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Boca vitamin drink maker settles FTC lawsuit over false advertising



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Boca Raton-based Sunrise Nutraceuticals has settled a lawsuit with the Federal Trade Commission that the company made "false and misleading" advertising claims about its powdered drink, Elimidrol.

The company has touted the drink, a powder containing vitamins, minerals, and herbs, as helping opiate-addicted consumers overcome addiction and withdrawal, the federal regulatory agency said.

A proposed order, subject to court approval, requires that Sunrise Nutraceuticals and its principal, Joshua Erickson, pay \$235,000 in remedies; bars them from making deceptive health claims; and requires the company to back up any opiate-treatment claims with scientific evidence.

In an email, Erickson said Sunrise Nutraceuticals "admits no wrongdoing, but at this time is cooperating with the FTC and has chosen to discontinue its claims regarding symptoms of opiate withdrawal."

His attorney, Brian Dervishi, said the company remains operating and that Elimidrol will continue to be sold once the company revamps its website.

The FTC filed its complaint against the company in November 2015, and in January, added Erickson as defendant in the case. Erickson formulated Elimidrol and owns 50 percent of Sunrise Nutraceuticals, according to the FTC complaint.

The proposed order was filed Wednesday in U.S. District Court for the Southern District of Florida.

Sunrise Nutraceuticals ran advertising on the Internet, including on its www.elimidrol.com website, allegedly targeting opiate-dependent consumers with claims that Elimidrol has a "high success rate ... in overcoming opiate withdrawal" and "turns up the chances of a successful recovery."

The company's ads claimed that Elimidrol would help users "permanently overcome withdrawal – the first time" and "leave addiction behind permanently." The FTC said in its lawsuit that these claims were not substantiated.

The proposed order imposes a judgment of \$1.4 million, but all but \$235,000 was suspended, based on the defendants' ability to pay.

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