

[Antitrust Law Daily Wrap Up, CONSUMER PROTECTION NEWS: Justice Department acts to stop sale of nano silver product as COVID-19 treatment, \(Nov. 16, 2020\)](#)

Antitrust Law Daily

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By Nicole D. Prysby, J.D.

Government seeks a permanent injunction to stop Natural Solutions Foundation from marketing its nano silver product as a cure or preventive measure for COVID-19.

The Department of Justice has filed suit to stop a New Jersey entity from selling a nano silver product, which the company purportedly claims will treat COVID-19. Natural Solutions Foundation (NSF) operates various websites which claim that NSF's nano silver product ("Dr. Rima Recommends Nano Silver 10PPM") is intended to cure, mitigate, treat, or prevent COVID-19. The complaint alleged violations of the Federal Food, Drug, and Cosmetic Act (FD&C Act). The Justice Department requested a permanent injunction, after pointing out that the defendants have been previously warned about making unsupported claims about the nano silver product. NSF was [warned](#) in May 2020 by the FTC and Food and Drug Administration (FDA) that their COVID-19-related claims violated the FD&C Act. NSF was also warned in 2014 about alleged claims that the nano silver product would cure, mitigate, treat, or prevent Ebola.

The Justice Department [announced](#) on November 13 that it filed suit to stop NSF from selling a nano silver product, which the company claims will treat COVID-19. NSF operates various websites (such as www.truthaboutcoronavirus.com), which claim that NSF's "Dr. Rima Recommends Nano Silver 10PPM" product is intended to cure, mitigate, treat, or prevent COVID-19. For example, one website presented the claim that "Speaking of potentially lethal, it does not matter if the novel coronavirus is a weaponized version of a natural virus or not in terms of infection. What matters is that your immune system prevents it from making you sick or spreading it to others. And the very best way I know to do that is to support your immune function with my evidence-based, non-toxic Nano Silver 10 PPM. I take 1 cap full prophylactically once a day and have absolutely no fear or concern about coming down with whatever this, or any other, bug can do. *None*. . . . And it is available at www.nsfmarketplace.com."

The [complaint](#), filed in federal district court in New Jersey against NSF, Dr. Rima Laibow, and Ralph Fucetola, alleged violations of the FD&C Act, including that the defendants introduced an unapproved new drug into interstate commerce, that the disease claims made by the defendants lack support, and that, because the product lacks adequate directions, it is misbranded. The Justice Department seeks a permanent injunction, on the basis that the Defendants have engaged in a pattern of behavior since 2014 that demonstrates they will unlawfully distribute products until forced to conform to the law by the prospect of government intervention. The complaint cites the May 2020 joint Warning Letter sent by FDA and the FTC. After receiving the Warning Letter, the Defendants removed some of the nano silver claims from their websites, but left other claims, it was noted. For example, as of October 13, 2020, the defendants' YouTube channel apparently contained a video in which Dr. Laibow stated that the nano silver product controls the virus. The complaint also notes a 2014 Warning Letter sent to the defendants, in which the FDA informed them that they were violating the FD&C Act by making claims that their nano silver product was intended to cure, mitigate, treat, or prevent Ebola.

The complaint requests a permanent injunction preventing the defendants from introducing unapproved new drugs into interstate commerce. In addition, the complaint requests that the FDA be authorized to inspect the defendants' business records to ensure continuing compliance, that the Defendants recall their unapproved and misbranded drugs, and that the defendants be ordered to pay restitution.

Companies: Natural Solutions Foundation

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