

Complaint

IN THE MATTER OF

FORMOR, INC. AND STAN GOSS

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

Docket C-4021; File No. 0023226
Complaint, July 30, 2001--Decision, July 30, 2001

This consent order addresses health-related advertising claims that Respondent ForMor, Inc., and one of its officers, Respondent Stan Goss, disseminated on the Internet and elsewhere for their St. John's Kava Kava (a dietary supplement that contains St. John's Wort) colloidal silver, and shark cartilage products. The order, among other things, prohibits the respondents from representing that ingesting a St. John's Wort product – or any covered product or service – is effective in the treatment of HIV/AIDS, colds, syphilis, tuberculosis, dysentery, whooping cough, mania, hypochondria, fatigue, or hysteria – unless, at the time the representation is made, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation – and from representing that ingesting a St. John's Wort product has no serious drug interactions. The order also prohibits the respondents from representing that ingesting colloidal silver is proven effective in the treatment of disease or any number of diseases, or that medical studies demonstrate that ingesting colloidal silver is safe or has no adverse side effects. In addition, the order prohibits the respondents – in connection with the advertising or sale of any shark cartilage product or any covered product or service – from representing that ingesting such a product is effective in the treatment of arthritis or other degenerative or inflammatory conditions, or of brain cancer, without possessing and relying upon competent and reliable scientific evidence that substantiates the representation. The order also prohibits the respondents – in connection with the advertising or sale of any covered product or service – from misrepresenting the existence, contents, validity, results, conclusions, or interpretations of any test, study, or research. In addition, the order requires the respondents to provide refunds upon request to purchasers of colloidal silver and Ultimate II Shark Cartilage Concentrate.

Participants

For the Commission: *Susan M. Luciano, Donald G. D'Amato,*
Michael Joel Bloom, Thomas A. Cohn, Barbara Anthony, Janis K.
Pappalardo, Gerard R. Butters and Paul A. Pautler.

For the Respondent: *Stan Goss, pro se.*

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The Federal Trade Commission, having reason to believe that ForMor, Inc., a corporation, also doing business as ForMor International, and Stan Goss, individually and as an officer of the corporation (“respondents”), have violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

PARAGRAPH 1: Respondent ForMor, Inc. is an Arkansas corporation with its principal office or place of business at P.O. Box 2080, Conway, Arkansas 72033.

Respondent Stan Goss is an officer of the corporate respondent. Individually or in concert with others, he formulates, directs, or controls the policies, acts, or practices of the corporation, including the acts and practices alleged in this complaint. His business address is P.O. Box 2080, Conway, Arkansas 72033.

PARAGRAPH 2: Respondents have advertised, offered for sale, sold, and distributed, among other products, St. John’s Kava Kava, a product containing St. John’s Wort; colloidal silver; and Ultimate II Shark Cartilage Concentrate. These products are “foods” and/or “drugs” within the meaning of Sections 12 and 15 of the Federal Trade Commission Act, 15 U.S.C. §§ 52 and 55.

PARAGRAPH 3: The acts and practices of respondents alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.

ForMor, Inc.’s St. John’s Wort Product

PARAGRAPH 4: Respondents have disseminated or have caused to be disseminated advertisements for St. John’s Kava Kava, including, but not limited to, the attached Exhibits A and B.

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Advertisements for St. John's Kava Kava have been disseminated through, among other media, websites on the Internet. ForMor, Inc.'s website, <http://www.formorintl.com/kava.html> (excerpted in Exhibit A), contains the following statement:

[St. John's Wort] has also been used for treatment of infectious diseases such as colds, syphilis, tuberculosis, dysentery, whooping cough, mania, hypochondria, fatigue, hysteria and insomnia. . . . Recently St. John's Wort has received a great deal of attention in the treatment for human immuno-deficiency virus (HIV), the virus that can cause AIDS. . . . **Displays Anti-viral Activity** [R]esearchers have reported the discovery of two substances in St. John's Wort . . . that displayed anti-viral activity against some retroviruses. Retroviruses include the human immuno-deficiency virus (HIV). **Mild to Non-existent Side Effects** Recent medical studies confirm the safety of St. John's Wort.

In addition to the above, a brochure advertisement (Exhibit B) contains the following statement:

Mild to Non-existent Side Effects: In Germany, sixty-six million daily doses of Hypericum [St. John's Wort] were taken in 1994. There were no reports of serious drug interactions or even toxicity after accidental overdose.

PARAGRAPH 5: Through the means described in Paragraph 4, respondents have represented, expressly or by implication, that ingestion of St. John's Kava Kava is effective in the treatment of HIV/AIDS, colds, syphilis, tuberculosis, dysentery, whooping cough, mania, hypochondria, fatigue, and hysteria.

PARAGRAPH 6: Through the means described in Paragraph 4, respondents have represented, expressly or by implication, that they possessed and relied upon a reasonable basis

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that substantiated the representations set forth in Paragraph 5 at the time the representations were made.

PARAGRAPH 7: In truth and in fact, respondents 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. Respondents did not rely on well-controlled scientific studies involving human subjects showing that ingestion of St. John's Wort is effective in the treatment of HIV/AIDS, colds, syphilis, tuberculosis, dysentery, whooping cough, mania, hypochondria, fatigue, and hysteria. Therefore, the representation set forth in Paragraph 6 was, and is, false or misleading.

PARAGRAPH 8: Through the means described in Paragraph 4, respondents have represented, expressly or by implication, that ingestion of St. John's Kava Kava is effective in the treatment of HIV/AIDS. Respondents have failed to disclose that ingestion of St. John's Wort is not compatible with use of protease inhibitors and other drugs used in the treatment of HIV/AIDS. This fact would be material to consumers in their purchase or use of the product. The failure to disclose this fact, in light of the representation made, was, and is, a deceptive practice.

PARAGRAPH 9: Through the means described in Paragraph 4, respondents have represented, expressly or by implication, that ingestion of St. John's Kava Kava has no serious drug interactions.

PARAGRAPH 10: In truth and in fact, ingestion of St. John's Wort has serious drug interactions. Ingestion of St. John's Wort may reduce the effectiveness of drugs used to treat HIV/AIDS, as well as the effectiveness of cyclosporine (a drug used to prevent organ transplant rejection), the effectiveness of anticoagulants (such as warfarin), and the effectiveness of birth control pills. Therefore, the representation set forth in Paragraph 9 was, and is, false or misleading.

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ForMor, Inc.'s Colloidal Silver Product

PARAGRAPH 11: Respondents have disseminated or have caused to be disseminated advertisements for ForMor, Inc.'s colloidal silver product, including, but not limited to, the attached Exhibits C and D. Advertisements for ForMor, Inc.'s colloidal silver product have been disseminated through, among other media, websites on the Internet.

ForMor, Inc.'s website advertisement,
<http://www.formorintl.com/silver.html> (excerpted in Exhibit C),
contains the following statement:

[Colloidal Silver] is still considered to be the most universal antibiotic substance that is non-toxic in its micro-concentrations of 3 to 5-ppm. . . . It has been proven to be useful against over 650 different infectious conditions [It] is the only form of silver that can be used safely as a supplement. . . . The colloidal particles diffuse gradually throughout the blood and give prolonged therapeutic action. Kills over 650 Different Disease Causing Germs. . . . All harmful bacteria, fungi and virus are killed within 6 minutes of contact with silver and no disease organism can live in the presence of even minute traces of silver. . . . The following is a list of some of the pre-1938 documented uses of silver, particularly in the colloidal form, for the treatment of various conditions and pathogens: [the list includes, among other things, arthritis, blood poisoning, cancer, cholera, diphtheria, diabetes, dysentery, gonorrheal herpes, influenza, leprosy, lupus, malaria, meningitis, rheumatism, shingles, staph infections, strep infections, syphilis, tuberculosis, whooping cough, and yeast infections]. Colloidal silver was widely used in the U.S. 60 to 70 years ago as an antibacterial [I]ts utilization grew impractical [due to the high price of silver in the 1930s].

A brochure advertisement (Exhibit D) adds:

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SAFE AND EFFECTIVE Some lab tests have shown that ‘true’ Colloidal Silver has little effect on ‘friendly’ bacteria while being highly useful against infections Medical tests indicate no known adverse effects from the use of properly prepared Colloidal Silver. . . . [It] may be gargled, dropped into the eyes or ears, used vaginally, anally, atomized, or inhaled into the nose or lungs. [T]here are no side effects whatsoever from the highest concentration. . . . [footnote omitted] It also does not stain the skin, unlike certain pharmaceutical preparations of silver [footnote omitted] From extensive research and experiments with Silver in medicine, **Dr. Robert O. Brecker** . . . discovered that all cancer cells changed back to normal. Dr. Bjorn Nordstrom . . . has used silver in his cancer cure method for many years. . . . This has brought remission in patients who were given up on by other doctors.”

The brochure advertisement (Exhibit D) also includes testimonials such as:

I had a cancerous spot near my forefinger and thumb and I put a bandage with cotton soaked in silver twice a day for 2 weeks and it went completely away. I also had an eye infection which I doctored with 2 drops of the silver twice a day and the infection was gone in three days.

Ray Pantry, Oklahoma City, OK

PARAGRAPH 12: Through the means described in Paragraph 11, respondents have represented, expressly or by implication, that:

- A. Ingestion of colloidal silver is proven effective in the treatment of over 650 infectious diseases; and
- B. Medical tests prove that ingestion of colloidal silver is safe and has no adverse side effects.

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PARAGRAPH 13: In truth and in fact, ingestion of colloidal silver is not proven effective in the treatment of over 650 infectious diseases, and medical tests do not prove that ingestion of colloidal silver is safe and has no adverse side effects. Therefore, the representations set forth in Paragraph 12 were, and are, false or misleading.

PARAGRAPH 14: Through the means described in Paragraph 11, respondents have represented, expressly or by implication, that:

- A. Ingestion of colloidal silver is effective in the treatment of arthritis, blood poisoning, cancer, cholera, diphtheria, diabetes, dysentery, gonorrheal herpes, influenza, leprosy, lupus, malaria, meningitis, rheumatism, shingles, staph infections, strep infections, syphilis, tuberculosis, whooping cough, and yeast infections; and
- B. A testimonial from a consumer appearing in the advertisement for ForMor, Inc.'s colloidal silver reflects the typical or ordinary experience of persons with cancer who use the product.

PARAGRAPH 15: Through the means described in Paragraph 11, respondents have represented, expressly or by implication, that they possessed and relied upon a reasonable basis that substantiated the representations set forth in Paragraph 14 at the time the representations were made.

PARAGRAPH 16: In truth and in fact, respondent did not possess and rely upon a reasonable basis that substantiated the representations set forth in Paragraph 14 at the time the representations were made. For example, respondents did not rely on well-controlled scientific studies in human subjects showing colloidal silver is effective in the treatment of arthritis, blood poisoning, cancer, cholera, diphtheria, diabetes, dysentery, gonorrheal herpes, influenza, leprosy, lupus, malaria, meningitis, rheumatism, shingles, staph infections, strep infections, syphilis,

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tuberculosis, whooping cough, and yeast infections, and there are no reports of such studies in the publicly available scientific literature. In addition, the FDA issued a final rule, effective September 16, 1999, finding and establishing that all OTC drug products containing colloidal silver ingredients or silver salts for internal or external use are not generally recognized as safe and effective. Therefore, the representation set forth in Paragraph 15 was, and is, false or misleading.

ForMor, Inc.'s Ultimate II Shark Cartilage Concentrate

PARAGRAPH 17: Respondents have disseminated or have caused to be disseminated advertisements for ForMor, Inc.'s Ultimate II Shark Cartilage Concentrate product, including, but not limited to, the attached Exhibits E and F. Advertisements for ForMor, Inc.'s Ultimate II Shark Cartilage Concentrate have been disseminated through, among other media, websites on the Internet.

ForMor, Inc.'s website, <http://www.formorintl.com/ultimate.html> (excerpted in Exhibit E), contains the following statement:

The Results Are In On Shark Cartilage. Dr. Freeman cites exciting scientific research on using shark cartilage supplements in the successful treatment of arthritis. These experiments . . . were overwhelmingly effective in relieving joint pain and inflammation. A dozen elderly arthritic patients with severe knee pain were treated with shark cartilage

by Dr. Joseph Orcasity. . . . He reported that after four weeks of taking shark cartilage, most patients exhibited reduced pain and swelling and greater mobility. . . . Clinical Uses: The current medical literature contains much scientific evidence that shark cartilage is a tremendously effective treatment in many degenerative and inflammatory conditions.

In addition to the above, a brochure advertisement (Exhibit F) includes several testimonials, including:

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Before I started taking [Ultimate II Shark Cartilage Concentrate] . . . I had constant pain and I couldn't see, mainly out of my right eye. I had pretty bad headaches that were much like migraines. The doctors told me I had a terminal brain tumor that was big and growing. . . . Now, since I've taken the shark cartilage, everything is changing. I can see, I don't have very much pain And the doctor says the tumor is going down. . . . The doctor is very pleased and I don't have to see him for 6 months. . . .

—Cherie Brandstetter, Texas

PARAGRAPH 18: Through the means described in Paragraph 17, respondents have represented, expressly or by implication, that:

- A. Ingestion of shark cartilage is effective in the treatment of arthritis and other degenerative and inflammatory conditions;
- B. Ingestion of shark cartilage is effective in the treatment of brain cancer; and
- C. A testimonial from a consumer appearing in the advertisements for ForMor, Inc.'s Ultimate II Shark Cartilage Concentrate reflects the typical or ordinary experiences of persons with brain cancer who use the product.

PARAGRAPH 19: Through the means described in Paragraph 17, respondents have represented, expressly or by implication, that they possessed and relied upon a reasonable basis that substantiated the representations set forth in Paragraph 18 at the time the representations were made.

PARAGRAPH 20: In truth and in fact, respondents did not possess and rely upon a reasonable basis that substantiated the representations set forth in Paragraph 18 at the time the

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representations were made. Researchers generally believe that some substance in shark and bovine cartilage may inhibit blood vessel formation necessary to furnish oxygen and other nutrients to cancer cells. To date, however, all verified animal and human studies involving oral or rectal administration of shark cartilage have failed to demonstrate anti-cancer effectiveness. Similarly, the arthritis-related materials do not include well-controlled clinical studies involving the ingestion of shark cartilage by human subjects. Therefore, the representation set forth in Paragraph 19 was, and is, false or misleading.

PARAGRAPH 21: Through the means described in Paragraph 17, respondents have represented, expressly or by implication, that scientific research establishes that ingestion of shark cartilage is effective in the treatment of arthritis and other degenerative and inflammatory conditions.

PARAGRAPH 22: In truth and in fact, scientific research does not establish that ingestion of shark cartilage is effective in the treatment of arthritis and other degenerative and inflammatory conditions. Therefore, the representation set forth in Paragraph 21 was, and is, false or misleading.

PARAGRAPH 23: The acts and practices of respondents 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 thirtieth day of July, 2001, has issued this complaint against respondents.

By the Commission.



ST. JOHN'S KAVA KAVA
May be helpful
for mild to moderate depression

St. John's Kava Kava

Dietary Supplement

Supplement Facts

A NATURAL MOOD BOOSTER

"St. John's wort is a promising treatment for depression...Hypericum extracts were significantly superior to placebo and similarly effective as standard antidepressants .. The herb may offer an advantage, however, in terms of relative safety and tolerability, which might improve patient compliance."

--British Medical Journal August 3, 1996

"Move over, Prozac. German and American researchers report the herb known as St. John's wort may be effective in treating depression."

--TIME August 12, 1996

ST. JOHN'S WORT AN HERBAL ALTERNATIVE TO PRESCRIPTION DRUGS

An Herbal Alternative to Prescription Drugs St John's Wort is a natural herb that comes from a yellow flowered plant with the Latin name *Hypericum Perforatum*. *Perforatum* means 'perforated' and wort means "plant". It has been used for centuries in the treatment of wounds, kidney and lung ailments, bed wetting in children, anxiety and depression. It has also been used for treatment of infectious diseases such as colds, syphilis, tuberculosis, dysentery, whooping cough, mania, hypochondria, fatigue, hysteria and insomnia.

In centuries past and recent years St. John's Wort has been used as an anti-depressant alternative for mild to moderate depression.

Recently St. John's Wort has received a great deal of attention in the treatment for human immuno-deficiency virus (HIV), the virus that can cause AIDS.

AN ANTI-DEPRESSANT ALTERNATIVE

Depression is a world wide epidemic. In Germany, St. John's Wort is the leading treatment for mild to moderate depression and it is fast coming to the United States.

A compelling study of 3,250 patients found that approximately 80% of the patients suffering from mild to moderate depression experienced feeling better or were completely relieved of depression after four weeks.

DISPLAYS ANIT-VIRAL ACTIVITY

In a study published in the Journal Proceedings of the National Academy of Sciences in 1988, researchers have reported the discovery of two substances in St. John's Wort, hypericin and pseudohypericin, that displayed anti-viral activity against some retroviruses. Retroviruses include the human immuno-deficiency virus (HIV).

MILD TO NON-EXISTENT SIDE EFFECTS

Recent medical studies confirm the safety of St. John's Wort. In Germany, sixty-six million daily doses of Hypericum were taken in 1994. There were no reports of serious drug interactions or even toxicity after accidental overdose. Hypericum, by comparison, does not have a single recorded human death in 2,400 years of known medicinal use.

St. John's Kava Kava

Serving Size: 1 capsule

Ingredients	Amt Per Serving	%DV
Vitamin B6 (as pyridoxine HCl)	10mg	500
St. John's Wort extract (0.14% hypericin)	300mg	*
L-Tyrosine	50mg	*
Kava kava extract (30% kavalactones) (root)	50mg	*

*Daily value not established

ACTIVE INGREDIENTS

The main components are hypericin and pseudohypericin. Other possible active ingredients are polymerization products of hypericin, the flavonoids quercetin, hyperoside, isoquercetin, rutin, campherol, luteolin and biopigenin.

Vitamin B6 (as Pyridoxine HCl) - Acts as a co-enzyme for metabolic functions affecting protein, carbohydrates and fat utilization. Promotes conversion of tryptophan to niacin or serotonin.

Reasons to Use:

- Participates actively in many chemical reactions of proteins and amino acids.
- Helps normal function of brain.
- Promotes normal red blood cell formation.

- Maintains chemical balance among body fluids.
- Regulates excretion of water.
- Helps in energy production and resistance to stress.
- Acts as co-enzyme in carbohydrate, protein and fat metabolism.
- Treats some forms of anemia.
- Treats cycloserine and isoniazid poisoning.

L-Tyrosine - Functions as building block of all proteins.

Kava Kava (Piper Methysticum) - This herb, a member of the pepper family, grows as a bush in the South Pacific. Explorer Captain James Cook, who gave this plant the botanical name of "intoxicating pepper", first discovered kava kava. Kava has been used for over 3,000 years for its medicinal effects as a sedative, muscle relaxant, diuretic, and as a remedy for nervousness and insomnia.

In Germany, Kava kava is used as a non-prescription drug to reduce anxiety. Kava was first mentioned in scientific records in 1886, and it is gaining popularity in the US for its relaxing effects.

Kava also is effective as a pain reliever and can be used instead of aspirin, acetaminophen and ibuprofen.

Recent clinical studies have shown that the herb kava is a safe, non-addictive, anti-anxiety medicine, and as effective as prescription anxiety agents containing benzodiazepines, such as valium. While benzodiazepines tend to promote lethargy and mental impairment, kava has been clinically demonstrated as a means of achieving a state of relaxation without the adverse side effects.

Common Use: Kava root is primarily used as a natural sedative and sleep enhancement. Herbalists have traditionally used it as a remedy for nervousness and insomnia. Kava kava is an effective relaxant that can help relieve cramping due to spasms.

Kava Kava Root - Kava Kava root is excellent for insomnia and nervousness, as it will invoke sleep and relax the nervous system. Used for pain associated with nerve or skin diseases. It relieves stress after injuries. The plant works by first stimulating the nervous system, and then depresses it. It is also a urinary antiseptic and anti-inflammatory, thus useful for cystitis and prostatitis. May be used in the treatment of rheumatism and gout. Externally used in liniments as an analgesic

Recommended use: Take 1 capsule daily as a dietary supplement.

Special Notice

"FORMOR makes no representation or warranty, expressed or implied, including warranties of fitness for a particular purpose and of merchantability of this product, except as indicated on its label."

If you are not fully satisfied with the results after using this product, your full purchase price will be refunded by the distributor you purchased it from.

"This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease."

Nutritionals | Skin Care | Home Care | Nutrizona | Testimonials

Supplement Facts

Serving Size: 1 capsule

Amount Per Serving Daily Value

Hypericum 100mg 20%

St. John's Wort 100mg 20%

Other Ingredients 100mg 20%

Contains 100 capsules

Net Weight 100g

Net Weight 100g

Net Weight 100g

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Exhibit B

St. John's wort is a promising treatment for depression...Hypericum extracts were significantly superior to placebo and similarly effective as standard antidepressants...The herb may offer an advantage, however, in terms of relative safety and tolerability, which might improve patient compliance.

British Medical Journal

August 3, 1996

Moreover, Prozac. German and American researchers report the herb known as St. John's wort may be effective treating depression.

JME

August 12, 1996

YOUR INDEPENDENT DISTRIBUTORS

St. John's wort is a promising treatment for depression...Hypericum extracts were significantly superior to placebo and similarly effective as standard antidepressants...The herb may offer an advantage, however, in terms of relative safety and tolerability, which might improve patient compliance.

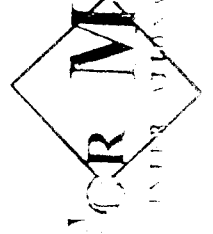
St. John's wort is a promising treatment for depression...Hypericum extracts were significantly superior to placebo and similarly effective as standard antidepressants...The herb may offer an advantage, however, in terms of relative safety and tolerability, which might improve patient compliance.

Keep out of reach of children.

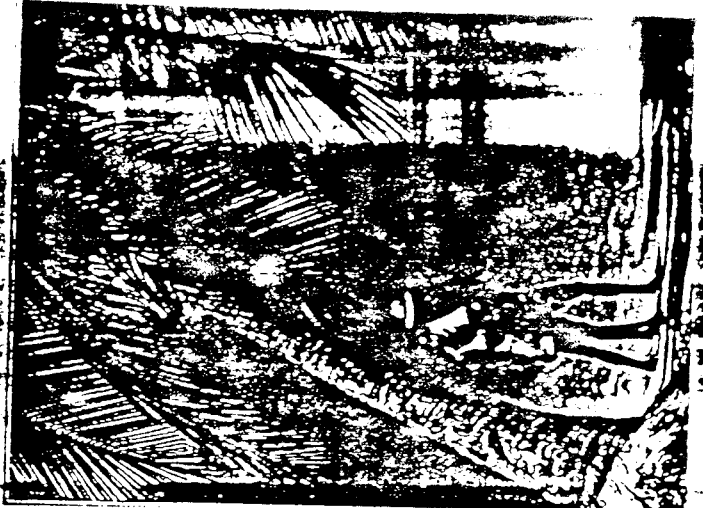
Protect from heat, light and moisture

Store at 15-30 degrees C. (59-86 degrees F.)

Do not purchase if seal is broken



ST. JOHN'S WORT



ATLANTA 86 (AS PYRIDOXINE HCT)

to the fact that the cell cycle is a highly regulated process, and the cell cycle is a highly regulated process, and the cell cycle is a highly regulated process.

remains conversion of a polynomial of order n to a sum of terms of order n .

- **Interleukins** act as primary chemical mediators of proteins and macrophages.
- **TGF- β** : normal function of brain & bone.
- **Promotes** normal epithelial cell formation.
- **Chemokines** chemotact cytokine: attract body fluids.
- **Regulates** secretion of mucus.
- **Helps** in energy metabolism and resistance to stress.

After some years of being
"the good one" and sincere partnership,

[illegible]

Syphilis, tuberculosis, dysentery, whooping cough, mania, hypochondria, fatigue, hysteria and insomnia. In centuries past and recent years St. John's Wort has been used as an anti-depressant alternative for mild to moderate depression. Recently St. John's Wort has received a great deal of attention in the treatment for HIV (human immuno-deficiency virus), the virus that can cause AIDS.

Depression is a world wide epidemic. In Germany, St. John's Wort is the leading treatment for mild to moderate depression and it is fast coming to the United States. A compelling study of 3250 patients found that approximately 80% of the patients suffering from mild to moderate depression experienced feeling better or were completely relieved of depression after four weeks.

During a study published in the Journal Proceedings of the National Academy of Sciences in 1988, researchers have reported the discovery of two substances in St. John's Wort, hypericin and pseudohypericin, that displayed antiviral activity against some retroviruses.¹ Retroviruses include the human immuno-deficiency virus (HIV) and suggested herbal products as a treatment.

Recent medical studies confirm the safety of St. John's Wort. In Germany, sixty-six million daily doses of Hypericum were taken in 1994. There were no reports of serious drug interactions or even toxicity after accidental overdose. Hypericum, by comparison, does not have a single recorded human death in 2400 years of known medicinal use.

The main components are hyaluron, chondroitin, and pseudochondroitin, other possible active ingredients are polyenzymes and products of hyaluron, the flavonoids quercetin, hyperoside, isoguerol, rutin, campesterol, lincolin and Biotin.

100

- Functions as building block of all proteins.

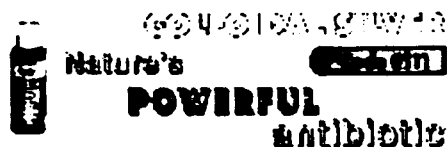
This herb, a member of the pepper family, grows as a bush in the South Pacific. Explorer Captain James Cook, who gave this plant the botanical name of "intoxicating pepper," first discovered kava kava. Kava has been used for over 3,000 years for its medicinal effects as a sedative, muscle relaxant, diuretic, and as a remedy for nervousness and insomnia.

In Germany, Kava kava is used as a non-prescription drug to reduce anxiety. Kava was first mentioned in scientific records in 1886, and it is gaining popularity in the US for its relaxing effects.

Kava also is effective as a pain reliever and can be used instead of aspirin, acetaminophen and ibuprofen. Recent clinical studies have shown that the herb kava is a safe non-addictive anti-anxiety medicine, and as effective as prescription anxiety agents containing benzodiazepines such as valium. While benzodiazepines promote lethargy and mental impairment, kava has been clinically demonstrated as a means of achieving a state of relaxation without the adverse side effects.

Kava root is primarily used as a natural sedative and sleep enhancement. Herbalists have traditionally used it as a remedy for nervousness and insomnia. Kava root is an effective relaxant that can help relieve cramping due to spasms.

Excellent for insomnia and nervousness as it will induce sleep and relax the nervous system. Used for pain associated with nerve or skin diseases. It relieves stress and injuries. The plant works by first stimulating the nervous system, and then depresses it. It is also a urinary, antiseptic and anti-inflammatory, thus useful for cystitis and prostatitis. May be used in the treatment of rheumatism and gout. Externally used in liniments as an analgesic.



Colloidal Silver

Supplement Facts

THE ULTIMATE UNIVERSAL ANTIBIOTIC - NATURE'S ANTIBIOTIC

Prior to 1938 Colloidal Silver was considered to be one of the mainstays of antibiotic treatment. It is still considered to be the most universal antibiotic substance that is nontoxic in its micro-concentrations of 3 to 5-ppm. It has been proven to be useful against over 650 different infectious conditions, as compiled to traditional antibiotics, which are effective against 6 to 7 conditions.

The comeback of silver in medicine began in the 1970's. The late Dr. Carl Moyer, Chairman of Washington University's Department of Surgery, received a grant to develop better treatments for burn victims. Dr. Margraf, as the Chief Biochemist, worked with Dr. Moyer and other surgeons to fund an antiseptic strong enough, yet safe enough to use over large areas of the body. As a result of their efforts, and that of other researchers, hundreds of important new medical uses for silver were found. Colloidal Silver, is the only form of silver that can be used safely as a supplement. It is absorbed into the tissues at a slow enough rate that it is not irritating to the tissues, unlike silver nitrate which reacts violently with body tissues because of its caustic action. The colloidal particles diffuse gradually throughout the blood and give prolonged therapeutic action. Many forms of bacteria, fungus, and virus utilize a specific enzyme for their metabolism. Silver act as a catalyst, effectively disabling the enzyme. It is toxic to all species tested of fungi, bacteria, protozoa, parasites and many viruses. To primitive life forms, silver is as toxic as the most powerful chemical disinfectants.

There is no known disease-causing organism that can live in the presence of even minute traces of the chemical element of simple metallic silver. Based on laboratory tests, destructive bacteria, virus, and fungus organisms are killed within minutes of contact.

Kills over 650 Different Disease Causing Germs. Is tasteless, odorless, and non-stinging to sensitive issues All harmful bacteria, fungi and virus are killed within 6 minutes of contact with silver and no disease organism can live in the presence of even minute traces of silver. Prior to 1938 Colloidal Silver was considered to be one of the mainstays of antibiotic treatment. When antibiotics were discovered, clinical uses for Silver as an antibiotic were discarded, until now.

The following is a list of some of the (pre-1938) documented uses of silver, particularly in the colloidal form, for the treatment of various conditions and pathogens: Acne, Arthritis, Athlete's foot, Bladder Inflammation, Blood Poisoning, Burns, Cancer, Cholera, Conjunctivitis, Cystitis Dermatitis, Diabetes, Diphtheria, Douche, Dysentery, Ear Infection, Eczema, Eustachian Tubes, Eye Drops, Fibrositis, Gargle for Throat Conditions, Gastritis, Gonorrheal Herpes, Impetigo, Intestinal Trouble, Influenza, Keratitis, Leprosy, Lupus, Lymphagitis, Malaria, Menier's Symptoms, Meningitis, Neurasthenia, Ophthalmology, Parvo Virus (Canine), Pleurisy, Prostate, Pruritis Ani, Rheumatism, Rhinitis, Ringworm, Scarlet fever, Seborrhea, Sepsicemia, Shingles, Sinus Disorders, Skin Cancer, Soft Sores, Staph Infections, Strep Infections, Syphilis, Tonsillitis, Toxemia, Trachoma, Trench Foot, Tuberculosis, Ulcers, Viral Warts, Whooping Cough, Yeast Infections.

NASA researched 23 different methods of water purification and selected the silver system as a vat system for the space shuttles. Not only does NASA use the silver system, but half of the world's airlines use silver water filters to guard against waterborne diseases. There are many practical uses for silver including Colloidal Silver as an all-natural antibacterial alternative.

Colloidal Silver was widely used in the U.S. 60 to 70 years ago as an antibacterial and in fact, was approved by the FDA to the 1920's. Although silver had an excellent reputation as an effective infection fighter, its utilization grew impractical. Current dollars would put the price of Colloidal Silver in the 1930's at nearly \$100 per ounce, limiting its widespread use at that time.

Special Notice

"FORMOR makes no representation or warranty, expressed or implied, including warranties of fitness for a particular purpose and of merchantability of this product, except as indicated on its label."

If you are not fully satisfied with the results after using this product, your full purchase price will be refunded by the distributor you purchased it from.

"This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease."

Nutritionals | Skin Care | Home Care | Nutrizone | Testimonials

the following is a list of diseases and conditions for which the use of silver, particularly in the colloidal form, for the treatment of various conditions is pathogenic

Acne	Impetigo	Shingles
Arthritis	Influenza	Scarlet Fever
Athlete's Foot	Intestinal	Schistosoma
Bladder	Trouble	Sepsisemia
Inflammation	Keratitis	Skin Cancer
Burns	Leprosy	Chungles
Blood Poisoning	Leishmaniasis	Staph Infection
Cancer	Lymphatitis	Staph Infection
Cholera	Malaria	Syphilis
Conjunctivitis	Menier's	Tuberculosis
Dysentery	Menstrual	Tonsillitis
Diphtheria	Menstrual	Typhoid
Dematitis	Neuritis	Typhoid
Diabetes	Ophthalmology	Typhoid
Dysentery	Pharyngitis	Typhoid
Ear "Affections"	Rabies	Ulcers
Exema	Rabies	Whooping
Gastritis	Rabies	Cough
Gastritis	Rabies	Yeast Infections
Herpes	Rabies	

9 H.E.L. Publ. Serv. Vol. 9, No. 12, pp. 1

COLLOIDAL SILVER KILLS OVER 650 Different Disease Causing Germs.

- Resistant strains fail to develop
- Medical tests indicate no known adverse effects from the use of properly prepared Colloidal Silver
- There has never been a recorded case of drug interaction with any other medication, including prescription drugs.

COLLOIDAL SILVER is Tasteless, Odorless, and Non-Stinging To Sensitive Tissues

- It may be taken orally or put on a band-aid and applied directly to cuts, scrapes, open sores, burns, warts, or used to rinse sore, eczemas, and skin irritations
- It may be gargled, dropped into the eyes or ears, used vaginally, anally, atomized, or inhaled into the nose or lungs

silver occurs naturally in the soil as a trace mineral and, as such, is one of many essential elements required by plants, animals, and man that we once naturally obtained from organic soils via fruits, vegetables, nuts, grains, and legumes. Now, with most of our crop plants grown on highly depleted, chemically fertilized soil, many of the important metallic minerals like iron, zinc, copper, magnesium, and chromium, and trace minerals like silver and gold are no longer readily available to us except through the use of mineral supplements.

SAFE AND EFFECTIVE

Some lab tests have shown that "true" Colloidal Silver has little effect on "friendly" bacteria while being highly useful against infections and eliminating various microbes, viruses, fungi, etc.

Jim Powell reported in a Science Digest article - March 1978, titled "Our Mightiest Germ Figher," "Thanks to eye-opening research, silver is emerging as a wonder of modern medicine. An antibiotic kills perhaps a half-dozen different kinds of disease organisms, but silver kills some 650. Resistant strains fail to develop. Moreover, silver is virtually non-toxic." Pioneering silver researcher, Dr. Harry Margraf of St. Louis, concluded: "Silver is the best all around germ fighter we have."

Prior to 1938, Colloidal Silver was administered in just about every way that modern drugs are administered. It was injected both intravenously and intramuscularly, used as a gargle for throat conditions, as a douche, taken orally and applied topically, even for sensitive tissues, and also dropped into the eyes.

When antibiotics were discovered, clinical uses for silver as an antibiotic were discarded . . . UNTIL NOW!!

The Food and Drug Administration has stated that because Colloidal Silver is (by 50 years) a pre-1938 drug, it may be marketed (as per a September 13, 1991, letter received from Consumer Safety Officer, Harold Davies, U.S. Food and Drug Administration). Moreover, the FDA has no jurisdiction regarding a pure, mineral element

Colloidal Silver

The Ultimate Universal Antibiotic

"Nature's Antibiotic"

FOR-MOR INTERNATIONAL

4.0 fluid ounce concentrate
Recommended Use:
For optimum results, after diluting with 12 oz. of distilled water, hold 20 drops under tongue for one minute, then swallow and follow with a glass of water or juice.

Special Notice

For-Mor makes no representation or warranty, expressed or implied, including warranties of fitness for a particular purpose and of merchantability of this product, except as indicated on its label.

Colloidal Silver is a natural element found in the earth's crust. It is a trace mineral that is essential for the body's health. It is a natural antibiotic that kills over 650 different kinds of bacteria, viruses, and fungi. It is a natural pain reliever that can be used for a variety of conditions. It is a natural skin conditioner that can be used for a variety of skin conditions. It is a natural blood purifier that can be used for a variety of blood conditions. It is a natural energy booster that can be used for a variety of energy conditions. It is a natural mood enhancer that can be used for a variety of mood conditions. It is a natural sleep aid that can be used for a variety of sleep conditions. It is a natural appetite stimulant that can be used for a variety of appetite conditions. It is a natural digestive aid that can be used for a variety of digestive conditions. It is a natural respiratory aid that can be used for a variety of respiratory conditions. It is a natural urinary aid that can be used for a variety of urinary conditions. It is a natural reproductive aid that can be used for a variety of reproductive conditions. It is a natural overall health enhancer that can be used for a variety of overall health conditions.

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Your Independent Distributor is:

COLLOIDAL SILVER

The Universal Antibiotic

The strongest, safest, broad-spectrum antibiotic known to man

rior to 1938, Colloidal Silver was considered to be one of the mainstays of antibiotic treatment. It is still considered to be the most universal antibiotic substance that is non-toxic in its microconcentrations of 3-5 ppm. It has been proven to be useful against over 650 different infectious conditions, as compared to traditional antibiotics, which are effective against 6-7 conditions. The comeback of silver in medicine began in the 1970's. The late Dr. Carl Meyer, former chairman of Washington University's Department of Surgery, received a grant to develop better treatments for burn victims. Dr. Margraf, as the chief biochemist, worked with Dr. Meyer and other surgeons to find an antibiotic strong enough, yet safe enough to use over large areas of the body. As a result of their efforts, and that of other researchers, hundreds of important new medical uses for silver were found. Colloidal Silver is the only form of silver that can be used safely as a supplement. It is absorbed into the tissues at a slow enough rate that it is not irritating to the tissues, unlike silver nitrate, which reacts violently with body tissues because of its caustic action. The colloidal particles diffuse gradually throughout the blood and give prolonged therapeutic action.

Many forms of bacteria, fungus, and virus utilize a specific enzyme for their metabolism. Silver acts as a catalyst, effectively disabling the enzyme. It is toxic to all species tested of fungi, bacteria, protozoa, parasites, and many viruses. To primitive life forms, silver is as toxic as the most powerful chemical disinfectant.

There is no known disease-causing organism that can survive in the presence of even minute traces of the chemical element of simple metallic silver. Based on laboratory tests, destructive bacteria, virus, and fungus germs are killed within minutes of contact.

M. Crooks stated that Colloidal Silver kills pathogenic organisms in three or four minutes upon contact. In fact, there is no microbe known that is not killed by Colloidal Silver in six minutes or less, and there are no effects whatsoever from the highest concentration. Colloidal Silver is effective against infections, colds, flu, and fermentation. Parasites are also killed in their egg stage. It is tasteless, odorless, and non-toxic. It is effective with meals as a digestive aid.

no fermentation of food in the intestine.

A.B. Searle has pointed out that one important advantage of using Colloidal Silver is that it has no recorded side effects. It also does not stain the skin, unlike certain pharmaceutical preparations of silver that do stain the skin quite strongly.

Dr. Leonard Keene, A.M.D. (Johns Hopkins), concluded that from a therapeutic point of view only the colloid metals present the necessary homogeneity, minuteness of granules, purity, and stability for maximum health.

From extensive research and experiments with Silver in medicine, Dr. Robert O. Brecker, M.D., concluded that silver deficiency was responsible for the improper functioning of the immune system and that silver was doing something more than killing disease-causing organisms. It was also causing major growth stimulation of injured tissues. Burn patients and even the elderly patients noticed more rapid healing and he discovered that all cancer cells changed back to normal.

Dr. Bjorn Nordstrom, of the Karolinska Institute, Sweden, has used silver in his cancer cure method for many years. He said the whole thing was quite simple. This has brought remission in patients who were given up on by other doctors.

SILVER USED BY NASA

NASA researched 23 different methods of water purification and selected a silver system for the space shuttles. Not only does NASA use the silver system, but half of the world's airlines use silver water filters to guard against water-borne diseases. There are many practical uses for silver, including Colloidal Silver as an all-natural anti-bacterial alternative.

Webb, James, *Bactericidal Silver: The Amazing Antibacterial Action of Natural Products Began With Antibiotics*, 1/10/74.

Harmon, R.J., *Colloidal Chemistry*, Houghton Mifflin Co. Boston, 1959, p. 359.

Keene, Leonard, op. cit.

Keene, Leonard, op. cit.

Keene, Leonard, op. cit.

Keene, Leonard, op. cit.

In April of 1998, I had been ill for one year. The doctors finally diagnosed my illness as Hepatitis C with a 97% infection rate. I was made available a shot therapy called Interon "A" and was told that I was not a candidate for any other treatment. I started the shot therapy May 11, 1998. As of July 1998 the treatment had not been successful. I started taking Colloidal Silver Concentrate and MSM 2000 on a daily basis. By November 1998, my blood reports reflected no signs of the Hepatitis C. I am just one of many cases that have been diagnosed with this illness. Seeing my physicians for regular checkups and bloodwork, I have found that most patients undergoing the shot therapy could not tolerate the side effects. I truly believe that Colloidal Silver and MSM 2000 along with a miracle from God helped my body build antibodies to fight the illness and strengthen it against the side effects. Thank you For-Mor for giving me back my life.

Brigitte Reid, Brownwood, TX

Colloidal Silver is incredible! I've used it to successfully treat both of my boys' ear infections (when all the doctors wanted to operate or keep them on antibiotics). I've also used it to eliminate bladder infections and very sore throats. I'd never go a winter without at least two bottles around.

Barb Fletcher, La Mesa, CA

I work as a caterer. One day I spilled hot grease all over my arm. I received second degree burns. I immediately started putting Colloidal Silver on my arm. I continued to do so for the next few days. I am happy to say there was no pain and there is not even a scar on my arm. Thank the Lord for Colloidal Silver.

B.S., North Carolina

Colloidal Silver is a great all-purpose natural healer and antibiotic. I had a cancerous spot near my forefinger and thumb and I put a bandage with cotton soaked in silver twice a day for 2 weeks and it went completely away. I also had an eye infection which I doctored with 2 drops of the silver twice a day and the infection was gone in three days.

Ray Panty, Oklahoma City, OK

I have three dogs and one of them started a fight with his off-spring. The off-spring's eye really got attacked badly. I couldn't really afford a vet when the area around the infected eye became puffed out like an impacted tooth swelling. I put Colloidal Silver two times a day in my dog's eye and within four days, the eye was healed. I sure saved a lot without a huge vet bill.

Carol Gailley, Winchester, CA

My daughter suffered from severe acne, the bumps had pus in them. She washed her face with Colloidal Silver, the bumps dried up, her face is now smooth with only the dark spots to remind her.

Mrs. Carmeta Bodie, Nassau, Bahamas

Last night I delivered two bottles of Colloidal Silver to a friend. The next morning she called screaming, "Norma, my husband and I applied it in our nose and he is telling me that I didn't sneeze!" Since Sunday, I've applied it to my husband and he doesn't sneeze.

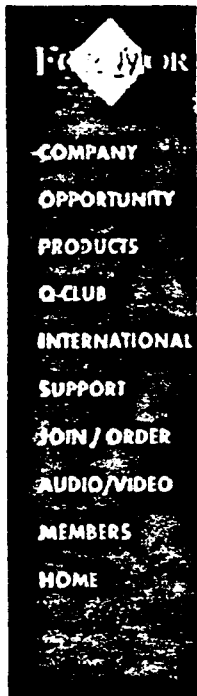
Norma Phillipson, Chula Vista, CA

Two months ago I went to the dentist for a gum disease. He cleaned out my gums, etc., for 2 hours and served me up and said "your infection is deeper and much worse than I thought, please come back in 1-2 weeks and I'll clean you out more." In the meantime, I would swish daily with Colloidal Silver & hold it in my mouth for 1-2 minutes and swallow. When I returned to the dentist he could not find a trace of gum infection and called in 2 more dentists who also could not find a trace. I told them that I'd used Colloidal Silver and they were not interested but thought they'd originally made a mistake regarding my gum infection severity.

Glenda F. Gentner, Baltimore, MD

I had a bad burn on my forehead from a curling iron. It was very hot. I got my Colloidal Silver and put it on first and the burn went away some. Then I put MSM Lotion over it, used it three times, and I have no scar. I can't even tell where I burned my forehead. Thank God for herbs. I am so glad for For-Mor products.

Glenda F. Gentner, Baltimore, MD



**shark
cartilage
concentrate**
may have
**immune building
& anti-inflammatory properties**

Ultimate II Dietary Supplement

Supplement Facts

SHARK CARTILAGE CONCENTRATE

The Results Are in On Shark Cartilage: Having survived virtually unchanged for four hundred million years, the shark is certainly one of the most remarkable creatures on the face of our planet. The shark appears to be the only animal with a natural immunity to cancer and practically every disease known to man. When wounded, it heals quickly; it even has five sets of teeth and can form new ones if needed. The shark is also the only animal with a skeleton comprised entirely of cartilage; a tough bone-like tissue that accounts for eight percent of its total weight. Scientists now believe it is the shark's cartilage skeleton, which is responsible for this super immunity. What makes shark cartilage so special is that it contains mucopolysaccharides in a concentration one thousand times greater than found in any other type of cartilage.

Arthritis And Cartilage Research: Dr. Stephen Freedman, marine biologist and immunobiochemist at the University of Utah, is particularly interested in the anti-inflammatory aspects of shark cartilage. These properties are in addition to its angiogenesis inhibiting ability and are produced by powerful anti-inflammatory molecules called mucopolysaccharides. Dr. Freeman cites exciting scientific research on using shark cartilage supplements in the successful treatment of arthritis. These experiments were conducted in Belgium and at Mote Labs in Florida and were overwhelmingly effective in relieving joint pain and inflammation.

A dozen elderly arthritic patients with severe knee pain were treated with shark cartilage by Dr. Joseph Orcasity, M.D., a consultant at the University of Miami Medical School. He reported that after four weeks of taking shark cartilage, most patients exhibited reduced pain and swelling and greater mobility. Dr. Allen Pressman, a prominent sports nutritionist, routinely uses shark cartilage in his healthy and active patient population as an adjunct in the treatment of low back joint pains. He reports that using shark cartilage as a treatment is becoming widely accepted in the medical community. In his acutely injured patients he finds an almost immediate reduction in pain and swelling and a marked increase in the range of limb motion.

Clinical Uses: The current medical literature contains much scientific

evidence that shark cartilage is a tremendously effective treatment in many degenerative and inflammatory conditions. Amazingly, we look to one of earth's oldest and most feared creatures to provide the means to treat or ameliorate many of our most devastating and enigmatic diseases.

Special Notice

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Nutritionals | Skin Care | Home Care | Nutrzone | Testimonials

Typical Analysis

We believe ULTIMATE II Shark Cartilage Concentrate is superior to ordinary shark cartilage powder due to its high mucopolysaccharide content, low ash and fat, and high solubility. Because of the deodorization process, our shark cartilage is more desirable to take.

Loss on Drying	4.00%
Protein	26.00%
Lipids	0.15%
Residue on ignition	3.00%
Mucopolysaccharides	21.50%
Dextrin	45.00%

For Mor's Ultimate II's Shark Cartilage Concentrate is manufactured from 100% shark fin cartilage. Ultimate II's Shark Cartilage Concentrate contains high levels of mucopolysaccharides and proteins and low levels of ash and lipids.

The manufacturing process is as follows:

Raw materials (shark fin cartilage)

Shredding

Digestion (protease)

Removal of impurities

Deodorization

Decolorization

Filtration

Addition of dextrin

Stabilization (plate method)

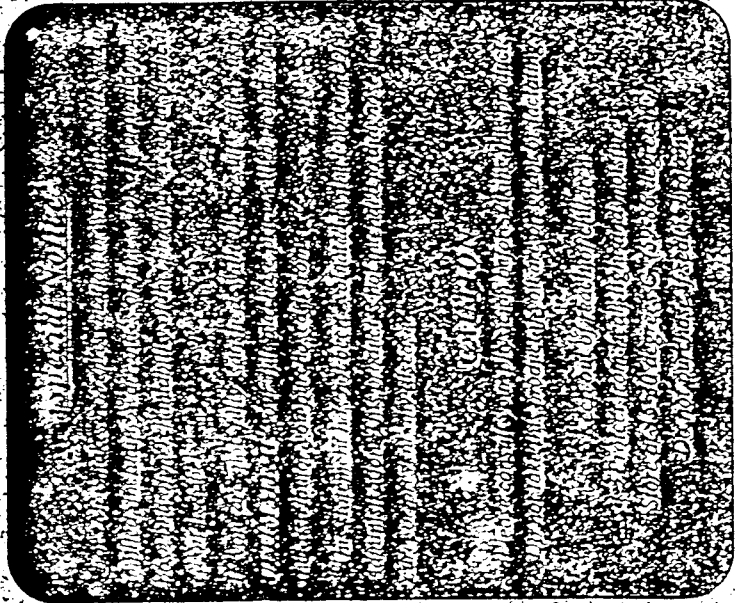
Drying (spray dry)

The sources and resources for Shark Cartilage can be ordered from the following places:
 60 Minutes Video: Sharks Don't Get Cancer
 1800-848-3265, Date 7/1/93
 Shark Cartilage Therapy and pure boots and videos
 The Shark Cartilage Company, 1800-742-7504

Ultimate II recommended use:

Take 2 capsules daily as a nutritional supplement with an 8 ounce glass of water.

We suggest that when you have someone using a capsule larger than our 250 mg. Ultimate II Shark Cartilage Concentrate, get them to compare results by taking the same dosage from the capsules that are larger than our Ultimate II. You will find in most cases our 250 mg. will out-perform the larger ones, making Ultimate II very competitive, even with direct mail order marketers.



Your Independent Distributor is:

Ultimate II Shark Cartilage Concentrate

100% Pure
Natural Food
Supplement



Life Results Are In On Shark Cartilage

[illegible]

Researchers would not only be using the data to gain a deeper understanding of disease, but would be helping to speed medical research on more curable, even preventable, conditions. "I don't think there's anything more important that the community can do," says a senior policy advisor at the National Institutes of Health, "than to encourage people to give their data."

Arthritis And Cartilage Research

Dr. Stephen Freedman, marine biologist and immunobiologist at the University of Utah, is particularly interested in the anti-inflammatory aspects of shark cartilage. These properties are in addition to its angiogenesis-inhibiting ability and are produced by powerful anti-inflammatory molecules called mucopolysaccharides. Dr. Freedman cites exciting scientific research on using shark cartilage supplements in the successful treatment of arthritis. These experiments were conducted in Belgium and by Mote Labs in Florida and were overwhelmingly effective in relieving joint pain and inflammation.

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Clinical Uses

The current medical literature contains much scientific evidence that shark cartilage is a tremendously effective treatment for many degenerative and inflammatory conditions.

Amazingly, we look to one of earth's oldest and most feared creatures to provide the means to treat or ameliorate many of our ills: devils, lime and enigmatic diseases.

What has Ultimate II done for you?

It's made me a new woman! Before I started taking it I felt like a dead person. I had constant pain and I couldn't see, mainly out of my right eye. I had pretty bad headaches that were much like migraines. The doctors told me I had a terminal brain tumor that was big and growing, and if it didn't shrink down, I'd be in big trouble. They could not operate because it was in the middle of my brain, and if they did operate on it, I'd become a vegetable. They were trying anything they could find to treat it and nothing seemed to work. Now, since I've taken the shark cartilage, everything is changing. I can see, I don't have very much pain. I feel like a brand new person. And the doctor says the tumor is going down. He said it's down by one-fourth. I don't hardly have headaches anymore, and I feel really good most of the time. The doctor is very pleased and I don't have to see him for 6 months! Ultimate II is great! I tell everybody about it. The Relieve has been great so far, too. I haven't had as much pain with my arthritis now, either. Really that's my biggest problem, but I think it will get better. Thank you for getting such good products to people like me who need them.

I've been plagued my whole life with canker sores in my mouth. When I started taking Ultimate II, I noticed I didn't have them. So I tested my theory & ate all the acidic & spicy foods I wanted, which normally cause the problem. When I felt a sore in my mouth begin, I started taking 1 of the Ultimate II's. Sure enough, the next day the sore was gone. I'm sure my mouth would be in pain. Look out tomatoes, here I come!

I suffer from rheumatoid arthritis. The pain was so bad I couldn't lift my feet over the door frame. The doctor gave me ibuprofen, which made my stomach so sore I cried when I bent over. Today I take AP-300 and Ultramate II and I have fewer, no pain and I feel great by the way. I am 73.

I have ovarian cancer, diagnosed in January of 1996. I've had multiple surgeries and been on chemotherapy since June of '96. The doctors assured me through ancient prayers and leading me to the Most products of The Ultimate II was surely helped me rebuild a stronger and less MSN 2000. This is a great help in rebuilding a well from an extremely low point. I can't help my body regenerate naturally and these products do the job for me.

Decision and Order

DECISION AND ORDER

The Federal Trade Commission ("Commission"), having initiated an investigation of certain acts and practices of the respondents named in the caption hereof, and the respondents having been furnished thereafter with a copy of a draft of complaint which the Commission's Northeast Region proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge respondents with violation of the Federal Trade Commission Act; and

The respondents and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondents 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 respondents 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 thereafter considered the matter and having determined that it had reason to believe that the respondents have violated the said 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 thirty (30) days, (and having duly considered the comments received) now in further conformity with the procedure prescribed in Section 2.34 of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings and enters the following order:

1a. Respondent ForMor, Inc. d/b/a ForMor International ("ForMor") is an Arkansas corporation with its principal office or place of business at P.O. Box 2080, Conway, Arkansas 72033.

Decision and Order

1b. Respondent Stan Goss is an officer of the corporate respondent. Individually or in concert with others, he formulates, directs, or controls the policies, acts, or practices of the corporation. His business address is P.O. Box 2080, Conway, Arkansas 72033.

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

ORDER

DEFINITIONS

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

A. Unless otherwise specified, **“respondents”** shall mean ForMor, Inc. doing business as ForMor International, a corporation, its successors and assigns and its officers; Stan Goss, individually and as an officer of the corporation; and each of the above’s agents, representatives, and employees.

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

C. **“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 have 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.

D. **“Product Label”** shall mean any label or other written, printed, or graphic matter upon any product or accompanying any product, including package labels, bottle labels, and package inserts.

Decision and Order

E. **“Clear(ly) and prominent(ly)”** shall mean as follows:

1. In an advertisement communicated through an electronic medium (such as television, video, radio, and interactive media such as the Internet, online services and software), the disclosure shall be presented simultaneously in both the audio and visual portions of the advertisement. *Provided, however*, that in any advertisement presented solely through visual or audio means, the disclosure may be made through the same means in which the ad is presented. *Provided, further*, that in any advertisement communicated through interactive media which is presented predominantly through visual or audio means, the disclosure may be made through the same means in which the ad is predominantly presented. The audio disclosure shall be delivered in a volume and cadence sufficient for an ordinary consumer to hear and comprehend it. The visual disclosure shall be of a size and shade, with a degree of contrast to the background against which it appears, and shall appear on the screen for a duration and in a location, sufficiently noticeable for an ordinary consumer to read and comprehend it.

2. In a print advertisement, promotional material, or instructional manual, the disclosure shall be in a type size and location sufficiently noticeable for an ordinary consumer to read and comprehend it, in print that contrasts with the background against which it appears. In multi-page documents, the disclosure shall appear on the cover or, alternatively, on the first page.

3. On a product label, the disclosure shall be in a type size and location sufficiently noticeable for an ordinary consumer to read and comprehend it and in print that contrasts with the background against which it appears. *Provided, however*, if a disclosure on a bottle label or package label is made in a location other than the principal display panel, the bottle label or package label shall include the statement, **“See important safety warning(s) on [insert disclosure location],”** as follows: (i) in a type size and location on the principal display panel sufficiently noticeable for an ordinary consumer to read and comprehend it; (ii) in print that

Decision and Order

contrasts with the background against which it appears; and (iii) within a border that is a color or shade that contrasts with the background against which it appears. ***Provided further***, that in a multi-page insert, the disclosure shall appear on the cover page or first page.

Nothing contrary to, inconsistent with, or in mitigation of the disclosure shall be used in any advertisement or on any label.

F. In the case of advertisements disseminated by means of an interactive electronic medium, such as software, the Internet, or online services, **"in close proximity"** shall mean on the same Web page, online service page, or other electronic page, and proximate to the triggering representation, and shall not include disclosures accessed or displayed through hyperlinks, pop-ups, interstitials or other means.

G. **"Purchaser for resale"** shall mean any purchaser of any of respondents' St. John's Wort, colloidal silver, or shark cartilage products who orders: (a) five (5) or more units of any such product(s) at any one time; or (b) twenty (20) or more units of any such products(s) in any three (3) month period.

H. **"Food," "drug," and "device"** shall mean as "food," "drug," and "device" are defined in Section 15 of the Federal Trade Commission Act, 15 U.S.C. § 55.

I. **"Covered product or service"** shall mean any service, program, dietary supplement, food, drug, or device.

J. **"St. John's Wort product"** shall mean ForMor, Inc.'s St. John's Kava Kava or any covered product or service for which the term "Hypericum Perforatum" or "St. John's Wort" appears on the covered product or service label or in any advertising or promotion, and any covered product or service containing "Hypericum Perforatum" or "St. John's Wort."

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K. **Colloidal silver product**” shall mean ForMor, Inc.’s colloidal silver or any covered product or service label for which the term “colloidal silver” or “silver salts” appears on the covered product or service label or in any advertising or promotion, and any covered product or service containing “colloidal silver” or “silver salts.”

L. **“Shark cartilage product”** shall mean ForMor, Inc.’s Ultimate II Shark Cartilage Concentrate or any covered product or service label for which the term “shark cartilage” appears on the covered product or service label or any advertising or promotion, and any covered product or service containing “shark cartilage.”

M. A requirement that respondents **“notify the Commission,” “file with the Commission”** or **“deliver to the Commission”** shall mean that the respondents 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 ForMor, Inc.

N. **“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.

ORDER**I.**

IT IS ORDERED that respondents, 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 St. John’s Wort product, or any covered product or service in or affecting commerce, shall not make any representation, in any manner, expressly or by implication, that ingestion of such product is effective in the treatment of HIV/AIDS, colds, syphilis,

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tuberculosis, dysentery, whooping cough, mania, hypochondria, fatigue, or hysteria unless, at the time the representation is made, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

II.

IT IS FURTHER ORDERED that respondents, 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 St. John's Wort product in or affecting commerce, shall not make any representation, in any manner, expressly or by implication, that ingestion of such product has no serious drug interactions.

III.

IT IS FURTHER ORDERED that in any advertisement, promotional material, or product label for any St. John's Wort product, that contains any representation about the efficacy, performance, or safety of such product, and in any discussion, communicated via electronic mail or any telephone line, that contains any representation about the efficacy, performance, or safety of any St. John's Wort product, respondents, directly or through any corporation, subsidiary, division, trade name, or other device, shall make clearly and prominently, the following disclosure:

WARNING: St. John's Wort can have potentially dangerous interactions with some prescription drugs. Consult your physician before taking St. John's Wort if you are currently taking anticoagulants, oral contraceptives, anti-depressants, anti-seizure medications, drugs to treat HIV or prevent transplant rejection, or any other prescription drug. This product is not recommended for use if you are or could be pregnant unless a qualified health care provider tells you

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to use it. The product may not be safe for your developing baby.

unless respondents possess competent and reliable scientific evidence that such product produces no adverse drug interactions or side effects.

Provided, however, that the **product label** requirements of this Part shall not apply to products that are shipped to consumers or purchasers for resale less than thirty (30) days after the date of service of this order; and, *provided further*, that with regard to products shipped after thirty (30) days of the date of service of this order, respondents may affix the disclosure clearly and prominently by sticker or other device on the labels of products manufactured prior to thirty (30) days after the service of this order.

Provided further, that in the event that the Food and Drug Administration issues a final rule requiring a warning on the labeling of products containing St. John's Wort, respondents may substitute that warning for the disclosure required under this Part.

IV.

IT IS FURTHER ORDERED that respondents, 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 colloidal silver product in or affecting commerce, shall not make any misrepresentation, in any manner, expressly or by implication, that:

- A. Ingestion of colloidal silver is proven effective in the treatment of disease or any number of diseases; or
- B. Medical studies demonstrate that ingestion of colloidal silver is safe or has no adverse side effects.

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V.

IT IS FURTHER ORDERED that respondents, 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 colloidal silver product, or any covered product or service in or affecting commerce, shall not make any representation, expressly or by implication, that ingestion of colloidal silver is effective in the treatment of arthritis, blood poisoning, cancer, cholera, diphtheria, diabetes, dysentery, gonorrheal herpes, influenza, leprosy, lupus, malaria, meningitis, rheumatism, shingles, staph infections, strep infections, syphilis, tuberculosis, whooping cough, or yeast infections unless, at the time the representation is made, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

VI.

IT IS FURTHER ORDERED that respondents, 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 shark cartilage product, or any covered product or service in or affecting commerce, shall not make any representation, in any manner, that ingestion of such product:

- A. Is effective in the treatment of arthritis or other degenerative or inflammatory conditions; or
- B. Is effective in the treatment of brain cancer;

unless, at the time the representation is made, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

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VII.

IT FURTHER ORDERED that respondents, 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 covered product or service in or affecting commerce, shall not misrepresent, in any manner, expressly or by implication, the existence, contents, validity, results, conclusions, or interpretations of any test, study, or research.

VIII.

IT IS FURTHER ORDERED that respondents, 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 covered product or service in or affecting commerce, shall not represent, in any manner, expressly or by implication, that the experience represented by any user testimonial or endorsement of the covered product or service represents the typical or ordinary experience of members of the public who use the covered product or service, unless:

- A. At the time the representation is made, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation; or
- B. Respondents disclose, 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 covered product or service; 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.

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

IX.

IT IS FURTHER ORDERED that respondents, 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 St. John’s Wort product, colloidal silver product, shark cartilage product, or any covered product or service in or affecting commerce, shall not make any representation, in any manner, expressly or by implication:

A. That such covered product or service is effective in the mitigation, treatment, prevention, or cure of any disease or illness; or

B. About the health benefits, performance, safety, or efficacy of any such covered product or service; unless, at the time the representation is made, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

X.

IT IS FURTHER ORDERED that respondents shall:

A. Within seven (7) days after service of this order upon respondents, deliver to the Commission a list, in the form of a sworn affidavit, of all persons who purchased, on or after January 1, 1999, a St. John’s Wort product from respondents. Such list shall include each purchaser’s name and address, and, if available, telephone number and email address, and shall designate whether each purchaser is a “purchaser for resale” as defined in this order.

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- B. Within seven (7) days after service of this order upon respondents, deliver to the Commission a list, in the form of a sworn affidavit, of all persons who purchased, on or after January 1, 1999, a colloidal silver and/or shark cartilage product from respondents. Such list shall include each purchaser's name and address, and, if available, telephone number and email address, the full purchase price, including shipping, handling, and taxes, of any colloidal silver and/or shark cartilage product purchased from respondent, and shall designate whether each purchaser is a "purchaser for resale" as defined in this order.
- C. Within thirty (30) days after service of this order upon respondents, 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 from respondent any St. John's Wort product, colloidal silver product, and/or shark cartilage product between January 1, 1999 and the date of service of this order. This mailing shall not include any other document.

XI.

IT IS FURTHER ORDERED that respondents shall refund the full purchase price of colloidal silver and shark cartilage products purchased from respondents between January 1, 1999 and the date of service of this order, including shipping and handling and applicable taxes, to each purchaser whose request for a refund is received by ForMor within ninety (90) days after the date of mailing shown on Attachment A. To receive a refund the purchaser must substantially complete a Refund Request in the form of the Refund Request appended to Attachment A and return it to ForMor, Inc. at the address indicated thereon. The refund shall be paid within fifteen (15) business days of respondents' receipt of the purchaser's substantially completed declaration.

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XII.

IT IS FURTHER ORDERED that respondents shall, no later than one hundred and eighty (180) days after the date of service of this order, deliver to the Commission a report, in the form of a sworn affidavit executed on behalf of respondents. This report shall specify the steps respondents have taken to comply with the terms of Part X and XI of this order and shall state, without limitation:

A. The name and address of each purchaser to whom respondents sent the notice attached hereto as Attachment A as required under Part X;

B. The name and address of each purchaser from whom respondents received a refund request;

C. The date on which each request was received and the amount of the refund requested;

D. The amount of the refund provided by respondents to each such purchaser;

E. The status of any disputed refund request and the identification of each purchaser whose refund request is disputed, by name, address, and amount of the claim; and

F. The total amount of refunds paid by respondents.

XIII.

IT IS FURTHER ORDERED that respondents, directly or through any corporation, subsidiary, division, trade name, or other device, shall:

A. Take reasonable steps sufficient to monitor and ensure that all employees and agents engaged in sales, order verification,

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or other customer service functions comply with Parts I through IX of this order. Such steps shall include adequate monitoring of all advertisements, promotions, sales presentations, and other oral and written communication with customers regarding such products. Respondents, at a minimum, shall:

1. Conduct periodic monitoring of representations concerning St. John's Wort, colloidal silver, and shark cartilage products, and any other covered product or service, made by persons engaged in sales or other customer service functions, including representations made orally or through electronic communications;
2. Conduct periodic monitoring of representations made about St. John's Wort, colloidal silver, and shark cartilage products, and any other covered product or service, on all Internet websites operated and maintained by respondents; and
3. Establish a procedure for receiving, maintaining, and responding to consumer complaints.

B. Terminate any employee or agent who knowingly engages in any conduct prohibited by Parts I through IX of this order once respondents know or should know that such person is or has been engaged in such conduct.

XIV.

IT IS FURTHER ORDERED that respondents, directly or through any corporation, subsidiary, division, trade name, or other device, shall:

- A. For a period of three (3) years following the entry of this order, send a copy of the notice attached hereto as Attachment A to each purchaser for resale of any St. John's Wort product, colloidal silver product, or shark cartilage

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product who has not previously received the notice. Such notice shall be sent either by first class certified mail, return receipt requested, within one week from the shipment of product triggering the obligation to provide notice or shall be included, in a conspicuous manner, with such shipment.

- B. In the event that respondents receive any information that subsequent to receipt of a copy of the notice attached hereto as Attachment A any purchaser for resale is using or disseminating any advertisement or promotional material, or making any oral statement, that contains any representation that is prohibited by Parts I, II, or IV through IX of this order, or that does not contain the disclosure required pursuant to Part III of this order, respondents shall promptly investigate such information and upon verification shall immediately terminate, and shall not resume, sales or shipments to such purchaser for resale.

XV.

Nothing in this order shall prohibit respondents 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 drug 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.

XVI.

IT IS FURTHER ORDERED that respondent ForMor, Inc., and its successors and assigns, and respondent Stan Goss shall, for five (5) years after the last date of dissemination of any representation covered by this order, maintain and upon request

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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.

XVII.

IT IS FURTHER ORDERED that respondent ForMor, Inc., and its successors and assigns, and respondent Stan Goss, 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 signed and dated statement acknowledging receipt of the order. Respondents shall deliver this order to current personnel within thirty (30) days after the date of service of this order, and to future personnel within fifteen (15) days after the person assumes such position or responsibilities.

XVIII.

IT IS FURTHER ORDERED that respondent ForMor, 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

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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.

XIX.

IT IS FURTHER ORDERED that respondent Stan Goss, for a period of three (3) years after the date of issuance of this order, shall notify the Commission of the discontinuance of his current business or employment, or of his affiliation with any new business or employment. The notice shall include respondent's new business address and telephone number and a description of the nature of the business or employment and his duties and responsibilities.

XX.

IT IS FURTHER ORDERED that respondent ForMor, Inc., and its successors and assigns, and respondent Stan Goss 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 they have complied with this order.

XXI.

This order will terminate twenty (20) years from the date of its issuance, 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;

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provided, however, that the filing of such a complaint will not affect the duration of:

- A. Any Part of 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 any 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.

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ATTACHMENT A

[Insert Date]

Dear ForMor Customer,

This letter is to inform you that ForMor, Inc. recently settled a dispute with the Federal Trade Commission regarding our advertising for St. John's Kava Kava, Colloidal Silver, and Ultimate II Shark Cartilage Concentrate products. Under the terms of our settlement, **we agreed to offer refunds to purchasers of Colloidal Silver and Shark Cartilage products.** Refund instructions are contained in the last page of this letter. **We also agreed to notify purchasers of St. John's Wort products of serious drug interactions that may result from use of those products.** The settlement further requires us to instruct resellers to stop using advertising or promotional materials that make any of the representations prohibited by the settlement. Our distributor agreements permit resellers to use only ForMor-approved promotional materials, and we will terminate all sales to resellers that violate that agreement.

___The FTC complaint alleges that ForMor engaged in deceptive advertising of its St. John's Kava Kava, Colloidal Silver, and Ultimate II Shark Cartilage Concentrate products, and the FTC order imposes various requirements on ForMor in connection with its past and future advertising of these and other products.

- **St. John's Kava Kava.**

The FTC complaint alleges that our advertising materials claimed, expressly or by implication, that use of St. John's Kava Kava, which contains St. John's Wort, is effective in the treatment of HIV/AIDS, colds, syphilis, tuberculosis, dysentery, whooping cough, mania, hypochondria, fatigue, and hysteria; and that ingestion of St. John's Kava Kava has no serious drug interactions. The complaint challenges these claims. In particular, the FTC notes that ingestion of St.

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John's Kava Kava has the potential for serious drug interactions with certain prescription medications. Ingestion of St. John's Wort may reduce the effectiveness of drugs used to treat HIV/AIDS, drugs used to prevent organ transplant rejection, anticoagulants, and birth control pills.

The FTC order prohibits us from making any of the challenged claims unless we have competent and reliable scientific evidence to support them. In addition, it requires us to state clearly and prominently in any advertisement of any St. John's Wort product the following, unless we have competent and reliable scientific evidence that the product produces no adverse drug interactions or side effects:

WARNING: St. John's Wort can have potentially dangerous interactions with some prescription drugs. Consult your physician before taking St. John's Wort if you are currently taking anticoagulants, oral contraceptives, anti-depressants, anti-seizure medications, drugs to treat HIV or prevent transplant rejection, or any other prescription drug. This product is not recommended for use if you are or could be pregnant unless a qualified health care provider tells you to use it. The product may not be safe for your developing baby.

- ***Colloidal Silver.***

The FTC complaint alleges that our advertising materials claimed, expressly or by implication, that Colloidal Silver is proven effective in the treatment of over 650 infectious diseases; and that medical tests prove that ingestion of Colloidal Silver is safe and has no adverse side effects. The complaint alleges that these claims are false or misleading. According to the FTC complaint, our advertising materials also claimed, expressly or by implication, that ingestion of Colloidal Silver is effective in the treatment of arthritis, blood poisoning, cancer, cholera, diphtheria, diabetes, dysentery, gonorrheal herpes, influenza, leprosy, lupus, malaria, meningitis, rheumatism, shingles, staph infections, strep

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infections, syphilis, tuberculosis, whooping cough, and yeast infections. The complaint alleges that the information on which we relied in making these claims was not competent and reliable scientific evidence, as required by law. The complaint notes in particular that the United States Food and Drug Administration previously determined that adequate scientific evidence did not support the safety and efficacy of Colloidal Silver. In addition, the complaint alleges that we misrepresented, in our use of testimonials, that the experiences recited reflected the typical experience of persons with cancer who use the product.

The FTC order prohibits us from making any of the challenged claims unless we have competent and reliable scientific evidence to support them. In addition, it prohibits us from misrepresenting that ingestion of Colloidal Silver is proven effective in the treatment of disease or any number of diseases; and that medical tests prove that ingestion of Colloidal Silver is safe and has no adverse side effects.

- **Ultimate II Shark Cartilage Concentrate.**

The FTC complaint also alleges, among other things, that our advertising expressly or implicitly claimed that Ultimate II Shark Cartilage Concentrate is effective in the treatment of arthritis and other degenerative or inflammatory conditions and cancer, and that we did not have competent and reliable scientific evidence for those claims. In addition, the complaint alleges that we misrepresented, in our use of testimonials, that the experiences recited reflected the typical experience of persons with brain cancer who use the product.

The FTC order prohibits our making therapeutic efficacy, safety, and certain other claims unless we have competent and reliable scientific evidence to support them

- **All Foods, Drugs, Dietary Supplements, Devices, Programs, or Services.**

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In addition, the FTC order provides that we must not claim that any food, drug, dietary supplement, device, program, or service is effective in the mitigation, treatment, prevention, or cure of any disease or illness or make any claim about the health benefits, performance, safety, or efficacy of any such product or service unless we have competent and reliable scientific evidence for such claims.

Again, you may obtain a refund for purchases of Colloidal Silver and Shark Cartilage products by following the instructions on the last page of this letter. If you have any questions, please contact our Customer/Member Service representative, toll free, at 888/270-4793. Thank you for your cooperation and your business.

Sincerely,

Stan Goss, President
ForMor, Inc.

copy: Associate Director, Division of Enforcement
Bureau of Consumer Protection
Federal Trade Commission
Washington, D.C. 20580

**COLLOIDAL SILVER AND SHARK CARTILAGE
PRODUCT
REFUND CONDITIONS AND PROCEDURES**

ForMor, Inc. ("ForMor") will refund the full purchase price of Colloidal Silver and Shark Cartilage products purchased from ForMor between January 1, 1999 and [insert effective date of order], including shipping and handling and applicable taxes, to each purchaser whose request for a refund is received by ForMor within ninety (90) days after the date of this letter. To receive

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your refund you must complete the attached Refund Request and return it to ForMor at [insert address].

REFUND REQUEST

The undersigned hereby requests a refund for the purchase of *Colloidal Silver* and/or *Shark Cartilage* products.

Full Name (Please Print): _____
ForMor ID # (if available) _____

Address: _____

Product(s) Purchased: _____

Purchase Price, including shipping, handling, and taxes: _____

It is not necessary to include proof of purchase, such as credit card statements, canceled checks, or receipts, but doing so may expedite your refund request in the event of a dispute concerning the amount of your refund.

Signature of Purchaser: _____

Date: _____

Analysis

Analysis of Proposed Consent Order to Aid Public Comment

The Federal Trade Commission has accepted, subject to final approval, an agreement to a proposed consent order from ForMor, Inc. (“ForMor”), a corporation, and Stan Goss, individually and as an officer of the corporation (“proposed respondents”).

The proposed consent order has been placed on the public record for thirty (30) days for the 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 comments received and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement’s proposed order.

This matter involves proposed respondents’ making of health-related advertising claims on the Internet and elsewhere for their St. John’s Kava Kava (a dietary supplement that contains St. John’s Wort), colloidal silver, and shark cartilage products. The proposed complaint alleges that proposed respondents violated Sections 5 and 12 of the Federal Trade Commission Act by making deceptive claims for these products.

The proposed complaint alleges that proposed respondents made the unsubstantiated claim that ingestion of St. John’s Kava Kava is effective in the treatment of HIV/AIDS, colds, syphilis, tuberculosis, dysentery, whooping cough, mania, hypochondria, fatigue, and hysteria. Further, the proposed complaint alleges that proposed respondents represented that ingestion of St. John’s Kava Kava is effective in the treatment of HIV/AIDS, but deceptively failed to disclose the material fact that ingestion of St. John’s Wort is not compatible with use of protease inhibitors and other drugs used in the treatment of HIV/AIDS. The proposed complaint also alleges that proposed respondents falsely represented that ingestion of St. John’s Kava Kava has no serious drug interactions.

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The proposed complaint further alleges that proposed respondents falsely claimed that ingestion of colloidal silver is proven effective in the treatment of over 650 infectious diseases, and that medical tests prove that ingestion of colloidal silver is safe and has no adverse side effects. In addition, the proposed complaint alleges that proposed respondents made the unsubstantiated claims that ingestion of colloidal silver is effective in the treatment of arthritis, blood poisoning, cancer, cholera, diphtheria, diabetes, dysentery, gonorrheal herpes, influenza, leprosy, lupus, malaria, meningitis, rheumatism, shingles, staph infections, strep infections, syphilis, tuberculosis, whooping cough, and yeast infections, and that a testimonial from a consumer appearing in the advertisement for proposed respondents' colloidal silver reflects the typical or ordinary experiences of persons with cancer who use the product.

Further, the proposed complaint alleges that proposed respondents made the following unsubstantiated claims regarding their shark cartilage products: ingestion of shark cartilage is effective in the treatment of arthritis and other degenerative and inflammatory conditions; ingestion of shark cartilage is effective in the treatment of brain cancer; and a testimonial from a consumer appearing in the advertisement for proposed respondents' Ultimate II Shark Cartilage Concentrate reflects the typical or ordinary experience of persons with brain cancer who use the product. Finally, the proposed complaint alleges that proposed respondents falsely represented that scientific research establishes that ingestion of shark cartilage is effective in the treatment of arthritis and other degenerative and inflammatory conditions.

For purposes of the proposed order a "covered product or service" means any service, program, dietary supplement, food, drug, or device.

The proposed order defines "St. John's Wort products" as ForMor's St. John's Kava Kava or any covered product or service for which the term "Hypericum Perforatum" or "St. John's Wort" appears on the covered product or service label or in any

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advertising or promotion, and any covered product or service containing “Hypericum Perforatum” or “St. John’s Wort.”

Part I of the proposed consent order prohibits proposed respondents from representing that ingestion of a St. John’s Wort product or any covered product or service is effective in the treatment of HIV/AIDS, colds, syphilis, tuberculosis, dysentery, whooping cough, mania, hypochondria, fatigue, or hysteria unless, at the time the representation is made, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation. Part II of the proposed consent order prohibits proposed respondents from representing that ingestion of a St. John’s Wort product has no serious drug interactions.

Part III provides that in any advertisement, promotional material, or product label for any St. John’s Wort product, that contains any representation about the efficacy, performance, or safety of such product, and in any discussion, communicated via electronic mail or any telephone line, that contains any representation about the efficacy, performance, or safety of any St. John’s Wort product, proposed respondents shall make, clearly and prominently, the following disclosure:

WARNING: St. John’s Wort can have potentially dangerous interactions with some prescription drugs. Consult your physician before taking St. John’s Wort if you are currently taking anticoagulants, oral contraceptives, anti-depressants, anti-seizure medications, drugs to treat HIV or prevent transplant rejection, or any other prescription drug. This product is not recommended for use if you are or could be pregnant unless a qualified health care provider tells you to use it. The product may not be safe for your developing baby.

unless respondents possess competent and reliable scientific evidence that such product produces no adverse drug interactions or side effects. This disclosure was developed after discussions with the Food and Drug Administration. FDA has announced that it intends to initiate a rulemaking for dietary supplements for

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women who are or who may become pregnant. In the event that FDA issues a final rule requiring a warning for pregnant women on dietary supplements, respondents may substitute that warning for the disclosure on that topic required under the proposed order. Part III specifies that the product label requirements of this Part shall not apply to products that are shipped to consumers or purchasers for resale less than thirty (30) days after the date of service of this order, and that with regard to products shipped after thirty (30) days of the date of service of this order, respondents may affix the disclosure clearly and prominently by sticker or other device on the labels of products manufactured prior to thirty (30) days after the service of this order.

The proposed order defines “colloidal silver product” as ForMor’s colloidal silver or any covered product or service for which the term “colloidal silver” or “silver salts” appears on the covered product or service label or in any advertising or promotion, and any covered product or service containing “colloidal silver” or “silver salts.” In connection with the advertising or sale of a colloidal silver product, Part IV prohibits proposed respondents from representing that ingestion of colloidal silver is proven effective in the treatment of disease or any number of diseases, or representing that medical studies demonstrate that ingestion of colloidal silver is safe or has no adverse side effects. Part V prohibits proposed respondents from representing that ingestion of colloidal silver is effective in the treatment of arthritis, blood poisoning, cancer, cholera, diphtheria, diabetes, dysentery, gonorrheal herpes, influenza, leprosy, lupus, malaria, meningitis, rheumatism, shingles, staph infections, strep infections, syphilis, tuberculosis, whooping cough, or yeast infections unless, at the time the representation is made, proposed respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

The proposed order defines “shark cartilage product” as ForMor’s Ultimate II Shark Cartilage Concentrate or any covered product or service label for which the term “shark cartilage” appears on the covered product or service label or any advertising or promotion, and any covered product or service containing

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“shark cartilage.” Part VI requires proposed respondents, in connection with the advertising or sale of any shark cartilage product or any covered product or service, from representing that ingestion of such product is effective in the treatment of arthritis or other degenerative or inflammatory conditions, or is effective in the treatment of brain cancer, unless, at the time the representation is made, proposed respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

Part VII prohibits proposed respondents, in connection with the advertising or sale of any covered product or service, from misrepresenting the existence, contents, validity, results, conclusions, or interpretations of any test, study, or research. Part VIII prohibits proposed respondents from representing that the experience represented by any user testimonial or endorsement of a covered product or service represents the typical or ordinary experience of members of the public who use the covered product or service, unless: (a) at the time the representation is made, proposed respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation; or (b) proposed respondents disclose, clearly and prominently, and in close proximity to the endorsement or testimonial, either what the generally expected results would be for users of the covered product or service, or 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.

Part IX provides that proposed respondents, in connection with the advertising or sale of any St. John’s Wort product, colloidal silver product, shark cartilage product, or any covered product or service, shall not make any representation that such product or service 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 or service, unless, at the time the representation is made, proposed respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

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Part X requires proposed respondents to send a notice to all purchasers of St. John's Kava Kava, colloidal silver, and Ultimate II Shark Cartilage Concentrate informing them of the Commission's complaint allegations and describing the terms of the settlement. Part XI requires proposed respondents to provide refunds upon request to purchasers of colloidal silver and Ultimate II Shark Cartilage Concentrate, and Part XII requires proposed respondents to submit a report specifying the steps they have taken to comply with Part X (purchaser notice provisions) and Part XI (purchaser refund provisions).

Part XIII requires proposed respondents to take reasonable steps to ensure that all employees and agents engaged in sales, order verification, and other customer service functions comply with Parts I through IX of the proposed order. It further requires proposed respondents to terminate any employee who knowingly engages in conduct that violates these parts of the order. Part XIV requires proposed respondents to send each purchaser for resale—defined as any purchaser of any of respondents' St. John's Wort, colloidal silver, or shark cartilage products who orders five or more units of any such product at any one time or twenty or more units of any such products in any three-month period—the purchaser notice provisions required by Part X. In the event that proposed respondents receive any information that subsequent to receipt of such notice a purchaser is using or disseminating any advertisement or promotional material or making any oral statement that contains any prohibited representation or that does not contain the disclosure required pursuant to Part III, proposed respondents are required to investigate such information and upon verification terminate, and not resume, sales or shipments to such purchaser for resale. Part XV would allow proposed respondents to make any representation that is specifically permitted in the labeling for any product by regulations promulgated by the FDA pursuant to the Nutrition Labeling and Education Act of 1990, and would allow respondents to make any representation for any drug that is permitted by the FDA in the drug's labeling.

Part XVI of the proposed order contains record keeping requirements for materials that substantiate, qualify, or contradict

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claims covered by the proposed order. Part XVII of the proposed order requires distribution of a copy of the order to current and future officers and agents. Part XVIII provides for Commission notification upon a change in the corporate respondent and Part XIX requires Commission notification when the proposed individual respondent changes his business or employment. Part XX requires the proposed respondents to file with the Commission a report demonstrating compliance with the terms and provisions of the order. Part XXI provides for the termination of the order 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 the proposed order or to modify in any way their terms.

Complaint

IN THE MATTER OF

PANDA HERBAL INTERNATIONAL, INC., ET AL.

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

Docket C-4018; File No. 0023229
Complaint, July 30, 2001--Decision, July 30, 2001

This consent order addresses health-related advertising claims that Respondent Panda Herbal International, Inc. and its officer, Respondent Everett L. Farr III, disseminated on the Internet and elsewhere for their Herbal Outlook product – a dietary supplement that contains St. John’s Wort – and their HerbVeil 8 product, a topical ointment. The order, among other things, prohibits the respondents from representing that ingesting any Herbal Outlook product, or any covered product or service, is effective in the treatment of HIV/AIDS, herpes simplex, tuberculosis, influenza, or hepatitis B infections without possessing and relying upon competent and reliable scientific evidence that substantiates the representation. The order also prohibits the respondents from representing that application of any HerbVeil 8 product, or any covered product or service, is effective in the treatment of any cancer without possessing and relying upon competent and reliable scientific evidence that substantiates the representation. In addition, the order prohibits the respondents from representing that ingesting any Herbal Outlook product has no known contraindications or drug interactions. The order also requires the respondents to place a disclosure warning about St. John’s Wort’s potentially dangerous interactions with some prescription drugs in any advertisement, promotional material, or product label for any Herbal Outlook or similar product. In addition the order requires the respondents to provide refunds upon request to consumer purchasers of HerbVeil 8.

Participants

For the Commission: *Susan M. Luciano, Donald G. D’Amato, Michael Joel Bloom, Thomas A. Cohn, Barbara Anthony, Janis K. Pappalardo, Gerard R. Butters and Paul A. Pautler.*

For the Respondent: *Everett L. Farr III, pro se.*

COMPLAINT

The Federal Trade Commission, having reason to believe that Panda Herbal International, Inc., a corporation, also doing