

County of Santa Clara

Office of the District Attorney

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Supplement Company to Pay \$1.1 Million in False Advertising Settlement

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Supplement Company to Pay \$1.1 Million in False Advertising Settlement

A Utah-based supplement company has agreed to pay \$1.1 million to settle a consumer protection lawsuit filed by the Santa Clara County District Attorney's Office. The company made false advertising claims for its dietary supplements, including that the supplements could reduce the risk of cancer.

Evig, which does business as Balance of Nature, was ordered to pay \$850,000 in civil penalties and investigative costs, and \$250,000 in customer restitution. The judgment calls for any California resident who purchased a Balance of Nature product in the past six years to receive a notice on how to claim a refund from the restitution fund. The company is prohibited from engaging in the false advertising described in the complaint.

“The truth can be a hard pill to swallow,” District Attorney Jeff Rosen said. “This company was dishonest in selling its products to the public. We will fight to make sure companies tell the truth to protect the health and welfare of our citizens.”

Balance of Nature sells supplements in capsule form, purportedly made from ground-up fruit and vegetables. The company engaged in extensive advertising in California.

Prosecutors alleged that Balance of Nature made unlawful claims about its products that were not supported by competent and reliable scientific evidence. Some of the claims the company made included that one serving of one product contained the nutritional equivalent of five servings of fruit. Another claim stated that one serving each of two of their products would provide as much nutrition as 10 servings of salad.

The complaint also alleged that Balance of Nature claimed that its products could prevent, treat, or cure serious diseases including diabetes, fibromyalgia, arthritis, heart disease, and cancer. The company went so far as to recommend that customers take 12 capsules each of its Fruits and Veggies supplements if they had been “diagnosed with life threatening illness.” Balance of Nature also used customer testimonials to make false claims.

The case was filed in Napa County Superior Court by prosecutors in the California Food, Drug, and Medical Device Task Force, which also includes the District Attorney’s Offices of Alameda, Marin, Napa, Solano, Sonoma, Santa Cruz, Monterey, Shasta, and Orange counties.

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