

Complaint

IN THE MATTER OF

QVC, INC.

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

Docket C-3955; File No. 9823152
Complaint, June 14, 2000--Decision, June 14, 2000

This consent order addresses representations by respondent Quigley Corporation concerning the effectiveness of its Cold-Eeze Zinc Lozenges, Cold-Eezer Plus Zinc Gluconate Lozenges, and Kids-Eeze Bubble Gum ("Kids-Eeze") products. The consent order prohibits the respondent from making representations that its products prevent users from contracting colds and pneumonia; will treat allergies; will reduce the severity of colds in children; and that Kids-Eeze will reduce the severity of cold symptoms in children unless it possesses and relies upon competent and reliable scientific evidence that substantiates such representations. The consent order also prohibits the respondent from making any representation that any food, drug, or dietary supplement can or will cure, treat, or prevent any disease, or have any effect on the structure or function of the human body, unless it possesses and relies upon competent and reliable scientific evidence that substantiates the representation.

Participants

For the Commission: *Daniel Kaufman, Lisa B. Kopchik, C. Lee Peeler and Michelle K. Rusk.*

For the Respondent: *Lewis Rose, Arent Fox Plotkin & Kahn, PLLC; Alan K. Palmer, Cooper, Carvin & Rosenthal; Glenn A. Mitchell, Stein, Mitchell & Mezines; and Ed Glynn, Venable, Baetjer, Howard & Civiletti, LLP.*

COMPLAINT

The Federal Trade Commission, having reason to believe that QVC, Inc., a corporation ("respondent"), has violated the provisions of the Federal Trade Commission Act, and it appearing

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to the Commission that this proceeding is in the public interest, alleges:

1. Respondent QVC, Inc. ("QVC") is a Delaware corporation with its principal office or place of business at 1200 Wilson Drive, West Chester, PA 19380. QVC operates two cable shopping services and is principally engaged in the marketing of a variety of consumer products by means of live, customer-interactive, televised sales programs and through its Internet Web site (www.qvc.com). QVC produces and disseminates advertising in the form of television programming that is disseminated through cable channels, broadcast stations and satellite dish receivers. This programming markets consumer products directly to viewers.

2. Respondent has advertised, offered for sale, sold and distributed dietary supplement products to the public, including Cold-Eezer Plus Zinc Gluconate Lozenges and Cold-Eeze Zinc Lozenges (hereinafter, collectively, "Cold-Eeze"). These products are "foods" and/or "drugs" 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.

4. Respondent has disseminated or has caused to be disseminated advertisements for Cold-Eeze, including but not limited to the attached Exhibits A through E, transcripts of television advertisements that appeared on QVC or Q2, home shopping cable channels run by QVC. These advertisements contain the following statements:

(a) Show Host: Chuck is back to tell us why Cold-Eezers are so fabulous. Perfect time of year to bring them back because we've got hay fever and allergies combined with an

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upcoming cold season. Already I'm starting to see lots of sniffles around QVC.

(Exhibit A, p. 1).

- (b) C. Phillips: To have a strategy to help fight the common cold. The kids are in school. They are there right now.

. . .

C. Phillips: It's a breeding ground. Everything they touch -- if the child before had a cold and they touch that spot and they touch their noses, its off to the races.

. . .

C. Phillips: So, there's a couple of strategies. One is we can take one a day and try to see if you can beat the cold to what they call prophylactic or a preventive medicine.

Show Host: Excellent

C. Phillips: Try taking one a day. Or if the child comes home and you see that it's here . . . that they have symptoms, start treating the child. Take one every three hours. But everyone in the family should take a couple to prevent picking up that cold.

(Exhibit A, p. 2).

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(c) Caller: I just wanted you to know I have a granddaughter that's 12 years old, and ever since birth when she gets a cold, it turns into bronchitis.

. . .

Caller: And so I tried these . . . and it eliminated the cold almost immediately.

C. Phillips: Well, that's really important because we have several customers we know through QVC and other places where they really can't afford to have their children even get a cold because what happens is this exacerbated condition appears.

Show Host: Sure.

C. Phillips: You get bronchitis, pneumonias. And here's an opportunity right in front of us to stop it right now.

Show Host: Right. Exactly.

(Exhibit A, p. 3).

(d) C. Phillips: The other thing is allergies.

Show Host: Yes.

C. Phillips: We have many, many people who have reported to us that their usual choice is to have antihistamines, which make them dopey --

Show Host: Sure.

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C. Phillips: -- which make them incapable of functioning, some of them.

Show Host: Right.

C. Phillips: And we suggested they try it. So, we -- they tried it and they take one and they see how long it lasts. It does diminish the symptoms of allergies.

(Exhibit A, p. 4).

(e) Show Host: Children can absolutely take this. In fact, I've heard . . . people will wrap one of these in cheesecloth and let their toddler suck on it so they can get the benefits from it without actually risking choking or anything.

C. Phillips: Um-hum. Yes.

(Exhibit A, p. 6).

(f) Caller: And I was glad to hear you say something about taking one a day as a preventative. We've never tried that before.

C. Phillips: Yes. Well, now's the time to try it.

Show Host: Yep.

C. Phillips: This is -- this is a strategy that may pay off big-time because it does help block as you saw in the animation. If we can stop the

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viruses we pick up over the day, they will not have a chance to even start.

Show Host: Perfect.

C. Phillips: Therefore, it will preclude you getting the cold.

Caller: Yes.

C. Phillips: And it's a good strategy. We highly recommend people try that.

(Exhibit A, pp. 6-7)

(g) Show Host: \$18.25. Now, you get 60 lozenges. If you want to do it as a preventative measure, that's going to be a two month supply for you. If you want to stash some in your desk at work, stash some in the glove compartment in your car. Give a couple to your kids at school, because halfway through the day if they start to get that tickle in their throat, by taking one of these, they're already taking steps ahead to prevent getting sicker and to prevent spreading it to the rest of the family. So, these do last you a good long time.

But this is the time of year to stock up. Even if you're not suffering from hay fever and allergies, you know that cold season has pretty much started –

(Exhibit A, p. 8).

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(h) C. Phillips: Well not only that, but zinc is a critical, very important mineral that we all need. A lot of us are deficient in it. . . . So, not only are you preventing a cold, but you're getting that zinc which has been proven many times to have a positive effect on many conditions of the body.

Show Host: So you're getting even healthier.

C. Phillips: Absolutely.

(Exhibit A, p. 9).

(i) Show Host: And actually, if you take these on a preventative basis, you might not ever get a cold at all.

R. Pollack: Right.

(Exhibit B, p. 3)

(j) Show Host: You know, my own grandma just got over pneumonia.

R. Pollack: Hmm.

Show Host: And I'm sending her these so that she can continue to take them, and as some of the people do, take them on a preventative basis.

R. Pollack: Right. Yes.

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Show Host: I know that you have women in nursing homes --

R. Pollack: Right.

Show Host: -- and gentlemen in retirement communities who are taking these.

R. Pollack: Yes. And they find them very effective.

(Exhibit B, p. 4).

(k) Show Host: If you're thinking, oh, well, cold season is over, we're already into April 1st, let me tell you, many, many, many of our viewers and studies will prove that the Cold-Eezers Plus are also effective on airborne allergies. If you are just about to get into ragweed season in your part of the country, if you are constantly dealing with allergic reactions to all of the pollen, if you have to deal with sinus infections because you're just breathing in the junk, this is the alternative. . . . What does Cold-Eezers Plus do? Well, it's the zinc. The zinc that's included within this product literally prohibits the virus or the airborne allergies from adhering to the tissue inside your nose.

(Exhibit C. p. 1)

(l) Show Host: Well, and this is also going to help -- from what the information has told us and what from viewers tell us, this is going to help during your allergy season, because you guys have a lot of beautiful flowering plants out that way. So, this is going to

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help if you are ever subject to allergy attacks.

(Exhibit C, p. 2)

(m) Show Host: But I'm telling you something, I'm always sick. November of every year, I get strep throat, tonsillitis, I always get some sort of horrible throat ailment. And, you know, this year, I didn't get it and I really am a firm believer in these. I think that they're preventing me from getting sick.

(Exhibit D, p. 4).

(n) C. Phillips: We're suggesting to moms, get Cold-Eezer Plus in the house.

Show Host: Um-hum.

C. Phillips: Have it ready, and at the very first hint of a cold, start applying it. But even before then, try to use it as a preventative measure, so that if you know that the child has had an exposure, which is school, they can take one a day --

Show Host: Um-hum.

C. Phillips: -- to try to prevent getting a cold.

Show Host: And you're talking about schools, I mean, everywhere you go, I mean, other children have it, other adults have it, you're just always exposed.

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C. Phillips: Always exposed, exactly. You touch things.

Show Host: Um-hum.

C. Phillips: You touch a doorknob and you go up and you touch your nose, you've got the chance to have it.

Show Host: Right.

C. Phillips: So, what we're saying is, point one, if you don't have it in the house, get some in the house so that you have it to use at the very first sign of a cold.

Show Host: Um-hum.

C. Phillips: That's the important thing. This year we're saying, have it around and take one a day. Give your child one before he goes to school, that way, it can possibly prevent that child from getting a cold.

(Exhibit E, p. 2).

(o) C. Phillips: It's also excellent for allergies.

Show Host: Oh, really?

C. Phillips: Absolutely.

(Exhibit E, p. 5)

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5. Through the means described in Paragraph 4, respondent has represented, expressly or by implication, that:

- (a) Daily use of Cold Eeze will prevent users from contracting colds.
- (b) Use of Cold-Eeze will prevent users from contracting colds.
- (c) Use of Cold Eeze will reduce the risk of contracting pneumonia.
- (d) Use of Cold Eeze will relieve or reduce the symptoms of hay fever or allergies.
- (e) Use of Cold Eeze will reduce the severity of cold symptoms in children.
- (f) Daily use of Cold Eeze will prevent children from contracting colds.

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

7. In truth and in fact, respondent did not possess and rely upon a reasonable basis that substantiated the representations set forth in Paragraph 5, at the time the representations were made. Therefore, the representation set forth in Paragraph 6 was, and is, false or misleading.

8. The acts and practices of respondent as alleged in this complaint constitute unfair or deceptive acts or practices, and the

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making of false advertisements, in or affecting commerce in violation of Sections 5(a) and 12 of the Federal Trade Commission Act.

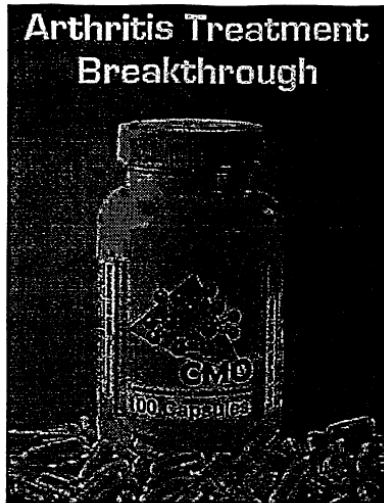
IN WITNESS WHEREOF, the Federal Trade Commission has caused its complaint to be signed by its Secretary and its official seal to be hereto affixed at Washington, D.C. this fourteenth day of June, 2000.

By the Commission, Commissioner Leary not participating.

Complaint Exhibits

Complaint Exhibits

ARTHRITIS TREATMENT BREAKTHROUGH

<http://home.earthlink.net/~cmocure/cmocure>

Welcome to our online information center. The purpose of this web site is to give you the opportunity to learn about the arthritis treatment breakthrough called CMO™. It is being hailed by doctors, the media and its users as the cure for arthritis. It has taken 26 years to develop CMO™ and make it available to the public. We urge you to explore this site and learn about this revolutionary new substance.

- [CMO... THE DISCOVERY](#)
- [HOW IT WORKS](#)
- [WHY IT'S DIFFERENT](#)
- [WHAT'S BEING SAID](#)
- [ABOUT CMO](#)
- [FREQUENTLY ASKED QUESTIONS](#)
- [ORDERING](#) 



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Exhibit A
CMO Distribution Center

Complaint Exhibits

CMO... THE DISCOVERY

<http://home.earthlink.net/~cmocure/cmocure/cm00001.html>**CMO... THE DISCOVERY**

In 1971, the predecessor of CMO™ capsules, was first discovered by a researcher at the National Institutes of Health. That predecessor was cetyl myristoleate. The researcher was unable to get his project funded and slowly carried on at his own expense. Eventually he discovered that when this substance was injected near the joints of lab animals it protected them from arthritis. Many years later he contracted arthritis himself. After his doctor could provide no further relief through conventional medicine, he successfully injected himself to permanently reverse his arthritic condition. His doctor was so amazed at the beneficial results, he urged him to publish a report.



In March of 1994, that report about injectable cetyl myristoleate was published in The Journal of Pharmaceutical Sciences. In that report, the researcher expressed his hope that other studies would be conducted, "particularly, more extensive tests of cetyl myristoleate analogues."

In late 1994, the San Diego Clinic's research staff did exactly what that researcher had hoped for in his report. They developed an orally administered nutritional supplement. This natural dietary supplement is an analogue called CMO™, which is the trade name for cerasomal-cis-9-cetylmystoleate. The San Diego Clinic did the first clinical study on CMO™. That study proved CMO™ to be of great benefit to osteo, rheumatoid and reactive arthritis. Subsequent data proves its value for nearly all other forms of arthritis except gouty arthritis.

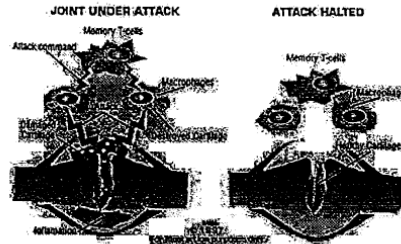
In December 1995, CMO™ was introduced to the medical community at the National Medical Conference on Aging in Nevada. Five doctors afflicted with a variety of arthritis conditions tried CMO™ at the conference. All five doctors responded successfully within three days and CMO™ became the "star" of the conference resulting in hundreds of doctors using CMO™ on their patients.

In February 1996, after successful reports from the medical community, CMO™ became available to the public. The beneficial effects of CMO™ have been so dramatic, it has inspired two books about the subject. Finally CMO™ has finished its 26 year long journey from the point of discovery to benefit the general public.

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Complaint Exhibits

HOW IT WORKS

<http://home.earthlink.net/~cmocure/cmocure/cm00002.htm>

HOW IT WORKS

In their October 28, 1996 issue, Time magazine reported on the three most promising developments in arthritis research. The scientists participating in all three projects are intensely focused on intervening in the immune system's involvement in the arthritic process. According to doctors, that is exactly what CMO™ does. It corrects the disease at the source in the immune system. Dr. Len Sands the director of the San Diego Clinic says: "Unlike everything else made for arthritis, you don't have to take it over and over again. CMO™ is not a pain reliever, anti-inflammatory, cortisone or other steroid. CMO™ is an immunomodulator, it regulates your immune system. There's never been anything like it before for arthritis. Instead of treating the symptoms of pain and inflammation, CMO™ capsules act directly against the cause of arthritis, the memory T-cells in your immune system that create the attacks against your joints. Once the error in your immune system is corrected by CMO™, the attacks on your joints stop and the pain and inflammation should be relieved forever. Once the problems are corrected, they stay corrected and you no longer need CMO™ or other arthritis remedies."



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Complaint Exhibits

/HY IT'S DIFFERENT

<http://home.earthlink.net/~cmocure/cmocure/cm00003.html>**WHY IT'S DIFFERENT**

CMO™ is not a conventional product. There's never been anything like it before. It's not a pain reliever, herb or anti-inflammatory. CMO™ is a natural immunomodulator. It has the unique ability to normalize the immune system. CMO™ acts directly to regulate and normalize the malfunctioning immune system and stop the arthritic process itself. Once that occurs, the destruction stops, and the pain and inflammation are automatically relieved. Your body then has a chance to heal itself and return to normal.

We must emphasize that cetylmyristoleate is not CMO™, nor is CMO™ any sort of generic chemical designation. The trademarked designation "CMO™" applies exclusively to cerasomal-cis-9-cetylmyristoleate and to no other product.

Cetylmyristoleate oil is the injectable precursor of CMO™. Cetylmyristoleate was not developed for oral administration. Therefore, its effectiveness as an injectable does not apply to oral applications.

CMO™ powder was developed for oral administration. As a result, it is 40 - 200 times more easily absorbed. This makes it very effective. CMO is:

FAST**LASTING RELIEF IS JUST A FEW DAYS AWAY**

Most users report significant relief in two weeks or less. Even in severe cases it rarely takes longer than 21 days.

EASY**ONLY ONE SET OF ORAL CAPSULES**

Take three capsules in the morning and then again at night for 16 days, then say goodbye to the problems of arthritis. Only one bottle is all that is needed in most cases.

SAFE**NO SIDE EFFECTS**

CMO™ is not like the many medicines for arthritis that are toxic. CMO™ is not even like the several types of vitamins that are toxic at high levels. CMO™ has been tested and shown to have no ill effects whatsoever. To date thousands upon thousands of people have used CMO™ to relieve the symptoms of arthritis and there are no reported ill effects from anyone.

EFFECTIVE**IT WORKS FOR ALMOST EVERYONE**

It works for both osteoarthritis and rheumatoid arthritis. It works for all other types of arthritis except gouty arthritis. CMO™ has been effective on nearly everyone that does not have severe liver damage. CMO™ almost always provides relief of pain, swelling and return of mobility. In the clinical studies they found a few cases that only received 70% to 100% relief. Relief provided by CMO™ was invaluable and the subjects were able to return to a normal life.

NATURAL**DRUG FREE PAIN RELIEF**

CMO™ is the commercial name for cerasomal-cis-9-cetylmyristoleate. It is naturally derived from beef. Similar substances have long been used in common foods including

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WHY IT'S DIFFERENT

<http://home.earthlink.net/~cmocure/cmocure/cm00003.htm>

cheese and chocolate. This treatment is accepted by the modern medical community. It is natural, drug free and non-toxic.

PERMANENT**TAKE CMO™ ONLY ONCE**

One bottle of capsules is all you should ever need for relief from the symptoms of arthritis for the rest of your life. Most affected persons need to take CMO™ for only a couple of weeks. No further treatment or medicines are needed, not even CMO™. Once CMO™ has done it's work stopping arthritis the benefits continue for long periods of time as your body repairs and reverses the damage done by arthritis.



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Complaint Exhibits

WHAT'S BEING SAID ABOUT CMO

<http://home.earthlink.net/~cmocure/cmocure/cm01000.html>**WHAT'S BEING SAID ABOUT CMO**

The medical community, users, books, television news, radio health talk shows, medical newsletters and scientific journals all report CMO™ to be a revolutionary breakthrough!

- [What do doctors say about CMO?](#)
- [What is the media saying about CMO?](#)
- [What are people saying about CMO?](#)



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Complaint Exhibits

What do doctors say about CMO?

<http://home.earthlink.net/~cmocure/cmocure/cm01001.htm>

What do doctors say about CMO?

Dr. Douglass wrote in his newsletter: "A New Miracle Cure for Arthritis ...now we have a new star on the horizon that promises as much (or more) than the old sure-cures."



Dr. Muller of Ferndale, Mich. says there's a cure. He knows, he's taken it. Dr. Muller had osteoarthritis for 30 years. Bravely he forged ahead into the naturopathic remedy and tried CMO™. Dr. Muller is no longer troubled by arthritis.

Dr. Hunt was so impressed by CMO™ he wrote a book called "Boom, You're Well". In that book he says: "...rheumatoid arthritis damages tissues, causes extreme suffering, and premature death. ...If you have rheumatoid arthritis, or you know someone who has it, then you know I am reporting a miracle ... A MIRACLE."



Dr. Sands the director of the San Diego Clinic knows there's a cure. He's taken it and now he says, "I was rescued from arthritis". In fact that is the name of his forthcoming book about CMO™. In that book he says, "The arthritic process can be halted. Arthritis can be reversed. The pain and inflammation can be relieved. And it's all been done without any harmful side effects."



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Complaint Exhibits

What is the media saying about CMO?

<http://home.earthlink.net/~cmocure/cmocure/cm01002.html>**What is the media saying about CMO?**

Books, Television News, Radio Health Talk Shows, Medical Newsletters and Scientific Journals all report CMO™ to be a revolutionary breakthrough!

Quotes extracted from: The Mark Scot Show, WXYT Radio Detroit, December 1996: "Hang on folks because if you haven't heard this before, it certainly is going to be an eye opener for you. ...Amazing is not the word for it. ...CMO™ gets to the source of the problem, it actually stops the arthritic process."

Quotes extracted from: The Don Bodenbach Show, KCEO Radio San Diego, August 1996 "...It may be what we consider almost a miracle cure for arthritis, and the form of arthritis doesn't matter. ...What is more impressive is once you undergo the appropriate treatment ...you are in most cases free from arthritis symptoms forever."

Quotes extracted from: The Nature of Health Magazine, Stop Arthritis Now! The Amazing Story of CMO™, September 1996 "CMO™ is a natural substance and is considered an immunomodulator. The reason for the enormous interest is the effect of CMO™ on both rheumatoid and osteoarthritis... The results of CMO™ are so impressive that nothing that mainstream or natural medicine has to offer can come close to the dramatic reversals in arthritis that have been observed. The link between CMO™ and arthritis was discovered at the National Institutes of Health... Standard medical treatment is aimed at symptomatic relief of pain and inflammation and has shown to actually accelerate the disease process... In contrast, the CMO™ protocol works rapidly and does not need to be continued in the vast majority of cases."



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Complaint Exhibits

What are people saying about CMO?

<http://home.earthlink.net/~cmocure/cmocure/cm01003.htm>

What are people saying about CMO?

"It's a miracle! Ten years with arthritis ... three in a wheelchair ... and now I've got a completely normal life again. Just watch me make up for lost time."

"As crippled as I was, I hadn't worn out a pair of shoes in seven years. Now I'm out shopping for them again all by myself. My whole life has made a complete about face."

"Even as a doctor, I find CMO™ miraculous. It cured my knee problems, and it's performing every bit as well for my patients, too. I've seen several 'miracle cures' already."

"After nine years of crippling pain, I can't believe I'm actually skiing again. CMO™ is truly incredible."



"After two years in a wheelchair, I just can't believe that I'm taking care of myself and my family again."

"I am a trophy winning martial arts competitor and I had to quit three years ago because of my arthritis. I'm 100% now that I tried CMO™. I look forward to going to Australia next year to compete again."

"I couldn't even put on my own socks. My wife had to do it. Now after seven years of excruciating pain, I'm out golfing again."

"Before, I needed two hands just to lift a cup of coffee. Now I find myself rearranging furniture all by myself. Last week I even changed a flat tire on the car."



"I didn't even realize CMO™ had worked for me till I found myself moving a bunch of heavy junk out of the garage. The change was so smooth and natural I just took it for granted."

"Imagine my agony. I was a professional athlete all my life. CMO™ gave me back my life. Even knee surgery didn't do that for me. It's amazing how CMO™ ended up fixing all my joints."



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Complaint Exhibits

FREQUENTLY ASKED QUESTIONS

<http://home.earthlink.net/~cmocure/cmocure/cm02000.html>**FREQUENTLY ASKED QUESTIONS**

The following questions were answered by the doctors, staff and research associates of the San Diego Clinic. You can scroll down the page to view them all, or click on specific question to view the answer. Use "back to top" button to return to questions after viewing an answer.

- o What makes CMO different from all the other remedies?
- o Does that mean a person takes CMO only once and that's it?
- o Does it work for both rheumatoid and osteoarthritis?
- o Does CMO improve joint mobility?
- o Does it stop arthritis pain?
- o Does CMO reduce inflammation?
- o How long before it takes effect?
- o Will it correct deformities?
- o What about really severe cases?
- o What about joints where the cartilage is completely worn away?
- o Does it work for everyone?
- o Can I continue with my usual medications while taking CMO?
- o Do I have to go on a special diet?
- o What about exercise?
- o Is it okay to exercise?
- o Is it expensive?
- o Is age a factor?
- o What causes arthritis?
- o How does CMO work?
- o Is it harmful in any way?
- o What is CMO? Where does it come from?
- o Is CMO used for any other ailments?

What makes CMO different to other remedies?

CMO is not a pain reliever, nor is it a steroid or anti-inflammatory. It is an immunomodulator. There's never been anything like it before for arthritis. Instead of treating the symptoms of pain and inflammation, CMO act against the cause of arthritis – the erroneously programmed Memory T Cells of your own immune system that cause the attacks against your joints. Once the attacks on your joints are halted the symptom of pain and inflammation is promptly remedied.

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Does that mean a person takes CMO only once and that's it?

Yes. Most afflicted persons need to take the capsules for only a couple of weeks to be free of arthritis symptoms forever. No further medication is ever necessary, not even CMO.

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Does it work for both rheumatoid and osteoarthritis?

Both types respond equally well. It also works for most other types of arthritis such as those associated with Ankylosing Spondylitis, Reiter's syndrome, Behcet's syndrome, Sjogren's syndrome and Psoriasis.

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FREQUENTLY ASKED QUESTIONS

<http://home.earthlink.net/~cmocure/cmocure/cm02000.htm>

It has also been found to relieve various types of back pain of undetermined origin (probably arthritis related)

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Does CMO improve joint mobility?

Yes, it can! If the joint can be moved, joint mobility may be improved. But if the bones have fused and grown together, only surgery can help those particular joints.

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Does it stop arthritis pain?

Arthritis pain will disappear completely in almost every instance. In a few extreme cases pain was reduced by only 70% to 90%, which was still of such major benefit that it allowed the persons to function normally again.

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Does CMO reduce inflammation?

Yes, and it does so very effectively. The pressure in the joints caused by the inflammation is the major cause of stiffness and pain.

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How long before it takes effect?

Most people can begin to feel relief within a couple of weeks. Others may need several months.

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Will it correct deformities?

Yes. Deformed fingers and toes are often caused by inflammation which swells joints and pushes the bones out of place. Reduction of the swelling alone improves appearance dramatically and often allows the dislocated bones to return to their normal positions. Extreme cases may require some physical therapy.

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What about really severe cases?

Even most persons previously confined to bed or to wheelchairs have responded dramatically and are

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FREQUENTLY ASKED QUESTIONS

<http://home.earthlink.net/~cmocure/cmocure/cm02000.html>

now no longer dependent on others for care. A number of these cases received additional benefit from repeating the treatment one more time. A few others found that physical therapy or exercise programs also helped.

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What about joints where the cartilage is completely worn away?

Unless the bones have fused together, the usual problem is not lack of mobility, but pain. The majority of such drastic cases have responded favorably resulting in painless movement, even in the knees.

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Does it work for every one?

No. CMO has been able to help many individuals, but not everyone will see an improvement in their arthritic symptoms. We all have different bodies, lifestyles, eating habits, etc., therefore the results will vary. Digestive problems or liver function impairment, can sometimes interfere with success.

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Can I continue with my usual medications while taking CMO?

Yes, but after a few days you probably won't need them. However, it's best to avoid steroids if possible.

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Do I have to go on a special diet?

Alcohol, chocolate, and tea should be avoided. Some users find that avoiding or limiting other foods helps improve effectiveness. A recommended diet accompanies this product, but it only need be followed for a few weeks. Many people take digestive enzymes with CMO to help them absorb it. Afterwards, there are no restrictions.

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Will I have to exercise?

The absence of pain and return of joint mobility is so profound that normal activities will follow quite naturally. No special exercises are necessary. Actually, the usual tendency is to overindulge in the new found freedom, sometimes temporarily resulting in soreness of muscles previously unused.

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Is it okay to exercise?

Complaint Exhibits

FREQUENTLY ASKED QUESTIONS

<http://home.earthlink.net/~cmocure/cmocure/cm02000.htm>

Yes. Many people want to lose weight and or rebuild strength once they are free to do so again painlessly. But, as with all sound fitness programs, it's best to do so gradually. Your body will need time to adjust.

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Is it expensive?

The cost of treatment is very modest. Most arthritis victims are already spending more on pain and anti-inflammation medications in just a few months. Since you usually need to take only one set of CMO capsules, it actually saves thousands of dollars in the long run.

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Is age a factor?

Not really. All ages respond well. Although arthritis becomes far more common with advancing age, even very young children are sometimes afflicted.

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What causes arthritis?

The numerous theories about what causes arthritis have filled hundreds of volumes. But one thing we do know is that the arthritic process is regulated by Memory T Cells which have been erroneously programmed, causing attacks on your own joints and cartilage.

In osteoarthritis, this faulty programming usually results from physical damage (like a fall, sports injury, vehicle accident, repeated operation of vibrating machinery, long-term strenuous physical work or sports activities, and continuous repetitive motions of certain joints) etc. The damage results in an immune response involving the memory T cells producing attacks against the affected joints. Unfortunately, there's no stop or end command given and the attack continues against healthy cartilage and joints as well. That's why arthritis is called an autoimmune disease, our own body is attacked by our own immune cells.

Although the various forms of rheumatoid arthritis are usually caused by some ineffective microorganism. Memory T cells is again involved in the same arthritic process. Without CMO it continues to worsen.

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How does CMO work?

CMO corrects the root cause of arthritis by erasing the memory of the badly programmed memory T cells. Once the destruction of your joints is halted, your body can begin its repair process without interference, and joints begin to normalize. Although the major benefits come promptly, minor improvements continue even for several months after finishing CMO. With the pain and inflammation relieved, the joints can function again quite normally. Despite minor physical damage to bones as a

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FREQUENTLY ASKED QUESTIONS

<http://home.earthlink.net/~cmocure/cmocure/cm02000.html>

result of long affliction, perfectly normal joint function usually returns regardless.

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Is it harmful in any way?

CMO studies began at the US National Institutes of Health more than 20 years ago. Recently, clinical applications studies were conducted in San Diego. No harmful short or long-term effects were ever observed in humans, or in laboratory animals even at extremely high doses. Similar substances have long been used in common foods including cheese and chocolate, and even in medicines and cosmetics. It is a perfectly safe and naturally derived substance.

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What is CMO? Where does it come from?

Cerasomal-cis-9-cetylmyristoleate is the biomedical name. CMO is the trade name. It is a completely natural substance found in certain animals such as cows, beavers, mice, and whales. As supplied in capsules, it is a naturally derived, highly purified and refined waxy ester prepared for oral administration.

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Is CMO used for any other ailments?

Current studies include CMO as a part of therapeutic protocol for other disorders with autoimmune components including multiple sclerosis, leukemia, lupus, emphysema, certain cancers, benign prostatic hyperplasia, silicon breast disease, and especially asthma. It also works for dogs, cats, horses and other animals.

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ORDERING

<http://home.earthlink.net/~cmocure/cmocure/cm03000.htm>

ORDERING

CMO™ now comes in 60 capsule bottles: Starting January 10th, we will offer the 60 capsule bottles of CMO™ for the introductory price of \$95.00 plus shipping and handling. This price is for a limited time only. Regular suggested retail is \$119.00.

100 capsule bottles: The new prices for 100 capsule bottles will be \$195.00 plus shipping and handling.



CMO™: Beware of imitations! Look for the accompanying trademark and graphic logo to be sure you are ordering from an authorized distributor. The testimonials and clinical studies quoted in this web site only apply to the real CMO™. A recommended diet accompanies this product to improve its effectiveness, consult your physician before making any dietary changes. CMO™ is inexpensive compared to the thousands of dollars it costs for any ongoing arthritis treatment.



Book, *Boom You're Well!*: By Dr. Douglas Hunt \$ 19.95.
Book, *Rescued From Arthritis*: By Dr. Len Sands, call for availability.

Feel free to call us if you have any questions about CMO™ or would like to place an order.

Toll free in the US: 1-800-909-CURE
Dial direct from overseas: 941-954-2100



Email Ordering

Free Pamphlets: We invite you to order any of our free pamphlets for you or your friends. There are email versions of the Clinical Studies, Case Histories and Questions & Answers. This web site is an electronic version of the "Arthritis Treatment Breakthrough" pamphlet which is only available through standard mail.

Free Tape: We invite you to order our free CMO™ Information Tape for you or your friends. This tape features interviews with Dr. Sands.

To:	cmocenter@aol.com		
Subject:	Pamphlet		
Name:			
E-mail Addr:			
Company:			
Address:			
Address:			
Address:			
City:		State:	Postal:
Country:			
Home Phone:			
Home Fax:			
Work Phone:			

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ORDERING

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Work Fax:
 (submit this order)
 (clear this order)

Our Mailing Address

CMO Distribution Centers of America
5726 Cortez Road West Suite # 202
Bradenton, FL 34210 USA

Manufacturers Statement

Modestly speaking, CMO™ is a revolutionary new product. CMO™ is naturally derived, it is sold only as a dietary supplement not intended to treat, cure, or diagnose any disease. Therefore it is available without prescription. CMO™ is produced and bottled in the USA. The production facilities are state of the art and inspected by the California State Food and Drug Branch of Health Services.



Last Update: 01/31/98

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Decision and Order

DECISION & 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 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 the respondent with violation of the Federal Trade Commission Act; and

The respondent, its attorneys, and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by respondent of all the jurisdictional facts set forth in the draft 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 or that the facts, as alleged in the complaint, other than jurisdictional facts, are true; and

The Commission having considered the matter and having determined that it had reason to believe that the respondent has violated the Act, and that a 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 sixty (60) days, and having duly considered the comment filed thereafter by an interested person pursuant to § 2.34 of its Rules, now in further conformity with the procedure prescribed in § 2.34 of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional finding and enters the following order:

1. Respondent QVC, Inc. is a Delaware corporation with its principal office or place of business at 1200 Wilson Drive, West Chester, PA 19380.

Decision and Order

ORDER

DEFINITIONS

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

1. "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.
2. Unless otherwise specified, "respondent" shall mean QVC, Inc., its successors and assigns and its officers, agents, representatives, and employees.
3. "Commerce" shall mean as defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44.

I.

IT IS 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 Cold-Eeze Zinc Lozenges, or any other food, drug or dietary supplement, as "food" and "drug" are defined in Section 15 of the Federal Trade Commission Act, in or affecting commerce, shall not make any representation, in any manner, expressly or by implication, that such product:

- A. will prevent users from contracting colds;
- B. will reduce the risk of contracting pneumonia;

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- C. will relieve or reduce the symptoms of hay fever or allergies;
- D. will reduce the severity of cold symptoms in children; or
- E. will prevent children from contracting colds;

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, or other device, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any dietary supplement, in or affecting commerce, shall not make any representation, in any manner, expressly or by implication, that such product can or will cure, treat, or prevent any disease, or have any effect on the structure or function of the human body unless, at the time the representation is made, respondent possesses and relies upon competent and reliable scientific evidence that substantiates the representation.

III.

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 application approved by the Food and Drug Administration.

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IV.

Nothing in this order shall 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.

V.

IT IS FURTHER ORDERED that respondent QVC, Inc., and its successors and assigns, shall, for five (5) 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, including videotapes of all such broadcast advertisements;
- 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.

VI.

IT IS FURTHER ORDERED that respondent QVC, Inc., and its successors and assigns, shall 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

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signed and dated statement acknowledging receipt of the order. Respondent shall deliver this 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 Federal Trade Commission for inspection and copying, a copy of each signed statement acknowledging receipt of the order.

VII.

IT IS FURTHER ORDERED that respondent QVC, Inc., and its successors and assigns, shall notify the Commission at least thirty (30) days prior to any change in the corporation that may affect compliance obligations arising under this order, including but not limited to a dissolution, assignment, sale, merger, or other action that would result in the emergence of a successor corporation; 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 corporate name or address. Provided, however, that, with respect to any proposed change in the corporation 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. All notices required by this Part shall be sent by certified mail to the Associate Director, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, N.W., Washington, D.C. 20580.

VIII.

IT IS FURTHER ORDERED that respondent QVC, Inc., and its successors and assigns, shall, within sixty (60) days after the date of service of this order, and at such other times as the Federal

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Trade Commission may require, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

IX.

This order will terminate on June 14, 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;
- B. This order's application to any respondent that is not named as a defendant in such complaint; and
- C. This order if such complaint is filed after the order has terminated pursuant to this Part.

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, Commissioner Leary not participating.

Complaint

IN THE MATTER OF
ALTERNATIVE CIGARETTES, INC., ET AL.

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

Docket C-3956; File No. 9823022
Complaint, June 14, 2000--Decision, June 14, 2000

This consent order requires Respondent Alternative Cigarettes, Inc. to include the following disclosure, clearly and prominently, in certain advertising for its tobacco cigarettes: "No additives in our tobacco does NOT mean a safer cigarette." The order exempts Alternative Cigarettes from the disclosure requirement: (1) for cigarette advertisements not required to bear the Surgeon General's health warning; and (2) if Alternative Cigarettes possesses scientific evidence demonstrating that its "no additives" cigarette poses materially lower health risks than other cigarettes of the same type. Respondent is also required to include the following disclosure, clearly and prominently, in advertising and on packaging for herbal cigarettes: "Herbal cigarettes are dangerous to your health. They produce tar and carbon monoxide." The disclosure must be included in all advertising and on packaging for herbal smoking products that represent that the product has no tobacco, unless respondent possesses scientific evidence demonstrating that such herbal smoking products do not pose any material health risks. Respondent is required to possess competent and reliable scientific evidence prior to: (1) claiming that any herbal smoking product does not present the health risks associated with smoking tobacco cigarettes; or (2) making any claim about the health risks associated with the use of any herbal smoking product.

Participants

For the Commission: *Michael Ostheimer, Shira Modell, Matthew D. Gold, Linda K. Badger, Kerry O'Brien, C. Lee Peeler, and BE.*

For the Respondents: *Joseph Pandolfino, Alternative Cigarettes.*