



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Division of Advertising Practices

Mary K. Engle
Associate Director

August 5, 2019

Linda A. Goldstein
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, NY 10111

Re: Natural Life Foods Corp. d/b/a Strike First Nutrition, FTC File No. 192-3065

Dear Ms. Goldstein:

As you know, the staff of the Federal Trade Commission's Division of Advertising Practices conducted an investigation into advertising claims made for Testall Gel, a purported homeopathic product, marketed by your client, Natural Life Foods Corp. d/b/a Strike First Nutrition, for possible violations of Sections 5 and 12 of the FTC Act, 15 U.S.C. §§ 45, 52. Among other claims, Testall Gel was marketed to strengthen bone density, prevent or reduce the risk of osteoporosis, balance blood sugar levels, reduce blood pressure, and prevent depression. It was also promoted as the only FDA-registered transdermal testosterone product available without a prescription.

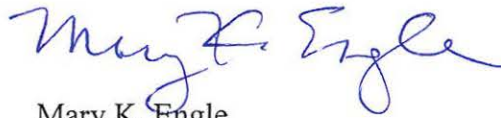
Section 5 of the FTC Act requires that advertising claims be truthful and non-misleading, and Section 12 prohibits false advertisements for foods, drugs, devices, services, and cosmetics. Generally, health benefit claims in advertising are deceptive if the advertiser does not possess competent and reliable scientific evidence substantiating the claims prior to their dissemination. *See, e.g., FTC v. Direct Mktg. Concepts, Inc.*, 569 F. Supp. 2d 285, 298-300 (D. Mass. 2008), *aff'd*, 624 F.3d 1 (1st Cir. 2010). We were concerned that the claims made for Testall Gel were false or not adequately substantiated.

Upon careful review of the matter, including non-public information submitted to the FTC staff, we have determined not to recommend enforcement action at this time. In reaching this conclusion, we considered a number of factors, including the amount of sales and the fact that your client has removed Testall Gel from the market.

Ms. Linda A. Goldstein
August 5, 2019
Page 2

This action is not to be construed as a determination that a violation of law did not occur, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

Very truly yours,



Mary K. Engle
Associate Director for Advertising Practices

cc: Randal M. Shaheen, Esq. *via email*