

## Complaint

## IN THE MATTER OF

**ABS CONSUMER PRODUCTS, LLC**  
**D/B/A**  
**EDEN BODYWORKS**

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

*Docket No. C-4584; File No. 152 3269*  
*Complaint, July 6, 2016 – Decision, July 6, 2016*

This consent order addresses ABS Consumer Products, LLC's advertising for its shampoo, conditioner, and other hair care products. The complaint alleges that the respondent violated Section 5(a) of the Federal Trade Commission Act by representing that their products are "all natural" when they contain one or more synthetic ingredients. The consent order prohibits any representation regarding whether any product is all natural or 100% natural; the extent to which such product contains any natural or synthetic ingredient or component; the ingredients or composition of such product; or the environmental or health benefits of such product, unless the representation is non-misleading.

*Participants*

For the *Commission*: Robert M. Frisby, Gregory Madden, and John Andrew Singer.

For the *Respondent*: Darrell N. Phillips, Pietrangelo Cook PLC; and Kevin Swinton, solo practitioner.

**COMPLAINT**

The Federal Trade Commission, having reason to believe that ABS Consumer Products, LLC, a limited liability company, has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent ABS Consumer Products, LLC, also doing business as EDEN BodyWorks, is a limited liability company with its principal office or place of business at 3634 Park Avenue, Memphis, Tennessee 38111.

## Complaint

2. Respondent has advertised, labeled, offered for sale, sold, and distributed products to consumers, including Coconut Shea All Natural Curl Defining Cream, Coconut Shea All Natural Leave In Conditioner, Coconut Shea Styling Elixir, Jojoba Monoi Moisturizing Shampoo, and Jojoba Monoi Revitalizing Conditioner.

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

4. Respondent advertises the above products on the Internet. They retail for \$8.47 to \$8.99.

5. Respondent has disseminated or has caused to be disseminated advertisements for Coconut Shea All Natural Curl Defining Cream, Coconut Shea All Natural Leave In Conditioner, Coconut Shea Styling Elixir, Jojoba Monoi Moisturizing Shampoo, and Jojoba Monoi Revitalizing Conditioner, including but not necessarily limited to the attached Exhibits A-C. These materials contain the following statements:

**Coconut Shea All Natural Curl Defining Cream**

Discover EDEN for yourself. EDEN BodyWorks Coconut Shea All Natural Curl Defining Cream is a humidity-resistant formulation designed to refine and separate curls and waves.

(Exhibit A, Internet webpages [www.walmart.com/ip/EDEN-BodyWorks-Coconut-Shea-All-Natural-Curl-Defining-Cream](http://www.walmart.com/ip/EDEN-BodyWorks-Coconut-Shea-All-Natural-Curl-Defining-Cream) (April and May 2015))

**Coconut Shea All Natural Leave In Conditioner**

Discover EDEN for yourself. EDEN BodyWorks Shea All Natural Leave In Conditioner is a daily conditioning treatment formulated with one of nature’s best moisturizers, coconut oil, to penetrate and revitalize tresses. It’s blended with shea butter to seal in moisture.

## Complaint

(Exhibit B, Internet webpage [www.walmart.com/ip/EDEN-BodyWorks-Coconut-Shea-All-Natural-Leave-In-Conditioner](http://www.walmart.com/ip/EDEN-BodyWorks-Coconut-Shea-All-Natural-Leave-In-Conditioner) (May 2015))

**Coconut Shea  
All Natural Styling Elixir**

**Jojoba Monoi  
All Natural Shampoo**

**Jojoba Monoi  
All Natural Conditioner**

(Exhibit C, product labels displayed on Internet webpages at [www.edenbodyworks.com](http://www.edenbodyworks.com) (May 2015))

**Count I  
False Claim**

6. In connection with the advertising, labeling, promotion, offering for sale, or sale of Coconut Shea All Natural Curl Defining Cream, Coconut Shea All Natural Leave In Conditioner, Coconut Shea Styling Elixir, Jojoba Monoi Moisturizing Shampoo, and Jojoba Monoi Revitalizing Conditioner, Respondent has represented, directly or indirectly, expressly or by implication, including through the name of the first two products, that these products are “all natural.”

7. In fact, the above products are not “all natural” because they contain at least one synthetic ingredient. Coconut Shea All Natural Curl Defining Cream contains the synthetic ingredient Polyquaternium-7. Coconut Shea All Natural Leave In Conditioner contains the synthetic ingredients Polyquaternium-7 and Polyquaternium-37. Coconut Shea Styling Elixir contains the synthetic ingredients Polyquaternium-37, Polyquaternium-11, Phenoxyethanol, and Caprylyl Glycol. Jojoba Monoi Moisturizing Shampoo and Jojoba Monoi Revitalizing Conditioner contain the synthetic ingredients Phenoxyethanol and Caprylyl Glycol. Therefore, the “all natural” representation set forth in Paragraph 6 is false or misleading.

## Complaint

**Violations of Section 5**

8. The acts and practices of Respondent as alleged in this complaint constitute unfair or deceptive acts or practices in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act.

**THEREFORE**, the Federal Trade Commission this sixth day of July, 2016, has issued this Complaint against Respondent.

By the Commission.

## Complaint

**Exhibit A**

EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme, 16 fl oz - Walmart.com

The screenshot shows the Walmart.com product page for EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme, 16 fl oz. The page features a blue header with a search bar, navigation links, and a shopping cart icon. Below the header, there are links for 'All Departments', 'My Local Store', 'Value of the Day', and 'Tips & Ideas'. The product title is 'EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme, 16 fl oz'. Below the title, there are links for '8 reviews', 'Q&A', 'By: Eden BodyWorks', and 'Walmart #: 552442543'. The product image shows a white jar with a black lid and a label that reads 'EDEN BodyWorks All Natural Curl Defining Creme 16 fl oz Medium Hold'. To the left of the main image is a smaller thumbnail image of the product. Below the product image, there is a price tag of '\$8.47' with a note '62.9¢ / fl oz'. Below the price tag, there is a note 'FREE shipping on orders \$50 + | FREE pickup'. At the bottom, there is a quantity selector set to '1' and two buttons: 'Add to cart' and 'Add to registry'.

EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme, 16 fl oz

8 reviews Q&A By: Eden BodyWorks Walmart #: 552442543

EDEN BodyWorks All Natural Curl Defining Creme 16 fl oz Medium Hold

\$8.47 62.9¢ / fl oz

FREE shipping on orders \$50 + | FREE pickup

Quantity: 1

Add to cart

Add to registry

<http://www.walmart.com/ip/EDEN-BodyWorks-Coconut-Shea-All-Natural-Curl-Defining-Creme-16-8-oz/24360565> [5/22/2015 2:33:39 PM]

## Complaint

EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme, 16 fl oz - Walmart.com

Add to list

Sold by **Walmart.com**

- Designed to refine and separate curls and waves
- Infuses moisture to strengthen hair

[More about this item...](#)

**Customers also bought these products**



**\$8**  
47  
EDEN BodyWorks...  
(5)



**\$8**  
47  
EDEN BodyWorks...  
(7)



**\$8**  
47  
EDEN BodyWorks...  
(4)



**\$8**  
47  
EDEN BodyWorks...  
(3)

Rollback



**\$8**  
~~99~~  
47  
EDEN BodyWorks...  
You save \$0.48  
(4)

Rollback



**\$9**  
47  
EDEN B  
(4)

◀ ◻ ◻ ◻ ◻ ▶



**THOUSANDS of NEW ITEMS** just added!

**Save Now**

## About this item

Discover EDEN for yourself. EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme is a humidity-resistant formulation designed to refine and separate curls and waves. It infuses moisture to strengthen hair, provides frizz control, and optimizes style definition.

## EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme:

- Designed to refine and separate curls and waves
- Infuses moisture to strengthen hair
- Provides frizz control
- Optimizes style definition
- Medium hold

<http://www.walmart.com/ip/EDEN-BodyWorks-Coconut-Shea-All-Natural-Curl-Defining-Creme-16-0-oz/2406066915222015> 2:33:39 PM]

Complaint

EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme, 16 fl oz - Walmart.com

Ingredients:

Water, Cocos Nucifera (Coconut) Oil, Vegetable Oil, Aloe Barbadensis (Aloe Vera) Leaf Juice, Cetyl Alcohol, Stearyl Alcohol, Persea Gratissima (Avocado) Oil, Butyrospermum Parkii (Shea) Butter, Cetyl Esters, Glyceryl Dilaurate, Steareth-20, Polyquaternium-7, Cocos Nucifera (Coconut) Milk, Simmondsia Chinensis (Jojoba) Seed Oil, Limnanthes Alba (Meadowfoam) Seed Oil, Lactobacillus/Tomato Fruit Ferment Extract, Oryza Sativa (Rice Extract, Keratin Amino Acids, Acyl Coenzyme A Desaturase, Cetrimonium Chloride, Glycerin, Tocopheryl Acetate (Vitamin E), Hydrolyzed Silk, Panthenyl Hydroxypropyl Steardimonium Chloride, Fragrance, Dehydroacetic Acid, Benzyl Alcohol.

Directions:

Directions: Apply to dry or damp hair. Finger comb product through the hair until the level of curl definition desired is reached. Diffuse or air dry, as needed.

For external use only. Avoid contact with eyes.

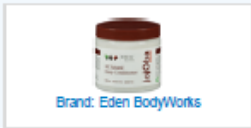
[Read less](#)

Specifications

|                                 |                       |
|---------------------------------|-----------------------|
| Model No.:                      | 12-520                |
| Shipping Weight (In pounds):    | 1.1                   |
| Product In Inches (L x W x H):  | 3.562 x 3.562 x 3.375 |
| Assembled In Country of Origin: | USA                   |
| Origin of Components:           | USA                   |
| Walmart No.:                    | 552442643             |

Advertisement

Explore related products



Brand: Eden BodyWorks



Hair Coconut Oils

Advertisement

Sponsored Products

## Complaint

EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme, 16 fl oz - Walmart.c... Page 1 of 6

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### EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme, 16 fl oz

[6 reviews](#) [Q&A](#) [By: Eden BodyWorks](#) [Walmart #: 553442643](#)



**\$8.47** at Clinton  
~~\$2.94 / fl oz~~

FREE pickup

Quantity: 1 [+](#) [Add to cart](#)  
[Add to registry](#) [Add to list](#)

Sold by Walmart store

[Shipping](#)  
 Not available

[FREE pickup](#)  
 As soon as today

Designed to refine and separate curls and waves  
 Infuse moisture to strengthen hair

[More about this item...](#)

**Customers also considered**

|                                                                                     |                                                                                     |                                                                                     |                                                                                     |                                                                                       |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
|  |  |  |  |  |
| <b>\$8.47</b>                                                                       | <b>\$9.47</b>                                                                       | <b>\$8.47</b>                                                                       | <b>\$5.74</b>                                                                       | <b>\$5.97</b>                                                                         |
| EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme, 16 fl oz               | EDEN BodyWorks Jojoba Oil, 16 fl oz                                                 | EDEN BodyWorks Jojoba Oil, 16 fl oz                                                 | OGX Moroccan Argan Oil, 16 fl oz                                                    | Cantu Shea Butter For Hair, 16 fl oz                                                  |
| (5)                                                                                 | (19)                                                                                | (4)                                                                                 | (50)                                                                                | (4)                                                                                   |


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<http://www.walmart.com/ip/EDEN-Body-Works-Coconut-Shea-All-Natural-Curl-Defining-...> 4/27/2015

## Complaint

EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme, 16 fl oz - Walmart.c... Page 2 of 6

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## About this item

About this item

## Customer reviews

## Item recommendations

## Policies

Explore related products

Discover EDEN for yourself. EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme is a humidity-resistant formulation designed to refine and separate curls and waves. It infuses moisture to strengthen hair, provides frizz control, and optimizes style definition.

### EDEN BodyWorks Coconut Shea All Natural Curl Defining Creme:

- Designed to refine and separate curls and waves
- Infuses moisture to strengthen hair
- Provides frizz control
- Optimizes style definition
- Medium hold

### Ingredients:

Water, Cocos Nucifera (Coconut) Oil, Vegetable Oil, Aloe Barbadensis (Aloe Vera) Leaf Juice, Cetyl Alcohol, Stearyl Alcohol, Persea Gratissima (Avocado) Oil, Butyrospermum Parkii (Shea) Butter, Cetyl Esters, Glyceryl Dilaurate, Steareth-20, Polyquaternium-7, Cocos Nucifera (Coconut) Milk, Simmondsia Chinensis (Jojoba) Seed Oil, Limnanthes Alba (Meadowfoam) Seed Oil, Lactobacillus/Tomato Fruit Ferment Extract, Oryza Sativa (Rice) Extract, Keratin Amino Acids, Acyl Coenzyme A Desaturase, Cetrimonium Chloride, Glycerin, Tocopheryl Acetate (Vitamin E), Hydrolyzed Silk, Panthenyl Hydroxypropyl Steardimonium Chloride, Fragrance, Dehydroacetic Acid, Benzyl Alcohol.

### Directions:

Directions: Apply to dry or damp hair. Finger comb product through the hair until the level of curl definition desired is reached. Diffuse or air dry, as needed.

For external use only. Avoid contact with eyes.

Read less ▴

### Specifications

|                                 |                       |
|---------------------------------|-----------------------|
| Model No.:                      | 12-520                |
| Shipping Weight (in pounds):    | 1.1                   |
| Product in Inches (L x W x H):  | 3.562 x 3.562 x 3.375 |
| Assembled in Country of Origin: | USA                   |
| Origin of Components:           | USA                   |
| Walmart No.:                    | 852442643             |

### Sponsored Products



Brand: Eden BodyWorks



Hair Coconut Oils



Hair Regrowth Products



Hair Growth Oils

Adverts.com

## Complaint

**Exhibit B**

EDEN BodyWorks Coconut Shea All Natural Leave In Conditioner, 8 fl oz ... <http://www.walmart.com/ip/EDEN-BodyWorks-Coconut-Shea-All-Na...>

Beauty > Hair Care > Conditioners

Customers also considered

|                                                                                   |                                                                                   |                                                                                   |                                                                                   |                                                                                    |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
|  |  |  |  |  |
| \$8.47                                                                            | \$8.47                                                                            | \$8.47                                                                            | \$8.47                                                                            | \$8.99                                                                             |
| EDEN BodyWorks Coconut Shea All Natural Curl Mousse, 8 fl oz                      | EDEN BodyWorks Jojoba Monoi All Natural Deep Moisturizer, 8 fl oz                 | EDEN BodyWorks Jojoba Monoi All Natural Deep Moisturizer, 8 fl oz                 | EDEN BodyWorks Coconut Shea All Natural Deep Moisturizer, 8 fl oz                 | EDEN BodyWorks Jojoba Monoi All Natural Deep Moisturizer, 8 fl oz                  |

EDEN BodyWorks Coconut Shea All Natural Leave In Conditioner, 8 fl oz

Product image: 

Price: \$8.47 (13.66 / fl oz)

FREE shipping on orders \$35+ or FREE pickup

Quantity: 1

Sold by Walmart.com

Shipping: ☒ Delivery by store ☐ FREE pickup

A daily conditioning treatment to penetrate and soothe hair. It's enriched with shea butter to seal in moisture. [Learn about this item.](#)

Check out these related products

|                                                                                     |                                                                                     |                                                                                     |                                                                                     |                                                                                      |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|  |  |  |  |  |
| \$2.46                                                                              | \$8.47                                                                              | \$3.48                                                                              | \$8.47                                                                              | \$8.49                                                                               |
| Sassy Professional Sleek Conditioner, 20 fl oz                                      | EDEN BodyWorks Jojoba Monoi All Natural Deep Moisturizer, 8 fl oz                   | Pantene Pro-V Curl Perfection Conditioner, 12 fl oz                                 | EDEN BodyWorks Coconut Shea All Natural Deep Moisturizer, 8 fl oz                   | EDEN BodyWorks Jojoba Monoi All Natural Deep Moisturizer, 8 fl oz                    |

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## Complaint

EDEN BodyWorks Coconut Shea All Natural Leave In Conditioner, 8 ... <http://www.walmart.com/ip/EDEN-BodyWorks-Coconut-Shea-All-Na...>

Discover EDEN for yourself. EDEN BodyWorks Coconut Shea All Natural Leave In Conditioner is a daily conditioning treatment formulated with one of nature's best moisturizers, coconut oil, to penetrate and revitalize tresses. It's blended with shea butter to seal in moisture.

**EDEN BodyWorks Coconut Shea All Natural Leave In Conditioner:**

- A daily conditioning treatment to penetrate and revitalize tresses
- Blended with shea butter to seal in moisture
- Sulfate-free formula
- Safe for color treated, chemically treated, curly or straight hair

**Ingredients:**

Water, Aloe Barbadensis (Aloe Vera) Leaf Juice, Cocos Nucifera (Coconut) Oil, Simmondsia Chinensis (Jojoba) Seed Oil, Carthamus Tinctorius (Safflower) Seed Oil, Persea Gratissima (Avocado) Oil, Polyquaternium-17, Tocopheryl Acetate (Vitamin E), Dicaprylate/Dicaprate, Peg-80 Shea Butter, Glyoxyls, Cetrimonium Chloride, Hydrolyzed Keratin, Pentheryl Hydroxypropyl Stercimonium Chloride, Sodium PCA, Polyquaternium-7, Fragrance (Parfum), Ipp-1 Tridecath-6, Dihydroacetic Acid, Benzyl Alcohol.

**Read more**

**Explore related products**

Time-In Coat For Hair

Blend Shampoo & Conditioner

Coconut Shea Hair Care

Detangled Hair Care

**Current return by mail**

Due to federal restrictions, this item cannot be returned by mail. See our return policy for more information.

**Specifications**

|                                 |                       |
|---------------------------------|-----------------------|
| Model No:                       | 12-050                |
| Shipping Weight (in pounds):    | 0.6                   |
| Product in inches (L x W x H):  | 5.875 x 1.875 x 7.375 |
| Assembled in Country of Origin: | USA                   |
| Origin of Components:           | USA                   |
| Walmart P/N:                    | 552442987             |

**Customer reviews**

|         |   |
|---------|---|
| 5 stars | 7 |
| 4 stars | 0 |
| 3 stars | 0 |
| 2 stars | 0 |
| 1 star  | 0 |

7 reviews | 5 out of 5

100% Would recommend to a friend

**Write a review**

**Show filters**

Sort by: Most helpful

**Excellent line of products. Highly recommended!**

by Carlie

12/23/2013

Carlie's Mum

These products do wonders for natural African American hair. I have tried all items in the Coconut Shea line some of the Jojoba Moist and Peppermint Lines. They do not fail to please, and provide moisture, shine, body and a healthy appearance to the hair. I will repurchase again and again. The products also last for quite a while as a little goes a long way, even with a generous amount of use. No more dry, itchy hair.

**Read more**

Was this review helpful? ☒ Yes (1) ☐ No (0) [Report](#)

**Love this.**

by Chazha

1/2/2014

Chazha Connecticut

I love all Eden body works hair products because they natural and very moisturizing.

Was this review helpful? ☒ Yes (0) ☐ No (0) [Report](#)

**Would recommend to a friend?** Yes

**Age:** 35 - 44

**Ownership:** 2 - 7 weeks

**Gender:** Female

**Usage:** Every day

☒ Verified purchase

## Complaint

## Exhibit C

Coconut Shea Styling Elixir | EDEN BodyWorks



CONTACT US 877-578-EDEN LOG IN CREATE AN ACCOUNT CART (0)



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## COCONUT SHEA STYLING ELIXIR

Water (Aqua), Cocos Nucifera (Coconut) Oil, Aloe Barbadensis (Aloe Vera) Leaf Juice, Sorbitol, PEG-50 Shea Butter, Polyquaternium-37, Propylene Glycol Dicaprylate/Dicaprate, Polyquaternium-14, Cocos Nucifera (Coconut) Milk Panthenol, PPG-1 Trideceth-6, Fragrance (Parfum), Phenoxyethanol, Caprylyl Glycol, Sorbic Acid

Price: \$8.99  
Size: 4 oz

Qty: 1

Add to Cart

## Other Products In This Collection

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READ ALL REVIEWS



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1h

MORE EVENTS

<http://edenbodyworks.com/products/coconut-shea-styling-elixir>[5/22/2015 3:59:00 PM]

## Complaint

Jojoba Monoi Moisturizing Shampoo | EDEN BodyWorks


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## JOJOBA MONOI MOISTURIZING SHAMPOO

**Ingredients:** Water (Aqua), Cocoamidopropyl Betaine, Sodium Lauryl Sulfoacetate, Disodium Laureth Sulfosuccinate, PEG-150 Distearate, Coco Nut Oil, Tiare Flower, Simmondsia Chinensis (Jojoba) Seed Oil, Melaleuca Alternifolia (Tea Tree) Leaf Oil, Tocopheryl Acetate (Vitamin E), Aloe Barbadensis Leaf Extract, Panthenol, Disodium EDTA, Cocamidopropyl Oxide, Citric Acid, PPG-20 Methyl Glucose Ether, Phenoxethanol, Caprylyl Glycol, Sorbic Acid

Price: \$8.99  
 Size: 8 oz.

Qty: 
[Add to Cart](#)

## Other Products In This Collection



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<http://edenbodyworks.com/products/jojoba-monoi-shampoo/> [3/22/2015 4:00:36 PM]

## Decision and Order

Jojoba Monoi Revitalizing Conditioner | EDEN BodyWorks



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## JOJOBA MONOI REVITALIZING CONDITIONER

Ingredients: Water (Aqua), Cetyl Alcohol, Stearyl Alcohol, Behentrimonium Methosulfate, Coco Nut Oil, Tiare Flower, Simmondsia Chinensis (Jojoba) Seed Oil, Daucus Carota Sativa (Carrot) Seed Oil, Anthemis Nobilis (Camomile) Flower Oil, Melaleuca Alternifolia (Tea Tree) Leaf Oil, Prunus Amygdalus Dulcis (Sweet Almond) Oil, Tocopheryl Acetate (Vitamin E), Aloe Barbadensis Leaf Extract, Hydroxyethylcellulose, Disodium EDTA, Phenoxyethanol, Caprylyl Glycol, Sorbic Acid

Price: \$8.99  
Size: 8 oz.

Qty: [Add to Cart](#)

## Other Products In This Collection



[WRITE A REVIEW](#)  
[READ ALL REVIEWS](#)

<http://edenbodyworks.com/products/jojoba-monoi-moisturizing-conditioner>[5/22/2015 4:01:34 PM]

## Decision and Order

**DECISION AND ORDER**

The Federal Trade Commission (“Commission”) having initiated an investigation of certain acts and practices of the respondent named in the caption hereof, and the respondent having been furnished thereafter with a copy of a draft complaint that the Bureau of Consumer Protection proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge the respondent with violation of the Federal Trade Commission Act, 15 U.S.C § 45 *et seq.*; and

The respondent and counsel for the Commission having thereafter executed an agreement containing a consent order (“consent agreement”), a statement that respondent neither admits nor denies any of the allegations in the draft complaint except as specifically stated in the consent agreement, an admission by the respondent of facts necessary to establish jurisdiction for purposes of this action, 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 has reason to believe that the respondent has violated the Federal Trade Commission Act, and that a complaint should issue stating its charges in that respect, and having thereupon accepted the executed consent agreement and placed such consent agreement on the public record for a period of thirty (30) days, and having duly considered the comments filed thereafter by interested persons pursuant to Commission Rule 2.34, 16 C.F.R. § 2.34, now in further conformity with the procedure prescribed in Commission Rule 2.34, the Commission hereby issues its complaint, makes the following jurisdictional findings and enters the following order:

1. Respondent ABS Consumer Products, LLC, also doing business as EDEN BodyWorks, is a limited liability company with its principal office or place of business at 3634 Park Avenue, Memphis, Tennessee 38111.
2. The Commission has jurisdiction over the subject matter of this proceeding and over the respondent, and the proceeding is in the public interest.

## Decision and Order

**ORDER****DEFINITIONS**

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

- A. Unless otherwise specified, “respondent” shall mean ABS Consumer Products, LLC, a limited liability company, also doing business as EDEN BodyWorks, its successors and assigns, and its officers, agents, representatives, and employees.
- B. “Commerce” shall mean as defined in Section 4 of the Federal Trade Commission Act, 15 U.S.C. § 44.

**I.**

**IT IS ORDERED** that respondent, directly or through any corporation, subsidiary, division, or other device, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any product must not make any representation, expressly or by implication, including through the use of a product name, trademark, or trade name, about:

- A. whether such product is all natural or 100% natural;
- B. the extent to which such product contains any natural or synthetic ingredient or component;
- C. the ingredients or composition of such product; or
- D. the environmental or health benefits of such product,

unless the representation is non-misleading, including that, at the time such representation is made, the respondent possesses and relies upon competent and reliable evidence, which when appropriate based on the expertise of professionals in the relevant area must be competent and reliable scientific evidence, that is sufficient in quality and quantity based on standards generally accepted in the relevant fields when considered in light of the

## Decision and Order

entire body of relevant and reliable evidence, to substantiate that the representation is true. For the purposes of this Provision:

1. “competent and reliable evidence” means 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 qualified persons, using procedures generally accepted in the profession to yield accurate and reliable results; and
2. “competent and reliable *scientific* evidence” means tests, analyses, research, or studies that have been conducted and evaluated in an objective manner by qualified persons, using procedures generally accepted in the profession to yield accurate and reliable results.

**II.**

**IT IS FURTHER ORDERED** that respondent ABS Consumer Products, LLC, and its successors and assigns, shall, for five (5) years after the last date of dissemination of any representation covered by this order, maintain and upon request make available to the Federal Trade Commission for inspection and copying:

- A. All advertisements and promotional materials containing the representation;
- B. All materials that were relied upon in disseminating the representation; and
- C. All tests, reports, studies, surveys, demonstrations, or other evidence in its 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.

## Decision and Order

**III.**

**IT IS FURTHER ORDERED** that respondent ABS Consumer Products, LLC, and its successors and assigns, shall deliver a copy of this order to all current and future principals, officers, directors, and managers, and to all current and future employees, agents, and representatives having responsibilities with respect to the subject matter of this order, and shall secure from each such person a signed and dated statement acknowledging receipt of the order. Respondent shall deliver this order to current personnel within thirty (30) days after the date of service of this order, and to future personnel within thirty (30) days after the person assumes such position or responsibilities. Respondent must maintain and upon request make available to the Federal Trade Commission for inspection and copying all acknowledgments of receipt of this order obtained pursuant to this Part.

**IV.**

**IT IS FURTHER ORDERED** that respondent ABS Consumer Products, LLC, and its successors and assigns, shall notify the Commission at least thirty (30) days prior to any change in the limited liability company 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 company; 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 company name or address. *Provided, however,* that, with respect to any proposed change in the company 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. Unless otherwise directed by a representative of the Commission in writing, all notices required by this Part shall be emailed to [Debrief@ftc.gov](mailto:Debrief@ftc.gov) or sent by overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW,

## Decision and Order

Washington, DC 20580. The subject line must begin: In re ABS Consumer Products, LLC, Docket No. C-4584.

**V.**

**IT IS FURTHER ORDERED** that ABS Consumer Products, LLC, and its successors and assigns, within sixty (60) days after the date of service of this order, shall file with the Commission a true and accurate report, in writing, setting forth in detail the manner and form of its own compliance with this order. Within ten (10) days of receipt of written notice from a representative of the Commission, it shall submit additional true and accurate written reports.

**VI.**

This order shall terminate on July 6, 2036, or twenty (20) years from the most recent date that the United States or the Federal Trade Commission files a complaint (with or without an accompanying consent decree) in federal court alleging any violation of the order, whichever comes later; *provided, however*, that the filing of such a complaint will not affect the duration of:

- A. Any Part in this order that terminates in less than twenty (20) years;
- B. This order's application to any respondent that is not named as a defendant in such complaint; and
- C. This order if such complaint is filed after the order has terminated pursuant to this Part.

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

## Analysis to Aid Public Comment

By the Commission.

**ANALYSIS OF CONSENT ORDER TO AID PUBLIC  
COMMENT**

The Federal Trade Commission (“Commission”) has accepted, subject to final approval, an agreement containing a consent order as to ABS Consumer Products, LLC, d/b/a EDEN BodyWorks (hereafter “respondent”).

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

This matter involves the respondent’s advertising for its shampoo, conditioner, and other hair care products. The Commission’s complaint alleges that the respondent violated Section 5(a) of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. § 45(a), by falsely representing that these products are “all natural.” It also alleges that these products are not “all natural” because they contain one or more synthetic ingredients. Specifically, Coconut Shea All Natural Curl Defining Cream contains the synthetic ingredient Polyquaternium-7. Coconut Shea All Natural Leave In Conditioner contains the synthetic ingredients Polyquaternium-7 and Polyquaternium-37. Coconut Shea Styling Elixir contains the synthetic ingredients Polyquaternium-37, Polyquaternium-11, Phenoxyethanol, and Caprylyl Glycol. Jojoba Monoi Moisturizing Shampoo and Jojoba Monoi Revitalizing Conditioner contain the synthetic ingredients Phenoxyethanol and Caprylyl Glycol.

The order includes injunctive relief that prohibits these alleged violations and fences in similar and related violations. It also

## Analysis to Aid Public Comment

includes provisions to assist the Commission in monitoring and enforcing compliance with the order.

**Part I** prohibits any representation regarding whether any product is all natural or 100% natural; the extent to which such product contains any natural or synthetic ingredient or component; the ingredients or composition of such product; or the environmental or health benefits of such product, unless the representation is non-misleading. The respondent must have competent and reliable evidence, sufficient in quality and quantity based on standards generally accepted in the relevant fields when considered in light of the entire body of relevant and reliable evidence, to substantiate that the representation is true. When appropriate, based on the expertise of professionals in the relevant area, the substantiation must be competent and reliable scientific evidence. “Competent and reliable evidence” means 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 qualified persons, using procedures generally accepted in the profession to yield accurate and reliable results. “Competent and reliable scientific evidence” means tests, analyses, research, or studies that have been conducted and evaluated in an objective manner by qualified persons, using procedures generally accepted in the profession to yield accurate and reliable results.

**Parts II through V** require the respondent to: (1) keep records of advertisements and substantiation relevant to representations covered by Part I; (2) deliver a copy of the order to principals, officers, directors, and managers, and to employees, agents, and representatives having responsibilities with respect to the subject matter of the order; (3) notify the Commission of changes in corporate structure that might affect compliance obligations; and (4) file compliance reports with the Commission.

**Part VI** provides that, with exceptions, the order will terminate in twenty years.

The purpose of this analysis is to facilitate public comment on the order, and it is not intended to constitute an official

*Analysis to Aid Public Comment*

interpretation of the complaint or order, or to modify the order's terms in any way.

## Complaint

## IN THE MATTER OF

**BEYOND COASTAL**CONSENT ORDER, ETC. IN REGARD TO ALLEGED VIOLATIONS OF  
SECTIONS 5 AND 12 OF THE FEDERAL TRADE COMMISSION ACT*Docket No. C-4585; File No. 162 3001**Complaint, July 6, 2016 – Decision, July 6, 2016*

This consent order addresses Beyond Coastal's advertising for its sunscreen product. The complaint alleges that the respondent violated Sections 5(a) and 12 of the Federal Trade Commission Act by representing that its sunscreen product is "all natural" even though the sunscreen product is not "all natural" because it contains the synthetic ingredients Dimethicone and Caprylyl Glycol. The consent order prohibits any representation regarding whether any product is all natural or 100% natural; the extent to which such product contains any natural or synthetic ingredient or component; the ingredients or composition of such product; or the environmental or health benefits of such product, unless the representation is non-misleading.

*Participants*

For the *Commission*: Robert M. Frisby, Gregory Madden, and John Andrew Singer.

For the *Respondent*: Sterling McMurrin, President, pro se.

**COMPLAINT**

The Federal Trade Commission, having reason to believe that Beyond Coastal, a limited liability company, has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Beyond Coastal is a Utah limited liability company with its principal office or place of business at 2424 South 2570 West, Salt Lake City, Utah 84119.
2. Respondent has advertised, labeled, offered for sale, sold, and distributed products to consumers, including Natural Sunscreen SPF 30. This sunscreen product is a "drug" within the