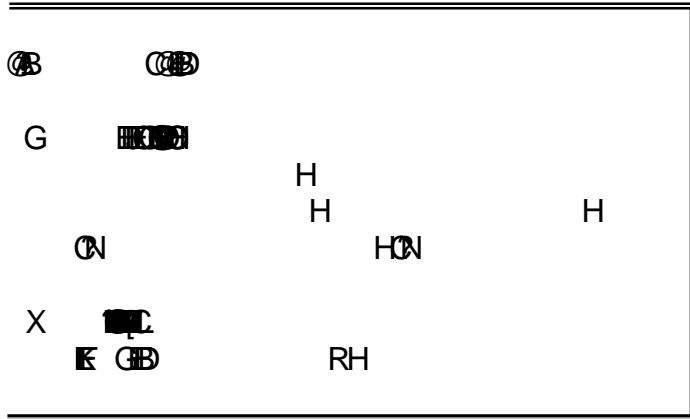


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1. The Responden:s are

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- E. “Essentially Effective” means a product containing ingredients, excluding menthol, menthyl acetate, and menthyl salicylate (the same for a product containing menthyl salicylate (sublingual), and a product containing menthyl salicylate (sublingual) contain additional ingredients, and the product is approved by experts in the field of oral care, and the product is not an Essential Efficacy Equivalent product.
- F. “Food” means (a) any article of food, as defined in 21 CFR 1.601.10, chewing gum; and (b) any article of food, as defined in 21 CFR 1.601.10, that is used in the manufacture of a product.
- G. “Respondent” means the Individual Respondent and the Corporate Respondent, individually, collectively, or in any combination.
  - 1. “Corporate Respondent” means Epichouse, LLC, a limited liability company, a sole doing business as First Class Herbs: CBD, Cobalt Herbs, Cobalt Enhance, and Cobalt Create, and its successors and assigns.
  - 2. “Individual Respondent” means John Lee.

**P O S I T I O N**

**I. PROHIBITED REPRESENTATION: HEALTH-RELATED CLAIMS  
EQUIVOCAL MANUFACTURING INFORMATION FOR BENTON**

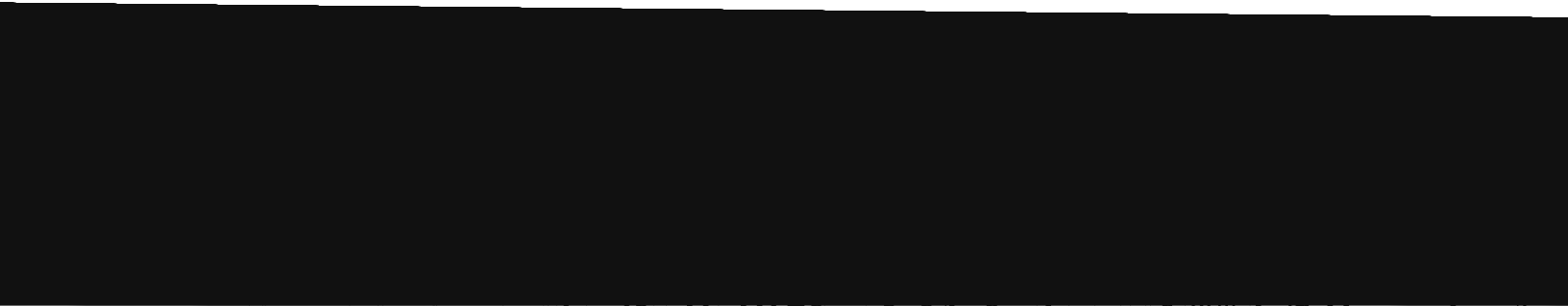
**IT IS ORDERED** that Respondents, Respondents’ officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of the above, who receive actual notice of this Order, whether acting directly or indirectly, in connection with the manufacturing, labeling, advertising, promotion, offering for sale, sale, or distribution of any Covered Product, must not make, or assist others in making, expressly or by implication, any representation

by training and experience to conduct such testing. In addition, any underlying or supporting data and documents generally accepted by experts in the field as relevant to an assessment of such testing as described in the section entitled Preservation of Records Relating to Competent and Reliable Human Clinical Tests or Studies must be available for inspection and production to the Commission. Persons covered by this section have the burden of proving that a product satisfies the definition of Essentially Equivalent Product.

**II. PROHIBITION** (b) (5) - (b) (7) - (b) (8) - (b) (9) - (b) (10) - (b) (11) - (b) (12) - (b) (13) - (b) (14) - (b) (15) - (b) (16) - (b) (17) - (b) (18) - (b) (19) - (b) (20) - (b) (21) - (b) (22) - (b) (23) - (b) (24) - (b) (25) - (b) (26) - (b) (27) - (b) (28) - (b) (29) - (b) (30) - (b) (31) - (b) (32) - (b) (33) - (b) (34) - (b) (35) - (b) (36) - (b) (37) - (b) (38) - (b) (39) - (b) (40) - (b) (41) - (b) (42) - (b) (43) - (b) (44) - (b) (45) - (b) (46) - (b) (47) - (b) (48) - (b) (49) - (b) (50) - (b) (51) - (b) (52) - (b) (53) - (b) (54) - (b) (55) - (b) (56) - (b) (57) - (b) (58) - (b) (59) - (b) (60) - (b) (61) - (b) (62) - (b) (63) - (b) (64) - (b) (65) - (b) (66) - (b) (67) - (b) (68) - (b) (69) - (b) (70) - (b) (71) - (b) (72) - (b) (73) - (b) (74) - (b) (75) - (b) (76) - (b) (77) - (b) (78) - (b) (79) - (b) (80) - (b) (81) - (b) (82) - (b) (83) - (b) (84) - (b) (85) - (b) (86) - (b) (87) - (b) (88) - (b) (89) - (b) (90) - (b) (91) - (b) (92) - (b) (93) - (b) (94) - (b) (95) - (b) (96) - (b) (97) - (b) (98) - (b) (99) - (b) (100)

Clinical Tests or studies must be available for inspection and production to the Commission. Persons covered by this Provision have the burden of proving that a product satisfies the definition of Essential Equivalence Product.

**III. P E E ATIERw, BRs Hd ORw, BRs Hd ERw, BRs Hd NE**



THE UNIVERSITY OF CHICAGO

Administration pursuant to the Nutrition Labeling and Education Act of 1990 or permitted under sections 303-304 of the Food and Drug Administration Modernization Act of 1997.

### **I. MONETARY RELIEF**

**IT IS THE ORDER** that:

- A. Respondents must pay to the Commission \$30,000.00, which Respondents stipulate their undersigned counsel holds in escrow for no purpose other than payment to the Commission.
- B. Such payment must be made within 8 days of the effective date of this Order by electronic fund transfer in accordance with instructions provided by a representative of the Commission.

### **II. ADDITIONAL MONETARY PROVISION**

**IT IS THE ORDER** that:

- A. Respondents relinquish dominion and all legal and equitable rights, title, and interests in all assets transferred pursuant to this Order and may not seek the return of any assets.
- B. The facts alleged in the Complaint

III. NO

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changes the Respondent's address  
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Order, unless previously satisfied



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- 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 Provision.

*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 Provision 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.

April J. Tabor  
Secretary

EAL  
IUED February 2, 2021

ATTACH E T A T THE R

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