National Advertising Review Board Recommends doTERRA Discontinue Certain Health Benefit and "Therapeutic Grade" Essential Oil Claims



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National Advertising Review Board →

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NEW YORK, March 31, 2021 /PRNewswire/ -- A panel of the National Advertising Review Board (NARB), the appellate advertising law body of BBB National Programs, has recommended that doTERRA International, LLC discontinue a "Certified Pure Therapeutic Grade" claim as well as any use of the term "therapeutic grade" to describe doTERRA's products.

The NARB panel recommendation extends to claims that distinguish doTERRA's essential oils as qualitatively different or more efficacious than those not considered "therapeutic grade." NARB has also recommended doTERRA discontinue express and implied aromatherapy claims that promote health and wellness benefits from essential oils and doTERRA essential oil products.

The advertising at issue had been challenged by S.C. Johnson & Son, Inc. before BBB National Programs' National Advertising Division (NAD). Following NAD's decision (<u>Case No. 6420</u>), doTERRA appealed NAD's recommendation to discontinue some of the claims under review.

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doTERRA's essential oils are extracted from herbs, flowers, and other plants. doTERRA uses approximately 60 different essential oils in its products. While doTERRA promotes the benefits of many of its essential oils based on application to the skin, or their use in food preparation, S.C. Johnson's challenge was directed primarily to aromatherapy claims, i.e., benefits claimed to be available from inhaling diffused oils.

With regard to doTERRA's "Certified Pure Therapeutic Grade" claim, the NARB panel agreed with NAD that the term "therapeutic grade" conveys a message to reasonable consumers that the product being described provides health and wellness benefits, a message that goes beyond purity. Because this message was not supported, the panel concluded that the "Certified Pure Therapeutic Grade" claim should be discontinued.

The NARB panel also determined that NAD applied the correct standard (well-controlled clinical trials) to its evaluation of doTERRA's support for its express aromatherapy claims because such claims promoted health and wellness benefits. These benefits included:

- Mental and emotional health;
- "Improving or managing mood";
- "Benefits for the . . . mind";
- "Positive effects on emotions"; and
- "Emotional health."

Further, the NARB panel concluded that doTERRA's advertising claims imply that its essential oil products deliver a number of health and wellness benefits, however, the advertiser failed to show support for such claims, in part because of its failure to submit testing on its own essential oils. The panel reasoned that because of the inherent variability of essential oils as established in the record, the advertiser failed to show a basis for relying on testing of third-party essential oils, rather than testing on its own products. The panel also noted that doTERRA's consumer survey, which evaluated the subjective beliefs of the consumers of the advertiser's essential oils, cannot be used to establish or even to support other evidence of product performance.

doTERRA stated that it "will comply with NARB's recommendations" even though it "strongly disagrees with NARB's decision." doTERRA further stated that it believes the panel was "mistaken" in its recommendations to discontinue doTERRA's "Certified Pure Therapeutic Grade" claim and related "therapeutic grade" claims, claims about "aromatic ∞ "

uses of essential oils as a category," and "a number of implied aromatherapy claims." doTERRA also expressed disappointment that neither NARB nor NAD "limited the scope of its review," but instead "reviewed claims challenged in S.C. Johnson's impermissibly broad complaint, without affording doTERRA an adequate opportunity to respond fully."

All BBB National Programs case decisions can be found in its case decision library.

About BBB National Programs: BBB National Programs is where businesses turn to enhance consumer trust and consumers are heard. The non-profit organization creates a fairer playing field for businesses and a better experience for consumers through the development and delivery of effective third-party accountability and dispute resolution programs. Embracing its role as an independent organization since the restructuring of the Council of Better Business Bureaus in June 2019, BBB National Programs today oversees more than a dozen leading national industry self-regulation programs, and continues to evolve its work and grow its impact by providing business guidance and fostering best practices in arenas such as advertising, child-directed marketing, and privacy. To learn more, visit bbbprograms.org.

About the National Advertising Review Board (NARB): The National Advertising Review Board (NARB) is the appellate body for BBB National Programs' advertising self-regulatory programs. NARB's panel members include 87 distinguished volunteer professionals from the national advertising industry, agencies, and public members, such as academics and former members of the public sector. NARB serves as a layer of independent industry peer review that helps engender trust and compliance in NAD, CARU, and DSSRC matters.

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