

BBB NATIONAL PROGRAMS

THE DIRECT SELLING SELF-REGULATORY COUNCIL

ROOT WELLNESS LLC, A/K/A ROOT BRANDS

Case No. 77-2022
Filed July 7, 2022

COMPLIANCE INQUIRY

I. Company Description

Root Wellness LLC (“Root Wellness” or the “Company”) is a direct selling company founded in 2019, located in Brentwood, Tennessee. The Company markets health and wellness products, most notably its Clean Slate, Restore, and Zero-In products.

II. Background

The Direct Selling Self-Regulatory Council (“DSSRC”) is a national advertising self-regulation program administered by BBB National Programs. In 2021, DSSRC resolved an inquiry regarding the dissemination of the following health-related claims communicated by Root Wellness and its salesforce members:

- “ROOT Testimonial Tuesday
Fatty Liver, Psoriasis, Childhood ADHD, Chronic Fatigue”
- “...for over 10 years I have suffered with what is medically diagnosed as medium/aggressive Psoriasis...mainly on my legs...last year it took a severe twist...it became infected and I had Cellulitis which could have lead to possible amputation...I think you will find the photographs will outline where I was...it was a very worrying time and as I am sure you can appreciate I genuinely did not know what my future help. I was put on a course of Methotrexate and I have to say it saved the day and I started to improve. But the scars and scaly skin remained...AS most people who suffer with Psoriasis will tell you its not just the typical scarring you live with it’s the Psychological scars...living in Sunny Cyprus I was not able to wear shorts and sunbathe...as people do not understand this dreadful disease...creams ointments...constant visits to Dermatologists...all with different interpretations of how to address the issue !! Expensive applications and even a trip to the dead sea in Israel...as this is supposed to offer a healing mineral...so after all these years and realizing I was

actually dealing with an auto immune problem so started using Keto diets...vitamins and minerals which have helped but still the scarring remained and had to lean on steroid ointments to keep under control...so a life of steroid and methotrexate was now a reality...then I was introduced to you lovely people...Clean Slate. WOW...Following the instructions 2 x 10 drops per day for 3 weeks and I think you will see the changes. No itching, scratching...no ointments apart from moisturizing...I have stopped taking methotrexate and at last I can see light at the end of this dreadful 10 year tunnel...”

- Images of psoriasis healing over 8 weeks time

Victoria Gaiger
August 26, 2021 · 🌐

Do you want to rid yourself of those nasty heavy metals that are inside your body?
Do you feel sluggish, run down, pained?
Do you suffer with auto immune problems or arthritis issues.
Do you have depression, Parkinson's, dementia.

Then I can help
Clean Slate cleans your cells by removing toxins, viruses, bacteria, fungus and heavy metals. The detoxification process reduces inflammation and improves the absorption of nutrients.

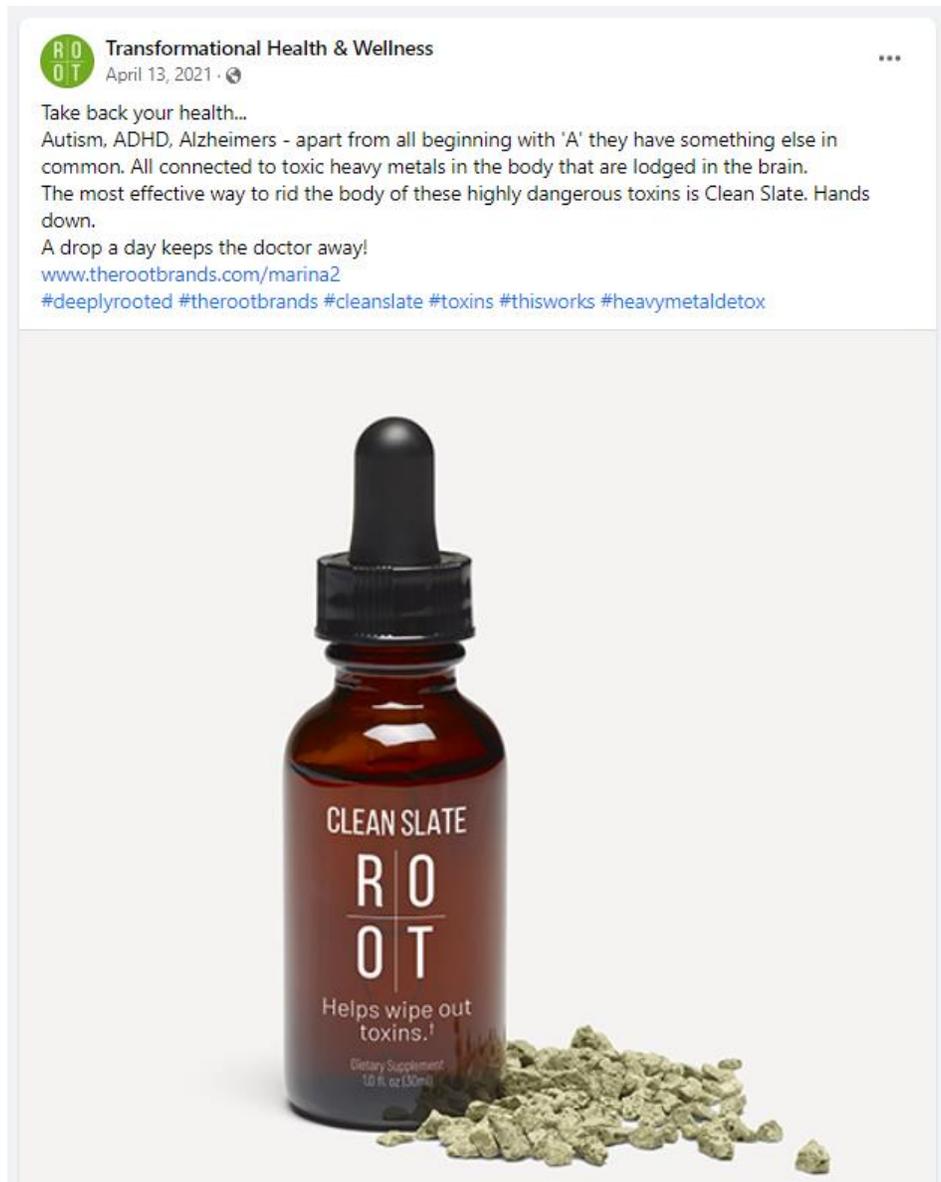
If you want to know more, get in touch with me 😊

<https://therootbrands.com/victoriagaiger>

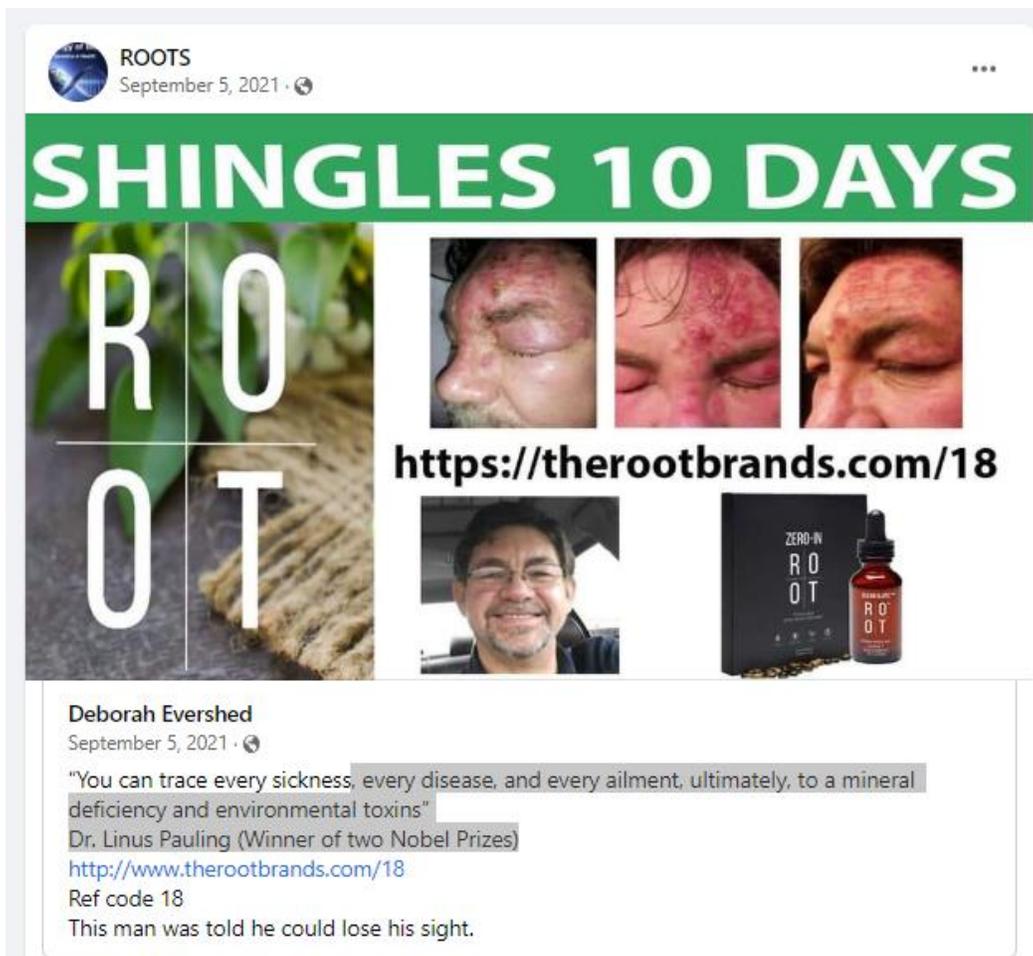
👍 6 5 Comments 4 Shares

- “Our Autism Journey - Non-verbal no longer! Hi! My son Michael turned 14 in January 2021. He had been completely non verbal since he was about 15 months old. Stephanie reached out to me and invited me to a zoom call, to discuss a heavy metals detox product (Clean Slate). I was impressed by everything I heard on the call, so I gave it a try. Within 10 days my son was sleeping through the night (something he had never done). He was taking naps during the day too, on some days. By the end of the 3rd week, he started mumbling consonants : the first ones I noticed were g, b and m. With some practice, he could say his name, (Michael), Koko, come, go, about half of the letters of the alphabet. With colours, numbers and letters of the alphabet, it was obvious that he had been learning things all these years, but just couldn't express himself. We are about 3 months in with Clean Slate now, his skin is clear (he had some recurring patches), he is calm and confident and is gaining new words. We are so happy about the progress he is making and sooooo excited for the future!!!”
- “Once you're on your Maximum then you're going to notice it
And then you will see the results in the blood results too...
Fibromyalgia Rheuma Arthritis Psoriasis Eczema Darmon Disorders and Still a lot more can be treated with it”

- “My favorite ‘side effects’ of this product: Morning fog has been lifted, Belly bloat has been blasted, AND long time stubborn nail fungus? Dissolving, as if by magic! These two products truly support the quest for an EMPOWERED lifestyle!!! – Olenka C.”
- “My 79 year old husband was showing signs of dementia and had given up playing the trumpet, his difficulty in speaking clearly and finding the right words had become more pronounced. He started both products in March and is back to daily trumpet practice. His speech is slowly improving and while he still has difficulties, he is holding longer conversations. He had avoided speaking except to family and close friends so this is a great sign. Also, he is back to his Painting and his Astrological pursuits. I take both products and tell my friends 82 is the new 62 but truly feel my energy and focus is like being back in my fifties. – Joy H



- “I was introduced to Clean Slate several months ago and I am noticing some of my autoimmune symptoms are subsiding, my skin is amazing and those pesky sugar cravings are gone. I am pleasantly surprised and can’t wait to see what happens in another 3 months!”
- ““You can trace every sickness , every disease, and every ailment, ultimately, to a mineral deficiency and environmental toxins’ Dr. Linus Pauling (Winner of two Nobel Prizes)”
 - Image of shingles healing over 10 days time



DSSRC determined that these social media posts communicated that Root Wellness products can treat several serious health-related conditions including, but not limited to, psoriasis, attention-deficit/hyperactivity disorder, chronic fatigue, fatty liver disease (Hepatic Steatosis), fibromyalgia, and rheumatoid arthritis.

The Company provided several published articles to DSSRC, which it maintained demonstrated a direct correlation between the ingredients contained in Root Wellness products with the improvement of certain health-related conditions.

DSSRC concluded that the studies did not provide the necessary evidence to show that using the Company's products as directed would result in relieving or diminishing the specific health-related conditions referenced in the social media posts at issue.

For example, several studies provided by Root Wellness did not indicate that the resulting data was statistically significant and there was no confirmation that dosages of the ingredients evaluated in the studies correlated with the presence of the ingredient as found in the Root Wellness products. More specifically, even had DSSRC determined (which it did not) that the studies provided by Root Wellness met the competent and reliable scientific evidentiary threshold that is necessary for health-related claims, it would nevertheless be inappropriate to extrapolate the resulting test data that, for example, reported diminished toxin levels in individual urine samples to mean that product can be beneficial to people suffering from the identified health conditions.

DSSRC also disagreed with Root Wellness' contention that because the Company did not authorize the claims disseminated in the social media posts, it was not responsible for the representations made by its independent salesforce members (i.e., Root Ambassadors).

Accordingly, in the absence of reliable and competent evidence indicating that the products perform as claimed, DSSRC recommended that the Company take immediate action to have the remaining social media posts containing the health-related claims at issue in this inquiry disabled.

In its Company Statement, Root Wellness stated that it recognized that "... consumer claims can create perception issues which lead to regulatory compliance concerns and this isn't the image our company and brand portray as we understand the compliance landscape. We have taken the review page down from our website as an immediate move to assure we are focusing on a proper consumer facing approach to claim compliance. In addition, we are working with our community members who have made their personal experience claims on social media to correct any improper claims found on third party sites."¹

III. Compliance Inquiry

As part of its compliance process, DSSRC will independently review advertising that has been the subject of previous inquiries and determine if the direct selling company has made a good faith effort to abide by DSSRC's recommendations and adhere to the commitment expressed in its Company Statement.

¹ See <https://bbbprograms.org/programs/all-programs/dssrc/ccd/case-47-2021-monitoring-inquiry-root-wellness-llc>.

Preliminarily, DSSRC confirmed that Root Wellness removed the three testimonial claims from the Company website that were identified in the 2021 inquiry. However, the four claims disseminated by Company salesforce members, which DSSRC determined communicated that Root Wellness can treat several serious health-related conditions, remain publicly accessible despite the Company's contention that the social media posts had been removed.

In addition to the four social media posts that are referenced above, DSSRC recently identified an additional 29 social media posts from Company salesforce members that reference the ability of Root Wellness products to treat health-related conditions including, but not limited to, depression, Parkinson's, Alzheimer's, shingles, joint pain, inflammation, ADHD cancers, diabetes hypertension, gout, fibromyalgia, rheumatoid arthritis, psoriasis, eczema, childhood ADHD, and chronic fatigue.²

² See <https://www.facebook.com/vaw74/posts/10227095988286001>;
<https://www.facebook.com/DawnLivingstoneCO/posts/10159178672608879>;
https://www.facebook.com/permalink.php?story_fbid=271136565151015&id=10188;7708742569;
<https://www.facebook.com/peacervanwood/posts/10224729922745280>;
<https://www.facebook.com/groups/108430774503608/posts/301485068531510/>;
<https://www.facebook.com/christine.gaafar.77/posts/611310396426782>;
<https://www.facebook.com/groups/108430774503608/posts/166636038683081/>;
<https://www.facebook.com/referencecode18/posts/130230066042624>;
<https://www.facebook.com/rootforlifeausnz/posts/125239942728435>;
<https://www.facebook.com/transformationalenergycoach/photos/a.106377831354283/177363204255745>;
<https://www.facebook.com/angelo8377/posts/128212705703905>;
<https://www.facebook.com/transformationalenergycoach/posts/168506858474713>;
<https://www.facebook.com/zeolitedetoxhealth/photos/a.101203628540353/109697957690920/>;
https://www.facebook.com/permalink.php?story_fbid=116598047395634&id=103313145390791;
<https://www.facebook.com/detoxroot/posts/127814419030128>;
<https://www.facebook.com/cleanjealt75/posts/101339658497494>;
<https://www.facebook.com/groups/3034612489909447/permalink/3109057392464956/>;
<https://www.facebook.com/detoxroot/posts/148015563676680>;
<https://www.youtube.com/watch?v=9-FzEsvRP28>;
https://www.youtube.com/watch?v=bNyghe_iKMI&list=PLY4jttkmCdZWWH5wEDPON7z2SU9dpqSn;
<https://www.facebook.com/zeolitedetoxhealth/posts/109615927699123>;
<https://www.facebook.com/groups/108430774503608/posts/365850542094962/>;
<https://www.loom.com/share/d5ddd66e796a440d9bd152dc894f63>;
<https://www.loom.com/share/597cb6b5efbc4a84b877e9d7211da516>;
<https://www.facebook.com/zeolitedetoxhealth/photos/a.101203628540353/109697957690920/>;
<https://www.facebook.com/Sittardgeleenactueel/posts/2734965036740018>;
<https://www.facebook.com/groups/108430774503608/posts/156988492981169/>;
<https://www.youtube.com/watch?v=11QaT6AhCCM>;

Moreover, during the pendency of this compliance inquiry, DSSRC became aware of four press releases made by the Company indicating that Root Wellness received high trust ratings from several independent trade organizations. One press release inferred that the Company received the “Top Trust Score” from ScamAdvisor.com. Another implied that Root Wellness received “Top Trust Index” from Scam-Detector.com and included the logo of the Direct Selling Association (DSA). Another press release also references “BBB Programs News” and states that RootsBrands.com was given a 5-Star rating. DSSRC determined that references to both the BBB and the DSA could be construed by consumers as meaning that Root Wellness is a member company of both organizations and, as such, adheres to the business practice standards of both organizations. However, DSSRC confirmed that Root Wellness is not an accredited business with the BBB nor a member of the DSA.³

Following its receipt of the compliance inquiry, Root Wellness contacted DSSRC and stated that all of the social media posts had been removed. After DSSRC informed the Company that all of the posts were, in fact, still active, Root Brands responded by requesting that the posts at issue be re-sent to the Company. Root Brands then informed DSSRC that most of the social media posts at issue were on “independent pages” and that the posts had been addressed. Root Wellness also stated that “each and every customer signs off on a statement agreeing not to make any health claims regarding the products.” The Company again stated that it would be reviewing the posts and removing any questionable content. The Company also indicated that it was in the process of requesting that customers who are posting their own personal stories revise their posts or take them down.

DSSRC has made several requests to Root Wellness for copies of any correspondence that have been sent to the individuals responsible for the social media posts asking them to remove such posts as a demonstration that the Company has made a good faith effort to address our concerns. However, although Root Wellness has stated that it is “continually working to have customers remove these posts,” the Company has not provided any evidence to DSSRC indicating that it has taken such action.

Notwithstanding the commitments made by Root Wellness, all of the social media posts that were the subject of the 2021 DSSRC inquiry as well as the more recent posts that were brought to the Company’s attention in this compliance inquiry remain unchanged and publicly available. DSSRC has made several subsequent attempts to contact the Company and re-initiate dialogue. Unfortunately, the Company spokesman indicated that he was traveling outside of the country and has not provided DSSRC with a substantive response to claims at issue.

<https://www.youtube.com/watch?v=WKnnOrn0nFM&list=PLY4jttkmCdzWWH5wEDPON7z2SU9dpqSnR&index=5>.

³ The four press releases were distributed by an internet press wire service called Ein Presswire and are no longer publicly available after the service was contacted by the International Association of Better Business Bureaus.

DSSRC remains extremely concerned with existing messages being communicated by Root Wellness salesforce members. As DSSRC has noted in several previous inquiries⁴, health-related claims must be supported by reliable and competent evidence, demonstrating that the product can perform as claimed. 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."⁵

While the Company has removed the testimonials from its website that were identified by DSSRC in its original inquiry, the Company has provided no reliable evidence to DSSRC demonstrating its products can effectively treat any of the serious health-related conditions referenced in the social media posts at issue. Moreover, although Root Wellness has stated that it has attempted to contact the individuals responsible for the 33 social media posts that remain publicly accessible, it has provided no copies of such correspondence despite repeated requests from DSSRC to demonstrate its purported good faith efforts.

IV. Conclusion

DSSRC determined that Root Wellness did not substantively reply to the compliance inquiry and has not demonstrated that it made a good faith effort to address DSSRC's concerns. Specifically, the Company has provided no reliable, reproducible evidence supporting the health-related claims communicated in the 33 social media posts that were brought to its attention during the pendency of the compliance industry and has not provided evidence that it has attempted to contact the Company salesforce members responsible for disseminating the social media posts at issue and request that the posts be removed. Additionally, DSSRC determined that references to both the BBB and the DSA in publicly disseminated press releases could be construed by consumers as meaning that Root Wellness received recognition for consumer and/or business trust from both organizations and that the Company adheres to the business practice and ethical standards of both organizations. However, DSSRC confirmed that Root Wellness did not receive any such public trust accolades from either the BBB or DSA and the Company is also not an accredited business with the BBB nor a member of the DSA.

Although Root Wellness has removed three testimonial claims from the Company website that were identified in the 2021 inquiry, it has not demonstrated to DSSRC that it has made a good faith effort to contact the Company salesforce members that are responsible for the thirty-three social media posts that have been identified in this

⁴ See DSSRC Case #63-2022 –Innov8tive Nutrition; DSSRC Case #68-2022 – Daxen, Inc.; DSSRC Case #69-2022 – Max International, LLC.

⁵ See, e.g. *Vital Basics, Inc.*, C-4107 (Consent April 26, 2004); see also *In Re Schering Corp.*, 118 F.T.C. 1030, 1123 (1994).

compliance inquiry and the 2021 inquiry and which communicate a number of serious health related product performance claims.

Accordingly, DSSRC will provide Root Wellness with fourteen additional calendar days from the date of this compliance report to provide copies of correspondence to DSSRC demonstrating that it has made a good faith effort to contact the Company salesforce members and/or the social media platform and request that the posts at issue be taken down. Should the posts remain publicly available or if DSSRC does not receive evidence indicating that Root Wellness has made a good faith effort to have the posts remove on or before August 5, 2022, this matter will be referred to the appropriate government agency, and DSSRC will release information regarding the referral to the press and the general public.

(Case No. 75-2022, closed on July 18, 2022)
Copyright 2022 BBB National Programs