbal Tea in 16 oz. bottles, ready to drink. The price per bottle is \$14.50.

In Package of Dried Herbs: We also sell the Herbal Tea in a package of dried herbs which you brew into the tea. Each package contains 1/3 cup of herbs, and brews one-half gallon of herbal remedy tea. The price per package is \$12.00. Brewing instructions are included with each package of our herbal blend.

Bonus Program: If you purchase 12 bottles of the liquid tea or 12 packages of the dried herbs, you will receive an additional bonus of 6 for free. Pay for 12 and get 18!

Shipping & Handling: Within the USA the charge is \$3.00 for orders up to \$25.00, and \$5.00 for orders greater than \$25.00. We ship the Herbal Tea worldwide. For international orders, an extra charge equal to the air delivery shipping rate to your country will be added. Because of the excess weight of bottles, we only ship the dried herb packages overseas and to Canada.

Order

[To Order The Herbal Tea Click Here:](#)

Complaint Exhibits

Exhibit H

```
<html>

<head>
<title>|Essiac tea. FREE Book: Holistic herbal alternative remedy. [Anonymized]</title>
<meta NAME="Keywords"
CONTENT="cancer, cancer treatments, Essiac ESSIAC Essiac essiac essiac TEA tea tea tea
CANCER CANCER Cancer cancer CURES Cures cures cures information, brain tumors,
lymphoma help, essiac, ESSIAC teas, natural colon treatments, natural remedies remedies
REMEDIES remedies remedies REMEDY Remedy remedy remedy HERBAL HERBAL herbal
Herbal HERBS Herbs herbs herbs thyroid fibromyalgia, brain tumors, Brain Tumors, natural
colon cures, colon remedies, lymphoma information, diabetes, information, ovarian treatments,
herbal remedies, herbal remedy, herbal teas, remedy, immune systems remedy, immune system,
breast, fatigue, help, thyroid, lupus teas, breast cancer, breast solutions, prostate answers, prostate
prostate solutions lung liver healing lymphoma diabetes ovarian chronic lung immune systems
liver leukemia solutions lung therapy liver cures leukemia leukemia cures books herbs books
rene caisse diabetes healing Rene Caisse arthritis holistic options holistic answers holistic
arthritis Rene caisse,">
<meta NAME="DESCRIPTION"
CONTENT="Essiac Tea. FREE Herbs Book. Essiac tea is a natural holistic alternative medicine
herbal remedy which builds immune systems. Information, cancer options, Cancer and Essiac
treatments, cancer therapy.">
</head>
```

Exhibit H
[Excerpt of Source Code Showing Meta Tags for www.essiacsource.com]

Decision and Order

DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondent named in the caption hereof, and the respondent having been furnished thereafter with a copy of a draft of complaint which the Bureau of Consumer Protection proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge respondent with violation of the Federal Trade Commission Act; and

The respondent, his attorney, and counsel for Federal Trade Commission having thereafter executed an agreement containing a consent order, an admission by the respondent of all the jurisdictional facts set forth in the aforesaid draft of complaint, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondent that the law has been violated as alleged in such complaint, or that the facts as alleged in such complaint, other than jurisdictional facts, are true and waivers and other provisions as required by the Commission's rules; and

The Commission having considered the matter and having determined that it had reason to believe that the respondent has violated the said Act, and that complaint should issue stating its charges in that respect, and having thereupon accepted the executed consent agreement and placed such agreement on the public record for a period of thirty (30) days, now in further conformity with the procedure prescribed in § 2.34 of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings and enters the following order:

1. Respondent Michael D. Miller is a resident of Colorado. His principal office or place of business is 183 Bellevue Overlook, Crestone, Colorado 81131. Individually or in concert

Decision and Order

with others, he formulates, directs, or controls the policies, acts, or practices of the business operating under the trade name "Natural Heritage Enterprises."

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondent, and the proceeding is in the public interest.

ORDER

DEFINITIONS

For purposes of this order, the following definitions shall apply:

A. "Competent and reliable scientific evidence" shall mean tests, analyses, research, studies, or other evidence based on the expertise of professionals in the relevant area, that has been conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the profession to yield accurate and reliable results.

B. "Commerce" shall mean as defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44.

C. "Essiac product" shall mean any product for which the term "Essiac" or "Caisse" appears on the product label or on any advertising or promotion, and any product containing burdock root, sheep sorrel, rhubarb root, and slippery elm bark herbs.

D. "Food" and "drug" shall mean "food" and "drug" as defined in Section 15 of the FTC Act, 15 U.S.C. § 55(b)-(c).

E. "Metatags" shall mean any word or words embedded in the source code of an Internet Web site that may be used by an Internet search engine in indexing Web sites for the purpose of selecting sites in response to an Internet user's search request.

Decision and Order

F. “Mouseover text” shall mean any terms, triggered by the movement of the user’s mouse, that are displayed in a dialog box or other similar device.

G. A requirement that respondent “notify the Commission” shall mean that the respondent shall send the necessary information via first-class mail, costs prepaid, to the Associate Director for Division of Enforcement, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580. Attention: In the Matter of Michael D. Miller.

H. “Person” shall mean a natural person, organization or other legal entity, including a partnership, corporation, proprietorship, association, cooperative, or any other group acting together as an entity.

I. Unless otherwise specified, “respondent” shall mean Michael D. Miller, individually and doing business as Natural Heritage Enterprises, and his agents, representatives, and employees.

I.

IT IS HEREBY ORDERED that respondent, directly or through any corporation, subsidiary, division, trade name, or other device, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any Essiac product, service, or program, or any other food, drug, or dietary supplement in or affecting commerce, shall not make any representation, in any manner, including by means of metatags or mouseover text, expressly or by implication:

- A. That such product, service, or program is effective in the treatment or cure of cancer, leukemia, brain tumors, lymphoma, bone cancer, ovarian cancer, breast cancer,

Decision and Order

prostate cancer, diseases of the colon, thyroid conditions, fibromyalgia, diabetes, lupus, chronic fatigue syndrome, multiple sclerosis, HIV/AIDS, arthritis, diseases affecting the lungs or liver, any illness which is affected by a lowered or weakened immune system, or pets' illnesses, including cancer, tumors, or feline leukemia;

- B. That such product, service, or program is effective in the mitigation, treatment, prevention, or cure of any disease or illness; or
- I. About the health benefits, performance, safety, or efficacy of any such product, service, or program,

unless, at the time the representation is made, respondent possesses and relies upon competent and reliable scientific evidence that substantiates the representation.

II.

IT IS FURTHER ORDERED that respondent, directly or through any corporation, subsidiary, division, trade name, or other device, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any "Essiac" product, service, or program, or any other food, drug, or dietary supplement in or affecting commerce, shall not misrepresent, in any manner, including by means of metatags or mouseover text, expressly or by implication:

- A. The connection or association between any Web site created and/or maintained by respondent and any other Web site; or
- B. The existence, contents, validity, results, conclusions, or interpretations of any test, study, or research.

Decision and Order

III.

IT IS FURTHER ORDERED that respondent, directly or through any corporation, subsidiary, division, or other device, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any "Essiac" product, service, or program, or any other food, drug, or dietary supplement in or affecting commerce, shall not represent, in any manner, including by means of metatags or mouseover text, expressly or by implication, that the experience represented by any user testimonial or endorsement of the product, service, or program represents the typical or ordinary experience of members of the public who use the product, service, or program, unless:

- A. The representation is true and, at the time it is made, respondent possesses and relies upon competent and reliable scientific evidence that substantiates the representation; or
- B. Respondent discloses, clearly and prominently, and in close proximity to the endorsement or testimonial, either:
 - 1. what the generally expected results would be for users of the product, or
 - 2. the limited applicability of the endorser's experience to what consumers may generally expect to achieve, that is, that consumers should not expect to experience similar results.

For purposes of this Section, "endorsement" shall mean as defined in 16 C.F.R. § 255.0(b).

Decision and Order

IV.

IT IS FURTHER ORDERED that respondent shall:

- A. Within seven (7) days after service of this Order upon respondent, deliver to the Commission a list, in the form of a sworn affidavit, of all consumers who purchased an Essiac product from respondent on or after September 15, 1996. Such list shall include each consumer's name and address, and, if available, the telephone number and email address of each consumer and the full purchase price, including shipping, handling, and taxes, of any Essiac product purchased from respondent.
- B. Within thirty (30) days after service of this Order upon respondent, send by first class mail, with postage prepaid, an exact copy of the notice attached hereto as Attachment A, showing the date of mailing, to each person who purchased respondent's Essiac product between September 15, 1996, and the date respondent executed this Order. This mailing shall not include any other document.

V.

IT IS FURTHER ORDERED that respondent shall pay to the Federal Trade Commission the sum of seventeen thousand five hundred dollars (\$17,500). This payment shall be made in the following manner:

- A. The payment shall be made by wire transfer or certified or cashier's check made payable to the Federal Trade Commission, the payment to be made no later than the date that this order becomes final.
- B. In the event of any default in payment, which default continues for ten (10) days beyond the due date of payment, the amount due, together with interest, as computed pursuant to 28 U.S.C. 1961 from the date of

Decision and Order

default to the date of payment, shall immediately become due and payable.

- C. The funds paid by respondent, together with any accrued interest, shall, in the discretion of the Commission, be used by the Commission to provide direct redress to purchasers of an Essiac product in connection with the acts or practices alleged in the complaint, and to pay any attendant costs of administration. If the Commission determines, in its sole discretion, that redress to purchasers of this product is wholly or partially impracticable or is otherwise unwarranted, any funds not so used shall be paid to the United States Treasury. Respondent shall be notified as to how the funds are distributed, but shall have no right to contest the manner of distribution chosen by the Commission. No portion of the payment as herein provided shall be deemed a payment of any fine, penalty or punitive assessment.
- D. Respondent relinquishes all dominion, control and title to the funds paid, and all legal and equitable title to the funds vests in the Treasurer of the United States and in the designated consumers. Respondent shall make no claim to or demand for return of the funds, directly or indirectly, through counsel or otherwise; and in the event of bankruptcy of respondent, respondent acknowledges that the funds are not part of the debtor's estate, nor does the estate have any claim or interest therein.

VI.

Nothing in this Order shall prohibit respondent from making any representation for any drug that is permitted in labeling for such drug under any tentative final or final standard promulgated by the Food and Drug Administration, or under any new drug

Decision and Order

application approved by the Food and Drug Administration. Nor shall it prohibit respondent from making any representation for any product that is specifically permitted in labeling for such product by regulations promulgated by the Food and Drug Administration pursuant to the Nutrition Labeling and Education Act of 1990.

VII.

IT IS FURTHER ORDERED that respondent shall, for ten (10) years after the last date of dissemination of any representation covered by this Order, maintain and upon request make available to the Federal Trade Commission for inspection and copying:

- A. All advertisements and promotional materials containing the representation;
- B. All materials that were relied upon in disseminating the representation; and
- C. All tests, reports, studies, surveys, demonstrations, or other evidence in their possession or control that contradict, qualify, or call into question the representation or the basis relied upon for the representation, including complaints and other communications with consumers or with governmental or consumer protection organizations.

VIII.

IT IS FURTHER ORDERED that respondent shall, for a period of ten (10) years after the date of entry of this Order, deliver a copy of this Order to all current and future principals, officers, directors, and managers, and to all current and future employees, agents, and representatives having responsibilities with respect to the subject matter of this Order, and shall secure from each such person a signed and dated statement acknowledging receipt of the Order. Respondent shall deliver this

Decision and Order

Order to current personnel within thirty (30) days after the date of service of this Order, and to future personnel within thirty (30) days after the person assumes such position or responsibilities. Respondent shall maintain and upon request make available to the Commission for inspection and copying each such signed and dated statement for a period of five (5) years after creation.

IX.

IT IS FURTHER ORDERED that for a period of five (5) years from the date of entry of this Order, respondent Miller shall notify the Commission at least thirty (30) days prior to any change with regard to Natural Heritage Enterprises that may affect compliance obligations arising under this Order, including but not limited to its incorporation; the creation or dissolution of a subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order; the proposed filing of a bankruptcy petition; or a change in the business or corporate name or address. Provided, however, that, with respect to any proposed change about which respondent learns less than thirty (30) days prior to the date such action is to take place, respondent shall notify the Commission as soon as is practicable after obtaining such knowledge.

X.

IT IS FURTHER ORDERED that respondent, within five (5) days of entry of this Order, shall notify the Commission of (1) his residence address and mailing address; (2) his telephone number(s); (3) the name, address, and telephone number of his employer; (4) the full names of his employer's principals; (5) if applicable, the names of his supervisors, and (6) a description of his employer's activities, and the respondent's duties and responsibilities.

Decision and Order

XI.

IT IS FURTHER ORDERED that respondent, for a period of ten (10) years after the date of entry of this Order, shall notify the Commission of any changes in his residence address or mailing address or business address or mailing address, of the discontinuance of his current business or employment, or of his affiliation with any new business or employment. Notice of changes in employment status shall include: (1) the new employer's name, address and telephone number; (2) the full names of the employer's principals; (3) if applicable, the names of respondent's supervisors, and (4) a description of the employer's activities, and respondent's duties and responsibilities.

XII.

IT IS FURTHER ORDERED that respondent shall, within sixty (60) days after the date of service of this Order, and at such other times as the Federal Trade Commission may require, file with the Commission a report, in writing, setting forth in detail the manner and form in which respondent has complied and is complying with this Order.

XIII.

This Order will terminate on May 16, 2020, or twenty (20) years from the most recent date that the United States or the Federal Trade Commission files a complaint (with or without an accompanying consent decree) in federal court alleging any violation of the order, whichever comes later; provided, however, that the filing of such a complaint will not affect the duration of:

- A. Any Part in this order that terminates in less than twenty (20) years; and
- B. This order if such complaint is filed after the order has terminated pursuant to this Part.

Decision and Order

Provided, further, that if such complaint is dismissed or a federal court rules that the respondent did not violate any provision of the order, and the dismissal or ruling is either not appealed or upheld on appeal, then the order will terminate according to this Part as though the complaint had never been filed, except that the order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

By the Commission.

ATTACHMENT A**LETTER TO CUSTOMERS (INCLUDING
DISTRIBUTORS) WITH WHOM RESPONDENT HAS
DONE BUSINESS PRIOR TO EXECUTING THIS ORDER**

[To be printed on letterhead of Natural Heritage Enterprises]

[Name and address of recipient] [Date]

Dear [recipient's name]:

I recently entered into a settlement with the Federal Trade Commission regarding advertising claims for Rene Caisse's Original Herbal Tea Remedy, also described as "Rene Caisse's Essiac Tea" or "Essiac Tea" ("Essiac Tea"). The agreement does not constitute an admission by me that I have violated any law. As part of that settlement, I agreed to send you the following message prepared by the FTC about the science on Essiac tea and disease:

Decision and Order

Not much scientific research has been done on Essiac tea. The research that has been done, however, does not demonstrate that Essiac tea is an effective remedy in fighting cancer or any other disease. One group that looked into Essiac tea as a possible cancer remedy, the Canadian Breast Cancer Research Initiative, wrote: "No formal clinical studies demonstrating that any observed positive outcomes in cancer patients can be attributed to the use of Essiac rather than to other therapies or to the natural history of the disease were found." The group assessed the science on cancer and Essiac: "Weak evidence of effectiveness. Little evidence of harm. This is a widely used agent which has been incompletely studied."

If you are interested in the scientific research that has been done on alternative cancer treatments including Essiac, you may want to read a report published by the U.S. Office of Technology Assessment. The report is called, "Unconventional Cancer Treatments," and was published in 1990. Chapter 4 deals with herbal treatments including Essiac. The report collected the available published studies on Essiac tea and other alternative cancer remedies. According to the report, the Memorial Sloan-Kettering Cancer Center in New York conducted tests on Essiac tea in the 1970s and 1980s to see if the tea had any success in shrinking tumors or retarding their growth rate. The tests did not reveal any effect on the tumors. The National Cancer Institute, an agency of the U.S. government, also tested Essiac tea in 1983, and again no antitumor activity was noted. A study conducted by an agency of the Canadian government, based on physicians' reports on patients who were trying Essiac tea, also showed no positive results. According to the Office of Technology Assessment, the Canadian agency "concluded that this review provided no evidence that the progression of cancer in these patients had been altered by taking Essiac."

Even less is known about the effectiveness of Essiac tea in remedying other diseases. There are no formal clinical trials indicating that Essiac tea is effective in alleviating or curing any disease. You should also know that, while most studies don't

Analysis to Aid Public Comment

indicate serious adverse health effects from taking the tea, the studies do note that some people experience nausea, vomiting, or other possible side effects.

If you do take Essiac tea, you should make sure to let your doctor or health professional know because of potential interactions with other treatments.

Sincerely,

Michael D. MillerNatural Heritage Enterprises

Analysis of Proposed Consent Order to Aid Public Comment

The Federal Trade Commission has accepted an agreement to a proposed consent order from Michael D. Miller, individually and doing business as Natural Heritage Enterprises ("Miller").

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

This matter involves alleged unsubstantiated representations that "Rene Caisse's Original Herbal Tea Remedy," also known as "Rene Caisse's Essiac Tea" or "Essiac Tea" ("Essiac Tea") is effective for treating or curing a number of diseases including, among others, cancer, leukemia, diabetes, and AIDS/HIV. The

Analysis to Aid Public Comment

complaint alleges that these representations were made through the following means, taken together: the visible portion of Miller's Internet Web sites and in the metatags and mouseover text. In addition, according to the FTC complaint, through the visible portion of his Internet advertisements, Miller falsely represented that clinical evidence proves that Essiac Tea is an effective cancer cure; that "recommended [Web] sites" to which respondent's home page links are independent Web sites not associated with Miller or Natural Heritage; and, impliedly, that the experiences of persons giving testimonials are representative of the typical experience of those using the product.

The proposed consent order contains provisions designed to prevent Miller from engaging in similar acts and practices in the future.

Part I of the order prohibits Miller from representing, without competent and reliable scientific evidence substantiating the representation, that any Essiac product, service, or program, or any other food, drug, or dietary supplement, is effective in the treatment or cure of certain enumerated diseases; that the product, service, or program is effective in the mitigation, treatment, prevention, or cure of any disease or illness; or about the health benefits, performance, safety, or efficacy of any such product, service, or program.

Part II of the order provides that Miller shall not misrepresent the connection or association between any Web site created and/or maintained by Miller and any other Web site, or the existence, contents, validity, results, conclusions, or interpretations of any test, study, or research.

Part III of the order provides that Miller shall not represent that the experience represented by any user testimonial or endorsement of the product, service, or program represents the typical or ordinary experience of members of the public who use the product, service, or program, unless the representation is substantiated or Miller discloses, clearly and prominently, in close

Analysis to Aid Public Comment

proximity to the endorsement or testimonial, either what the generally expected results would be for users of the product, or the limited applicability of the endorser's experience to what consumers may generally expect to achieve.

Parts I, II, and III apply to representations that are either express or implied, and specifically apply to representations communicated in any manner, including claims made by means of meta tags or mouseover text.

Part IV of the order requires respondent to deliver to the Commission a list, in the form of a sworn affidavit, of all consumers who purchased an Essiac product from respondent on or after September 15, 1996, and to send to all such consumers, by first class mail, an exact copy of a notice with information about the scientific research on Essiac tea.

Part V of the order requires respondent to pay seventeen thousand five hundred dollars (\$17,500) in redress. The funds paid by respondent, together with any accrued interest, shall, in the discretion of the Commission, be used by the Commission to provide direct redress to purchasers of an Essiac product in connection with the acts or practices alleged in the complaint, and to pay any attendant costs of administration; or, if the Commission determines, in its sole discretion, that redress to purchasers of this product is wholly or partially impracticable or is otherwise unwarranted, any funds not so used shall be paid to the United States Treasury.

Part VI of the order states that representations for any drug that is permitted in labeling for such drug under any tentative final or final standard promulgated by the Food and Drug Administration, or under any new drug application approved by the Food and Drug Administration, are not prohibited by the order. The order also does not prohibit respondent from making

Analysis to Aid Public Comment

any representation for any product that is specifically permitted in labeling for such product by regulations promulgated by the Food and Drug Administration pursuant to the Nutrition Labeling and Education Act of 1990.

Parts VII-XII of the order require Miller to keep copies of relevant advertisements and materials substantiating or calling into question claims made in the advertisements; to provide copies of the order to certain of its personnel; to notify the Commission of changes in the company that may affect the order; to notify the Commission of his current address and employment status, and any changes in address or in employment status; and to file compliance reports with the Commission. Part XIII provides that the order will terminate after twenty (20) years under certain circumstances.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way their terms.

Complaint

IN THE MATTER OF
THE WISCONSIN CHIROPRACTIC
ASSOCIATION

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATIONS OF
SEC. 5 OF THE FEDERAL TRADE COMMISSION ACT

Docket C-3943; File No. 9710117
Complaint, May 18, 2000--Decision, May 18, 2000

This consent order addresses practices used by Respondents, Wisconsin Chiropractic Association and Russell A. Leonard. The order prohibits Respondents from fixing prices for any chiropractic services or other health care goods or services. Respondents are also prohibited from creating, suggesting, or endorsing any proposed fees or conversion factors for any health care goods or services, from engaging in negotiations on behalf of any chiropractor or group of chiropractors or other health care providers, from urging or recommending that any chiropractor or any provider accept or not accept any term or condition of any participation agreement, or from organizing or participating in any meeting or discussion where they expect chiropractors will discuss intentions concerning participation in any health plans and terminating any meeting in which two or more persons make such communications. The order also bans Respondents from initiating, originating, developing, publishing, or circulating any fee survey for any health care goods or services for a period of two years and from conducting or distributing any fee survey unless (1) the data collection and analysis are managed by a third party; (2) the raw fee survey data is retained by the third party and not made available to the respondents; (3) any information that is shared among or is available to providers is more than three months old; and (4) there are at least five providers reporting data upon which each disseminated statistic is based, no individual provider's data represents more than 25 percent on a weighted basis of that statistic, and any information disseminated is sufficiently aggregated that it would not allow respondents or any other recipients to identify the prices charged or compensation paid by any particular provider.