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UNITE

DOCKET NO.

4. Cannabidiol (“CBD”) is a substance naturally occurring in, and that can be extracted from, the hemp plant, . Respondents have advertised, promoted, offered for sale, sold, and distributed products containing CBD (“CBD Products”) that are intended for human use. These CBD Products are “food” and/or “drugs,” within the meaning of Sections 12 and 15 of the Federal Trade Commission Act.
5. Consumers can purchase Respondents’ CBD products by calling (833) 743-6763 or by ordering online at www.hempmeCBD.com.
6. Respondents’ CBD products are offered for human and animal consumption and topical application in a variety of products, including oils, creams, hemp shea butter, bath bombs, lip balms, gummies, hemp tabs, honey sticks, lozenges, and assorted pet products.
7. These products are sold to consumers under the names: “Hempme Hemp Shea Butter;” “Hempme Facial Moisturizer;” “Hempme Hemp Repair RX Pain;” “Hempme CBD Gummy Bears;” “Hempme Hemp Gummies;” “Hempme CBD Tablets;” “Hempme CBD Organic Gummy;” “Hempme CBD Sugarfree Gummy;” “Hempme Gummy Worms;” “Hempme Energy Lemon Haze Terpene Hemp Lozenges;” “Hempme Relax Grape/Grand Daddy Purp Terpene Hemp Lozenges;” “Hempme CBD Honey Sticks;” “Hempme Hemp Oil;” “Hempme Roll On Menthol Temple Massage;” “Hempme CBD Massage Oil;” “Hempme Cinnamon Hemp Oil;”

A. From Respondents' website, www.HempMeCBD.com, captured on January 6, 2020:

i. **“A Real Life-Saver**

Doctors have just recently been able to truly study [CBD's] effects on the human bod (sic), and its ability to alleviate the symptoms of conditions ranging from AIDS to seizures is showing incredible results. CBD's anti-psychotic properties can help with people's mental health issues. People suffering from PTSD, Anxiety & Depression have seen major improvements from consistent doses of the compound, and Doctors around the world are beginning to recommend CBD over prescription medications.”

ii. “Also, in a recent study, Israeli research has shown an 80% success rate in reducing problematic behavior in children with Autism using CBD.”

iii. “It is theorized that the reason CBD has such a positive effect could be because of its impact on cannabinoid receptors inside the brain of someone with Autism. CBD appears to ‘open’ these receptors’ pathways to allow molecules to act on them. These pathways were previously closed off by the condition.”

iv. “Depression is an emotional cause of sleeping challenges. Also, lack of enough sleep can cause depression. Sleep deprivation also makes one agitated, tense and irritable and the effects can be overwhelming. Since depression is rooted in the nervous system, it's often caused by chemical imbalance. According to Dr. Charles Raison, CNN's mental health expert, CBD oil can restore the chemical imbalance and help in dealing with depression, leading to improved sleep.”

v. “Some of the top health benefits of CBD oil has been known to cure are seizures, anxiety, depression, and cancer-related symptoms. It has even been proven to aid in substance abuse treatment and diabetes prevention.”

vi. “Also it has a profound effect on helping people dealing with: Acne, Stomach illness, Even cancer symptoms.”

vii. “CBD has a profound effect on helping people dealing with . . . cancer symptoms”

- viii. “CBD is commonly known to alleviate ailments related to mental diseases such as: Epilepsy Depression Bipolar.”

Count I
False or Unsubstantiated Efficacy Claims

11. In connection with the advertising, marketing, promotion, offering for sale, or sale of CBD products, including through the means described in Paragraph 10, Respondents have represented, directly or indirectly, expressly or by implication, that their CBD products prevent diabetes and treat acne, AIDS, autism, bipolar disorder, cancer, depression, epilepsy, PTSD, seizures, and substance abuse.

12. The representations set forth in Paragraph 11 are false or misleading or were not substantiated at the time the representations were made.

Count II
False Establishment Claims

13. In connection with the advertising, marketing, promotion, offering for sale, or sale of CBD products, including through the means described in Paragraph 10, Respondents have represented, directly or indirectly, expressly or by implication, that:

- A. tests or studies prove that their CBD products treat autism; and
- B. doctors recommend CBD over prescription medications for depression and PTSD.

14. In fact, tests or studies do not prove that CBD treats autism, and doctors do not recommend CBD over prescription medications for depression and PTSD. Therefore, the making of the representations set forth in Paragraph 13 are false or misleading.

