

LOCAL NEWS

Marin joins settlement in dietary supplement lawsuit



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The Marin County District Attorney's Office and prosecutors in nine other counties have settled a lawsuit that alleged unsupported health claims by a dietary supplement company.

The settlement requires Evig LLC, which sells the Balance of Nature product line, to pay \$1.1 million in penalties, restitution and investigative costs. Marin will receive \$85,000 in the settlement, said Deputy District Attorney Andres Perez, a consumer protection prosecutor for the county.

The other plaintiffs are Alameda, Monterey, Napa, Orange, Santa Clara, Santa Cruz, Shasta, Solano and Sonoma counties. Prosecutors filed the case in Napa County Superior Court.

Evig LLC made no admission of wrongdoing in the settlement. A lawyer representing the company declined to make a statement about the allegations.



Evig is registered as a limited liability in Nevada and maintains its headquarters in Utah. The lawsuit says the company advertised its products by various means throughout California.

The suit alleged that the advertisements and other marketing materials made “unsubstantiated, false, and/or misleading claims” about the health benefits of Balance of Nature products. The claims included relief or treatment for diabetes, arthritis, heart disease, cancer and other serious conditions, prosecutors alleged.

The lawsuit also alleged that the company marketed its “Fruits & Veggies” supplements as the nutritional equivalent of five servings of fresh produce, but the claim was untrue because the company removed fiber from the product.

Prosecutors also alleged that the company violated California’s Automatic Purchase Renewal Law. It requires clear and transparent terms for sales that are set to recur periodically until the consumer cancels the subscription.

“We were part of the district attorney group filing the litigation because we believed the unsubstantiated claims made by Balance of Nature, if allowed to continue, would cause injury and harm to the general public,” Perez said.

Under the settlement, any California resident who purchased a Balance of Nature product in the past six years will receive a notice on how to claim a refund, authorities said.

“The truth can be a hard pill to swallow,” Santa Clara County District Attorney Jeff Rosen said in an announcement of the settlement. “This company was dishonest in selling its products to the public. We will fight to make sure companies tell the truth to protect the health and welfare of our citizens.”

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