



OFFICE OF THE ALAMEDA COUNTY  
**DISTRICT ATTORNEY**  
Pamela Y. Price, District Attorney

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# Alameda County District Attorney Pamela Price Announces Million Dollar Settlement with Balance of Nature

Jul 26, 2023 | [Press Release](#)



## Alameda County District Attorney Pamela Price Announces Settlement with Balance of Nature

*Oakland July 26, 2023*– Today, Alameda County District Attorney Pamela Price, alongside the District Attorney offices of Napa, Marin, Monterey, Orange, Santa Clara, Santa Cruz, Shasta, Solano, and Sonoma counties, working together as the California Food, Drug, and Medical Device Task Force announced a significant consumer protection settlement with Evig, LLC, operating under the name Balance of Nature. The case was filed in Napa Superior Court and focuses on the company’s dietary supplements that claim to contain freeze-dried and powdered fruits and vegetables in capsule form.

Balance of Nature heavily advertised its products to Alameda County residents through various media platforms including radio, television, and the internet. The complaint alleged Balance of Nature made misrepresentations regarding the effectiveness and attributes of its products, which lacked competent and reliable scientific evidence.

Among the unsupported claims made by Balance of Nature were:

- Asserting that one serving of its Fruits product, weighing approximately 2 grams, contained the “nutritional equivalent of over 5 servings of fruits per dose.”
- Claiming that taking the recommended 3 capsule dosage of Balance of Nature Fruit and Veggies would provide as much nutrition as consuming over 10 servings of a salad made with 31 different fruits and vegetables.
- Claiming that the daily recommended servings of fruits and vegetables could be condensed into just 6 capsules.

The company even recommended customers diagnosed with “life-threatening illnesses” consume 12 capsules each of its Fruits and Veggies supplements. Unsupported “customer testimonials” were also gout, congestive heart failure, Hepatitis C, and multiple sclerosis.

The complaint further alleged that Balance of Nature enrolled customers into an automatically renewing subscription program, charging them a recurring monthly fee without providing clear disclosure of the program’s terms, adequate acknowledgment of enrollment, or online cancellation options – all alleged violations of California’s Automatic Renewal Law.

As part of the settlement, Balance of Nature agreed to a stipulated judgment that includes a monetary payment of \$1.1 million dollars, including \$250,000 for customer restitution. Notices will be sent to all California residents who purchased a Balance of Nature product within the past six (6) years with an explanation of the process to claim a refund. Additionally, Balance of Nature will pay \$850,000 in civil penalties and investigative costs to be divided among the various investigating and prosecuting agencies. Most importantly, the judgment also includes injunctive provisions prohibiting Balance of Nature from engaging in any of the unlawful and misleading conduct and advertising alleged in the complaint (Note: as a term in the settlement, Balance of Nature did not admit liability.)

District Attorney Pamela Price said, “It’s really concerning when companies deceive people about their products and secretly sign them up for recurring charges without their knowledge. That’s a big violation of trust and the law. Balance of Nature did just that, making false claims that their product could cure serious diseases, putting people’s health at risk. Customers have the right to expect products to do what they’re promised.”

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*The Alameda County District Attorney's Office (DAO) is one of California's largest prosecutors' offices and is led by Alameda County's first Black woman District Attorney Pamela Y. Price. Price brings her vision to this office to fairly administer justice in the pursuit of thriving, healthy, and safe communities for every person who steps foot in Alameda County, no matter their race, gender, religion, sexual orientation, income, or zip code. Price has been recognized as one of the most progressive prosecutors through her forward-thinking, innovative strategies to interrupt cycles of violence and crime and bring change to a criminal justice system rooted in systemic racism. Follow Madam DA on Instagram, Twitter and Facebook and @AlamedaCountyda on Twitter, Instagram and Facebook.*

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