MONITORING INQUIRY

I. Company Description
Sanki Global LLC (“Sanki,” or the “Company”) is a multi-level direct selling company headquartered in Japan, with U.S. offices located in Henderson, Nevada.

II. Basis of Inquiry
The Direct Selling Self-Regulatory Council (“DSSRC”) is a national advertising self-regulation program administered by BBB National Programs. This inquiry was commenced by DSSRC pursuant to its ongoing independent monitoring advertising and marketing claims in the direct selling industry.

This inquiry concerns health-related product claims and earnings claims disseminated by the Company’s salesforce members.

A. Product Claims

This inquiry involved four health-related product claims disseminated by salesforce members of the Company on social media. DSSRC informed the Company of its concerns that such claims communicate the message that Sanki’s products are effective at treating a number of serious health-related conditions, including, but not limited to, diabetes, high blood pressure, migraines, and heart problems.

The product claims are set forth below:

- “Sanki Global offers you natural products with Nano-technology, safe for maternal health, chronic pain, gut health and weight loss. Do you or someone you love suffer from diabetes, high blood pressure, chronic fatigue, high cholesterol, fibromyalgia, or problems overcoming their willpower for sweets and food? What if this was the last thing you had to wear, would you use it? It has been a success for me as a Diabetic and High Pressure and other diseases!”

- “I arrived in Colombia what you were expecting Sanki Global broke into our country more than 2 years ago, with the purpose of giving wellness and health to those who consume their products. And so to counteract diabetes, the colon, arthritis, arthritis, migraine, poor circulation, heart problems. etc.”
  “These products are 100% natural.”
“Certified by the Jewish community and its Kasher stamp.”

- “Cindy discusses how after only three weeks using Sanki Global products (BelAge and Kronuit) she has noticed a change in her life. The chronic pain in her knee has gone down, as well having better quality in sleep. Listen to her story and scroll down for other stories from our community.”

- “Protect yourself! #Coronavirus
  Image of surgical mask with copy stating “TAKE IT OFF! Safeguard with Belage; It works 100% of the time for 100% of the people: Boosts & protect immune system; Combats viral infection”

B. Earnings Claims

Sanki’s salesforce members also disseminated several earnings claims suggesting that participants in the business opportunity could earn significant income by participating in Sanki’s business opportunity. More specifically, the claims stated that potential salesforce members could earn “residual income,” “passive income,” obtain “financial freedom,” and/or change their lifestyles or live lifestyles without limits through Sanki’s direct selling opportunity.

The earnings claims are set forth below:

- “Looking for a way you can secure and income while in quarantine?”
“Wanna improve your health as well as boost your wealth? Join our zoom session tonight at 9pm Jamaica time & be guided by our top earners. Are you serious about making passive income & earning residual income? GET ON BOARD 🏧.”

“Experience Financial Freedom and become your own boss virtually anywhere. Join the movement and start earning on the go! #financialfreedom”

“The global impact of Covid 19 has brought many nations to their knees while leaving most individuals thinking about the necessity of maintaining good health. Well, what is optimal health and how is it measured? .... Join Mauva Linsay and Clive Campbell on the next ODP show for the Canadian Launch of Sanki Global. This revolutionary new health care business has been changing lives and creating financial freedom for so many.

“Image with copy stating “What the health care professionals won’t tell you about the COVID cure”
• “Had to share this with you, it's supplements I have been talking for a while and I saw they bringing it to Peru. The products are among the best, but that not all can be a little or lot of income especially in this covid19 Era (ASK ME HOW) Company name is Sanki Global.”

• “With Sanki you can change your life! Increase your income with our distribution models and change your lifestyle without limits!”

• “Distribute today. Increase your income and change your lifestyle without limits. WE believe in your potential and we know that many times success is based on finding the perfect opportunity”

III. Company’s Position

Sanki did not dispute DSSRC’s concerns that the social media posts in question were in violation of the Company’s policies and were not aligned with the Federal Trade Commission’s (FTC) guidance regarding the dissemination of product and income claims. Subsequently, Sanki has worked directly with a third-party monitoring service to identify, oversee, modify, or eliminate publications within global social networks that do not comply with authorities and internal policies.

IV. Analysis and Recommendation

DSSRC appreciated the good faith efforts of Sanki to address the concerns in the inquiry. DSSRC determined that the actions taken by the Company were necessary and appropriate. The Company promptly undertook efforts to contact all of the salesforce members to remove or modify the posts that were identified by DSSRC.
A. Product Claims

As DSSRC has noted in previous inquiries, the Federal Trade Commission’s ("FTC") standard of competent and reliable scientific evidence has been defined in FTC case law as "tests, analyses, research, studies, or other evidence based on the expertise of professionals in the relevant area, that has 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." In the absence of such evidence, the FTC assumes consumers will expect a “reasonable basis” for the truth of these claims made by the Company’s salesforce members.

Sanki chose not to substantiate the health-related product performance claims, but, instead, attempted to effectuate the posts. The Company attempted to contact each of the individuals responsible for the posts through social media, telephone, email, and SMS. Only one of the individuals responsible for the posts at issue was currently active with Sanki. All other individuals were either inactive salesforce members or not registered Sanki distributors.

Six of the eight posts identified by DSSRC remain active, all of which were disseminated in international markets. DSSRC acknowledged Sanki’s prompt actions to attempt to remove the social media posts despite being unsuccessful in effectuating their removal. The Company’s repeated efforts at contacting the individuals demonstrated good faith efforts to bring their health-product claims into DSSRC compliance.

B. Earnings Claims

Section 6 of DSSRC’s Guidance on Earnings Claims notes that some words and phrases presented in the context of earnings claims are prohibited when made to a general audience of prospective salesforce members. These include “unlimited income,” “full-time income,” “replacement income,” etc. Sub-section A of Section 6 of the DSSRC guidance states that such words and phrases carry a particularly high risk of being misleading to consumers when communicated in a general context.

With respect to the social media posts disseminating earnings claims, Sanki acknowledged that the language used by the authors of posts were inappropriate. As Sanki did with the products claims, they attempted to contact each of the authors of the posts and provided DSSRC with copies of the correspondence sent to the salesforce members responsible for the posts.

Two of the four posts in the inquiry were written and posted by active salesforce members. The Company provided evidence of their correspondence with these two individuals, and, subsequently, Sanki was able to effectuate removal of one of the two posts. The Company repeatedly tried to contact the other salesforce member but was unable to reach the individual. The Company stated that if the remaining active salesforce member continues to be unresponsive to Sanki’s efforts to remove the post...
that it will initiate an enforcement action pursuant to the Company’s Policy & Procedures. The remaining two posts that included earnings claims came from unregistered authors. However, Sanki was able to contact and remove one of the two posts.

If the Company is not successful in its attempts to have the individuals remove the remaining posts, DSSRC recommends that the Company utilize the social media platform’s reporting mechanism for intellectual property violations and, if necessary, contact the platform in writing and request removal of the remaining social media posts.

V. Conclusion

DSSRC recognized Sanki’s bona fide efforts to remove the social media posts and administratively closed the inquiry. DSSRC expressed its appreciation for the Company’s prompt actions in attempting to eliminate the claims and for following up with proof of its attempted communication with the individuals responsible for the posts. DSSRC will continue to monitor the posts at issue in this inquiry that remain publicly available, as well as other posts being disseminated by Sanki’s salesforce members, to ensure the Company’s continued compliance with DSSRC’s recommendations.

(Case No. 76-2022, closed on July 12, 2022)
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