

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Joseph J. Simons, Chairman**
 Noah Joshua Phillips
 Rohit Chopra
 Rebecca Kelly Slaughter
 Christine S. Wilson

In the Matter of

BIONATROL HEALTH, LLC, a corporation,

ISLE REVIVE, LLC, also d/b/a ISLE REVIVE CBD,
 a corporation,

MARCELO TORRE, individually and as an owner
 and manager of BIONATROL HEALTH, LLC
 and ISLE REVIVE, LLC,

 and

ANTHONY MCCABE.

DOCKET NO.

COMPLAINT

The Federal Trade Commission, having reason to believe that Bionatrol Health, LLC, a corporation, Isle Revive, LLC, also d/b/a Isle Revive CBD, a corporation, Marcelo Torre, individually and as an owner and manager of Bionatrol Health, LLC and Isle Revive, LLC, and Anthony McCabe (collectively, “Respondents”), have violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Bionatrol Health, LLC (“Bionatrol”) is a Utah corporation with its principal place of business at 1269 W. Spencer Rd., Pleasant Grove, Utah 84062. Bionatrol’s business registration with the State of Utah expired on May 14, 2020.
2. Respondent Isle Revive, LLC (“Isle Revive”), also doing business as Isle Revive CBD, is a Utah corporation with its principal place of business at 1269 W. Spencer Rd., Pleasant

Grove, Utah 84062. The company's business registration status with the State of Utah is in a delinquent status. Isle Revive processed payments from consumers who purchased CBD products from Bionatrol and, as recently as April 2020, offered Bionatrol Full-Spectrum CBD Oil Extract for sale at www.islerevivecbd.com.

3. Respondent Marcelo Torre has managed Bionatrol and serves as the company's registered agent. Torre also has owned and managed Isle Revive. Individually or in concert with others, he controlled or had the authority to control, or participated in the acts and practices alleged in this complaint. Torre resides in Salt Lake City, Utah.

4. Respondent Anthony McCabe was the manager and owner of Bionatrol. He also managed and owned part or all of Isle Revive. Individually or in concert with others, he controlled or had the authority to control, or participated in the acts and practices alleged in this complaint. McCabe resides in San Diego, California.

5. Respondents Bionatrol and Isle Revive (collectively, "Corporate Respondents") have operated as a common enterprise while engaging in the unlawful acts and practices alleged below. Corporate Respondents have conducted the business practices described below through an interrelated network of companies that have common ownership, officers, business functions, business and mailing addresses, and unified advertising and marketing. Because these Corporate Respondents have operated as a common enterprise, each of them is jointly and severally liable for the acts and practices alleged below. Respondents Torre and McCabe formulated, directed, controlled, had the authority to control, or participated in the acts and practices of the common enterprise alleged in this Complaint.

6. The acts and practices of Respondents alleged in this complaint have been in or affecting commerce, as "commerce" is defined in Section 4 of the Federal Trade Commission Act.

Respondents' Marketing of CBD Products

7. Cannabidiol ("CBD") is a substance naturally occurring in, and that can be extracted from, the hemp plant, *cannabis sativa*. Respondents advertised, promoted, offered for sale, sold, and distributed products containing CBD ("CBD Products") that are intended for human use. These CBD Products are "food" and/or "drugs," within the meaning of Sections 12 and 15 of the Federal Trade Commission Act.

8. Through the website bionatrolcbd.com, Respondents sold Full-Spectrum CBD Oil Extract in bundles of one, three, and five bottles for, respectively, \$64.99 (plus \$7.95 shipping), \$149.97, and \$199.95. During the ordering process, the website offered "upsells" for, among other things, one bottle of Full-Spectrum CBD Oil Extract Sleep Aid capsules at a cost of \$49.99 and one bottle of Full-Spectrum CBD Gummies at a cost of \$54.95.

9. From approximately December 2019 through April 2020, Respondents disseminated or caused to be disseminated advertisements for CBD Products, including but not necessarily limited to the attached Exhibits A through C. Respondents promoted CBD Products through a variety of means, including through their websites bionatrolcbd.com and islerevivecbd.com and

an Instagram account at www.instagram.com/bionatrol_cbd. These advertisements contained the following statements and depictions:

Warning: Due to extremely high media demand, there is **limited supply** of bionatrol CBD Oil in stock as of **January 14, 2020. HURRY! 09:23.06**

The screenshot shows the bionatrol website interface. At the top left is the bionatrol logo. To its right is the text "Get My Free Bottle! Voted #1 CBD Product in USA" with a right-pointing arrow. Further right is a yellow button with the text "RUSH MY ORDER". Below this is a large section titled "100% PURE CBD POWERFUL NATURAL PAIN RELIEF". Underneath this title is the text "Safe, Non-Addictive, Effective and 100% Legal!". To the left of a central image of a CBD oil bottle is a list of benefits: "Reduces Pain & Chronic Aches", "Relieves Anxiety & Stress", "Enhances Focus & Clarity", "Promotes Healthy Sleep", and "Does Not Show on Drug Test". To the right of the bottle are several circular seals: "100% PURE CBD OIL", "SATISFACTION 100% GUARANTEE", "100% NATURAL INGREDIENTS", and "MADE IN USA". Below the bottle are logos for "SECURE VERIFIED by VISA MasterCard SecureCode". To the right of the bottle is a form titled "STEP 1 - TELL US WHERE TO SEND YOUR BOTTLE". The form includes fields for "First Name", "Last Name", "Address", "City/Territory", "Country" (a dropdown menu), "State/Province" (a dropdown menu), "Zip/Post Code", "Phone Number", and "E-mail Address". A yellow button labeled "RUSH MY ORDER" is positioned below the form.

[Ex. A (excerpt from www.bionatrolcbd.com) (captured Jan. 14, 2020)]

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The screenshot shows a section titled "Step 2 NATURAL, FAST RELIEF". Below the title is the text: "Your results with CBD Hemp Oil will improve with continued use. CBD is **100%** **non-habit forming** and is completely safe. It can be taken daily, has **NO psychoactive properties**, and will not harm you in any way. Plus, your satisfaction is 100% guaranteed."

[Ex. A (excerpt from www.bionatrolcbd.com) (captured Jan. 14, 2020)]

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THE SCIENCE OF

CBD (CANNABIDOIL) [sic]

The endocannabinoid system (ECS) regulates everything from relaxation to eating, sleeping, inflammation and even cognitive function.... CBD Oil has been medically proven to positively regulate your ECS addressing issues such as **anxiety, insomnia, chronic pain, hypertension and even cardiovascular issues.**

- **Physical Benefits:** Stimulates an anti-inflammatory response which helps reduce all forms of chronic aches and pains. . . .
- **Psychological Benefits:** Helps positively regulate mood patterns which help reduce anxiety and stress. It also promotes better sleep cycles and in some cases may offer a safe remedy for depression and bipolar disorders.
- **Neurological Benefits:** Our CBD Oil's positive impact on the neural system helps reduce age-related cognitive decline. It also helps support focus, alertness & memory recall while reducing the frequency of migraines and headaches.

[Ex. A (excerpt from www.bionatrolcbd.com) (captured Jan. 14, 2020)]

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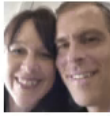
**WHY IS
FULL SPECTRUM CBD
SO POPULAR NOW?**

CBD Oil works WITH your body to ELIMINATE YOUR PAIN FROM WITHIN. And it goes to work quickly. After over 20,000 clinical studies, it has been proven over and over again ... The cannabinoids found in bionatrol CBD Oil are the SAME compounds that regulate mood and pain in the brain and body. In just days, the cannabinoids in bionatrol CBD Hemp Oil will tune your entire endocannabinoid system (the network of receptors found throughout your body, including your brain, organs, glands)... leaving you pain free and feeling years younger. Muscle pain, joint pain, arthritis pain, headaches, body aches - all eliminated.

It is important to note that the bionatrol CBD 100% Pure Hemp Oil used in the study was the real deal and exceeds the studies product potency using proprietary methods.

[Ex. B (excerpt from www.bionatrolcbd.com, identified by Respondents as BIO00018)]

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★★★★★ Pam C.

I have 2 herniated discs in my lower back, and was on oxycontin for 7 years. CBD has completely replaced my need for prescription painkillers. Why aren't more people talking about this??

[Ex. C (partial screen grab from recording of purchase at www.bionatrolcbd.com on Jan. 23, 2020, time index 0:14)]

10. Respondents have not conducted any studies demonstrating that their CBD products cure, treat, alleviate, or prevent diseases or health conditions. There are no competent and reliable human clinical studies in the scientific literature to substantiate that these products or their ingredients cure, treat, mitigate, or prevent the diseases or health conditions mentioned in the advertising excerpts set forth in Paragraph 9

11. Consumers who visited www.bionatrolcbd.com saw a webpage, a portion of which is depicted below, with the statements “Get My Free Bottle!” and “STEP 1 – TELL US WHERE TO SEND YOUR BOTTLE,” and a request for the consumers’ contact information.

The screenshot shows a web browser window with the URL <https://www.bionatrolcbd.com>. The page features a dark header with the Bionatrol logo and a yellow "RUSH MY ORDER" button. A warning message states: "Warning: Due to extremely high media demand, there is limited supply of bionatrol CBD Oil in stock as of January 23, 2020. HURRY! 04:24:00". The main content area is titled "STEP 1 - TELL US WHERE TO SEND YOUR BOTTLE" and includes a form for contact information. The form fields are: First Name*, Last Name*, Address*, City*, Country (dropdown), State/Province (dropdown), Zip/Post Code, Zip Code*, Phone Number*, and Email Address*. To the left of the form, there is a section for "100% PURE CBD POWERFUL NATURAL PAIN RELIEF" with a list of benefits: Reduces Pain & Chronic Aches, Relieves Anxiety & Stress, Enhances Focus & Clarity, Promotes Healthy Sleep, and Does Not Show on Drug Test. There is also an image of a CBD oil bottle and several seals, including "100% PURE CBD OIL", "100% SATISFACTION GUARANTEE", "100% NATURAL INGREDIENTS", and "MADE IN USA".

[Ex. C (partial screen grab from recording of purchase at www.bionatrolcbd.com on Jan. 23, 2020, time index 0:01)]

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