

Complaint

IN THE MATTER OF

**KRIS A. PLETSCHKE, INDIVIDUALLY AND
DOING BUSINESS AS RAW HEALTH**CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATIONS OF
SEC. 5 AND SEC. 12 OF THE FEDERAL TRADE COMMISSION ACT*Docket C-4040; File No. 0223070**Complaint, February 22, 2002--Decision, February 22, 2002*

This consent order addresses practices used by Respondent Kris A. Pletschke, individually and doing business as Raw Health, in marketing Colloidal Silver" – a dietary supplement allegedly containing submicroscopic particles of silver – intended to be taken for the cure and treatment of more than 650 diseases. The order, among other things, prohibits the respondent from misrepresenting any claims that Colloidal Silver – or any food, dietary supplement, drug, device, or health-related service or program – has been medically proven to kill disease-causing organisms or any number of infections in the body. The order also requires the respondent to possess and rely upon competent and reliable scientific evidence to substantiate representations that Colloidal Silver or any covered product (1) is effective in treating 650 diseases and health-related conditions; (2) kills the HIV virus and can be used as an antibiotic for all acquired diseases of active AIDS; (3) is superior to antibiotics in killing disease-causing organisms and the treatment of burns; (4) protects and strengthens the immune system; (5) can safely be used on open wounds, sprayed into the eye, injected, used orally, vaginally, anally, atomized or inhaled into the nose or lungs and dropped into the eyes; (6) has no side effects, even at double or triple the normal dose of 260 parts per million, and is safe for children and pregnant and nursing women; or (7) has any health, performance, safety, or efficacy benefits. In addition, the order prohibits the respondent from misrepresenting, including by means of metatags, the existence, contents or interpretation of any test, study, or research. The order also requires the respondent to offer refunds to all of his past consumers and wholesale purchasers of Colloidal Silver, and to file a sworn affidavit with the Commission concerning his compliance with the refund provisions.

Participants

For the Commission: *James T. Rohrer, Cindy A. Liebes, and
Andrea L. Foster.*

For the Respondent: *Kris A. Pletschke, pro se.*

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The Federal Trade Commission, having reason to believe that Kris A. Pletschke ("respondent"), individually, and doing business as Raw Health, has 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 Kris A. Pletschke is a resident of Oregon. His principal office or place of business is 11355 SW 14th St., Beaverton, OR 97005. Individually, or in concert with others, he formulates, directs, or controls the policies, acts, or practices of the business operating under the trade name "Raw Health," including the acts and practices alleged in this complaint.
- 2.a. Respondent has promoted, advertised, labeled, offered for sale, sold and distributed directly to the public a colloidal silver liquid product called *Colloidal Silver*, various vitamin, mineral, and herbal products, and other health products, including by means of an Internet Web site, www.rawhealth.net, that provides product and purchase information and advertising and promotional claims.
- 2.b. Respondent's *Colloidal Silver* is purportedly a liquid containing 260 ppm silver, enhanced with gold, quartz, and emerald essence in a water solution, that can be used for various therapeutic purposes through oral ingestion, intravenous administration, nasal spray, anal and vaginal administration, or topical application. *Colloidal Silver* is either a "food" or "drug" within the meaning of Sections 12 and 15 of the Federal Trade Commission Act.
3. The acts and practices of respondent alleged in this complaint have been in or affecting commerce, as "commerce" is defined in Section 4 of the Federal Trade Commission Act.
4. Respondent has disseminated or has caused to be disseminated advertisements or promotional materials for *Colloidal Silver*,

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through, among other media, websites on the Internet, including but not necessarily limited to the attached Exhibits A and B. These advertisements contain the following statements, among others:

A.

Add item: Colloidal Silver 1-(8oz 260ppm)
.\$18.00 ea.

Add item: Colloidal Silver 4-(8oz 260ppm)
.\$17.50 ea.

Add item: Colloidal Silver 8-(8oz 260ppm)
.\$17.00 ea.

Enhanced with gold, quartz, and emerald essences. Clear and odorless. You won't find your local natural foods store carrying this enhanced combination or nearly this concentration (ppm). Colloidal Silver Water is the only naturally occurring and most effective anti-viral and anti-bacterial substance known; it is beyond pharmaceutical antibiotics. Great for traveling to purify the drinking water. Helps to accelerate wound healing, eye infections, cold-flu, douching, candida, & more.

www.rawhealth.net/cleanse.htm

Exhibit A

B.

COLLOIDAL SILVER FABULOUS FACTS -
& Frequently Asked Questions

* * *

Colloidal Silver is a pure all-natural substance consisting of sub-microscopic clusters of silver held in a suspension of pure

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ionized water by a tiny electric charge placed on each particle. Colloidal Silver is a tasteless, odorless, nontoxic, pure, natural substance consisting of submicroscopic clusters of silver particles, suspended by a tiny electric charge placed on each particle within a suitable liquid. The molecules size is .00001 microns or 1.26 angstroms in diameter which is very small. The particles do not settle but remain suspended since the electric charge exerts more force than gravity on each particle. Colloidal is the form of choice for silver delivery since the body must convert a crystalline solution to a colloid before it can be assimilated. Taken daily, it is a powerful adjunct to our immune system. It kills harmful disease causing organisms and aids healing.

* **

WHAT ARE THE KEY CHARACTERISTICS?

Colloidal Silver is non-toxic, non-addictive and has no side-effects. The body develops no tolerance and one cannot overdose. Colloidal Silver cannot cause harm to the liver, kidneys or any other organ in the body. It is safe for pregnant and nursing women and even aids the developing fetus in growth and health as well as easing the mother's delivery and recovery. Colloidal Silver is odorless, tasteless, non-stinging, harmless to eyes, contains no free radicals, is harmless to human enzymes and has no reaction with other medications. It improves digestion, aids in the regeneration of damaged cells and tissues, helps prevent colds, flu and organism caused diseases [*sic*]. It has been reported to rapidly subdue inflammation and promote faster healing. The body needs Colloidal Silver to fight disease causing organisms and to aid healing. Taken daily, Colloidal Silver provides a second immune system resulting in more energy, vitality, vigor, relaxation, faster healing and reduced bodily toxins.

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HOW DOES COLLOIDAL silver WORK?

According to medical journals from around the world, it disables the particular enzyme that all one celled bacteria, fungi and viruses use for their oxygen metabolism. The presence of Colloidal Silver near a virus, fungus, bacterium or any other single celled pathogen disables its oxygen metabolism enzyme, its chemical lung, so to say. It suffocates them in six minutes or less after initial contact; the pathogen suffocates and dies and is cleared out of the body by the immune, lymphatic and elimination systems. Colloidal Silver co-mingles with the blood and enters the cells to seek out and destroy harmful organisms. This phenomenon was recently demonstrated in tests at UCLA Medical Lab. Trace amounts protect and strengthen the immune system. . . .

Thus **Colloidal Silver is absolutely safe** for humans, reptiles, plants and all multi-celled living matter. Unlike with antibiotics, resistant strains have never been known to develop. In fact, antibiotics are only effective against perhaps a dozen forms of bacteria and fungi, but never viruses. Because no known disease causing organism can live in the presence of even minute traces of the chemical element of metallic silver, colloidal silver is effective against more than 650 different disease causing pathogens. . . .

Medical journal reports and documented studies spanning the past 100 years indicate no known side-effects from oral or IV administration of colloidal silver in animal or human testing. Colloidal silver has been used with good results under the most demanding health care circumstances. Without overstating the case, it may be time to recognize colloidal silver as not only the safest medicine on Earth but also the most powerful. . . .

Colloidal Silver is truly a safe, natural remedy for many of mankind's ills. Since viruses like Ebola and Hunta, or even the

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dreaded "flesh-eating bacteria" are in the end merely hapless viruses and bacteria. . . .

USES OF COLLOIDAL SILVER

For several decades the clinical use of Silver have been proven in the treatment of burns as well as eye, ear, nose, throat, vaginal, rectal and urinary tract infections. Silver has been prescribed in medicine as an aid to the brain, reproductive disorders in women and the circulatory system. It has been used as a remedy for mental imbalances, sleepwalking and anorexia nervosa. Additional uses include the treatment of AIDS, allergies, anthrax, arthritis, blood poisoning, boils, wounds of the cornea, chronic fatigue, cerebral spinal meningitis, candida, cholera, colitis, cystitis, diabetes, diphtheria, dysentery, enlarged prostate, gonorrhea, herpes, hepatitis, infantile diseases, lesions, leukemia, lupus, Lyme disease, parasites, dental plaque remover, rheumatism, ringworm shingles, skin cancer, staph and strep infections, stomach flu, thyroid conditions, tonsillitis, toxemia, stomach ulcers and whooping cough to name a few. It is even used as a natural under arm deodorant and handy for virtually every medical circumstance for humans, plants and animals around the home and farm.

INGESTING COLLOIDAL SILVER

Taken orally, the silver solution is absorbed from the mouth into the bloodstream then transported quickly to the body cells. Swishing the solution under the tongue briefly before swallowing ensures fast absorption[.] In three to four days the silver will have accumulated in the tissues sufficiently for benefits to begin. Since Colloidal Silver is eliminated by the kidneys, lymph system and bowel after three weeks, a regular daily intake is recommended as a protection against dangerous pathogens. In cases of minor burns, an accumulation of Colloidal Silver can hasten healing, reducing scar tissue and

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infection. The lives of millions of people susceptible to chronic low-grade infections can be enhanced by this powerful preventative health measure[.]

TOPICAL APPLICATION OF COLLOIDAL SILVER

(concentration/ parts-per-million determines your actual dosage. consult your bottle.)

Colloidal Silver is painless on burns, cuts, abrasions, in open wounds, in the nostrils for a stuffy nose, arid [*sic*] even in a persons eyes because unlike antiseptics, it does not destroy tissue cells. It is perfect with cosmetics, creams and lotions. Spray on then add your favorite beauty product. A few drops on a Q-tip or band-aid may be used to disinfect any wound or sore. Liquid silver is administered orally and can also be injected. It can be used vaginally, anally, atomized or inhaled into the nose or lungs and dropped into the eyes. To start, take one teaspoon per day, for seven days, then reduce to half a teaspoon per day. Children should use proportionally smaller doses. For cold and flu symptoms up to a tablespoon three times daily is recommended. Overdosing should not be of concern even if more than the recommended dose is administered. After a few days of use, one might experience a detoxification effect in the form of feeling sluggish or mild aches. Consumption of water will cause these symptoms to disappear.

It is safe for pregnant and nursing women and is known to aid the developing fetus in growth. It will not generate free radicals or interfere with enzyme activity. . . .

A 65-year-old diabetic cut himself on the leg. He washed and bandaged it but, as often happens with diabetes, the pain persisted. The cut grew into a sore. Soon it became bigger than the bandage and he had to apply a dressing. Still, it

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grew bigger and ugly. In desperation he went to a clinic. His sore was diagnosed as a stasis ulcer. For a year, one treatment after another was tried. Nothing including penicillin and sulfonamide, could heal the ulcer. If his condition had continued unchecked [his] leg probably would have been amputated. But finally he was referred to a burn clinic that treated skin ulcers with a silver compound. This promptly stopped the growth of all bacteria. In less than two months, the ulcer was completely healed. Science Digest-March 1978.

FOR CHRONIC OR SERIOUS CONDITIONS

Take double or triple the recommended amount for 10 to 45 days, then drop to the maintenance dose. If your body is extremely ill or toxic do not be in a hurry to clear up everything at once. If pathogens are killed off too quickly, the body's five eliminatory channels, i.e., the liver, kidneys, skin, lungs and bowel, may be temporarily overloaded, causing flu-like conditions, headache, extreme fatigue, dizziness, nausea or aching muscles. Ease off on the Colloidal Silver to the maintenance amount and increase your distilled water intake, Regular bowel movements are a must in order to relieve the discomforts of detoxification. Resolve to reduce sugar and saturated fats from the diet, and exercise more. Given the opportunity, the body's natural ability to heal will amaze you.

WHAT ABOUT COLLOIDAL SILVER FOR AIDS?

Since in active AIDS, the suppressed immune system of the body is open to all kinds of disease. Colloidal Silver is the perfect nontoxic substance used for its wide spectrum antibiotic effect. A researcher at Brigham Young University sent Colloidal Silver to two different labs including UCLA Medical Center, and reported "It not only killed the HIV virus but every virus that was tested in the labs. According

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to FDA rules, Colloidal Silver cannot be used for treating the HIV virus, but it could be used as an antibiotic for all acquired diseases of active AIDS.

HAS IT BEEN CLINICALLY TESTED?

YES! Colloidal Silver has been successfully tested at the UCLA Medical Labs where it killed every virus on which it was tested.

WHAT DOES THE FDA SAY?

According to the United States Government Food and Drug Administration Colloidal Silver may continue to be marketed and used as it was originally intended. Colloidal Silver exceeds FDA recognized standards for safety. In a September 13, 1991 letter written by Harold Davies, U.S. Food and Drug Administration Consumer Safety Officer stated that FDA has no jurisdiction regarding a pure, mineral element. No one should worry about the FDA (Food and Drug Administration) being put in charge of this home remedy. Colloidal Silver is grand fathered as a pre 1938 healing modality. This makes it exempt from FDA jurisdiction.

COLLOIDAL SILVER VERSUS PHARMACEUTICAL ANTIBIOTICS

Interest in Colloidal Silver has increased recently because illness causing organisms do not build up a resistance to Colloidal Silver the way they do to pharmaceutical antibiotics. Antibiotics are becoming less effective as resistance to them grows. Artificial antibiotics kill, on average 6 different disease organisms but Colloidal Silver is known to kill over 650 diseases without any harmful side effects or toxicity. The Los Angeles Times states "In the last decade, a broad resistance to antibiotics has begun to emerge. Because bacteria can transfer genes among themselves, experts only expect the resistance to

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grow, The potential nightmare is an Andromeda strain, which is immune to all antibiotics and could wreak havoc *Arsenal of Antibiotics Failing as Resistant Bacteria Develop* October 23, 1994.

* * *

Jim Powell reported in the Science Digest article quoted above, that an antibiotic kills perhaps 7 different disease organisms, but silver kills some 650. Resistant strains fail to develop. Moreover, silver is nontoxic! The comeback of silver in medicine began in the 1970's. The late Dr. Carl Moyer, chairman of Washington University's Department of Surgery received a grant to develop a better treatment for burn victims. Dr. Harry Margraf of St. Louis, as the chief biochemist, worked with Dr. Moyer and other surgeons to find an antiseptic strong enough yet safe enough to use over larger areas of the body. Dr. Margraf reviewed 22 antiseptic compounds and found drawbacks in all of them. He noted that many of these antibiotics were ineffective against a number of harmful bacteria, including the biggest killer in burn cases a greenish blue bacterium called *Pseudomonas aeruginosa*. In extensive trials silver proved to be the most effective treatment and is currently used in all major burn [sic] centers in the United States. The safest proven germ fighter! SILVER IS USED IN ALL MAJOR BURN CENTERS IN THE UNITED STATES. UCLA MEDICAL LABS FOUND IT EFFECTIVE ON EVERY VIRUS THEY TESTED IT ON.

WHAT DO HEALTH PROFESSIONALS SAY ABOUT COLLOIDAL SILVER?

According to Dr. Evan of Illinois, . . . colloidal silver has provided excellent removal of abnormal intestinal bacteria also it has proved to be a great adjunct to our *Candida albicans*, Epstein Barr Virus and Chronic Fatigue Syndrome protocols.

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Dr. Henry Crooks in Use of Colloids in Health-Disease found that silver in the colloidal state is highly germicidal, quite harmless to humans and absolutely nontoxic. From his bacteriological experiments with silver he concluded "I know of no microbe that is not killed in laboratory experiments in six minutes."

Dr. Bjorn Nordenstrorn of the Larolinska Institute, Sweden has successfully used silver as a component in his cancer treatments for many years. Dr. Leonard Keene Hirschberg, M. D. at John Hopkins states, "Speaking generally, the colloidal metals are especially remarkable for their beneficial action in infective states."

Dr, Richard L. Davies, executive director of the Silver Institute, which monitors silver technology in 37 countries, reports: "In four years we've described 87 important new medical uses for silver. We're just beginning to see to what extent silver can relieve suffering."

The March 1978 issue of *Science Digest*, in an article, "Our Mightiest Germ Fighter," reported: "Thanks to eye-opening research, silver is emerging as a wonder of modern medicine. An antibiotic kills perhaps a half-dozen different disease organisms, but silver kills some 650. Resistant strains fail to develop. Moreover, silver is virtually non-toxic." The article ended with a quote by Dr. Harry Margraf, a biochemist and pioneering silver researcher who worked with the late Carl Moyer, M.D., chairman of Washington University's Department of Surgery in the 1970s: "Silver is the best all-around germ fighter we have."

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Since the body is known to have a vital need for silver to maintain both the immune system and the production of new healthy cells, and due to the harmonious nature of colloids entering the body, it stands within reason that colloidal silver may be harmless. Just to prove the point make a sixteen-ounce solution of well over 250 ppm and drink it. It's plenty safe. This makes sense according to Capitol Drugs pharmacist Ron Barnes, PhD. "Many strains of pathogenic microbes, viruses, fungi, bacteria or any other single celled pathogen resistant to other antibiotics are killed on contact by colloidal silver, and are unable to mutate. However, it does not harm tissue-cell enzymes and friendly bacteria.

www.rawhealth.net/silver.htm

Exhibit B

5. Through the means described in Paragraph 4, respondent has represented, expressly or by implication, that:
- A. *Colloidal Silver* is effective in treating or curing 650 diseases.
 - B. *Colloidal Silver* eliminates all pathogens in the human body in six minutes or less.
 - C. *Colloidal Silver* has been medically proven to kill every destructive bacterial, viral and fungal organism in the body, including anthrax, Ebola, Hunta, and "flesh-eating bacteria."

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6. In truth and in fact, *Colloidal Silver* is not effective in treating or curing 650 diseases; *Colloidal Silver* does not eliminate all pathogens in the human body in six minutes or less; and *Colloidal Silver* has not been medically proven to kill destructive bacterial, viral, or fungal organisms in the body. In addition, the FDA issued a final rule, effective September 16, 1999, finding and establishing that all OTC drug products containing colloidal silver ingredients or silver salts for internal or external use are not generally recognized as safe and effective. Therefore, the representations set forth in Paragraph 5 were, and are, false and misleading.

7. Through the means described in Paragraphs 4, respondent has represented, expressly or by implication, that:

- A. *Colloidal Silver* is effective in treating 650 diseases and health-related conditions, including AIDS, allergies, anthrax, arthritis, blood poisoning, boils, wounds of the cornea, chronic fatigue, cerebral spinal meningitis, candida, cholera, colitis, cystitis, dental plaque, diabetes, diphtheria, dysentery, enlarged prostate, gonorrhea, herpes, hepatitis, infantile diseases, lesions, leukemia, lupus, Lyme disease, parasites, rheumatism, ringworm shingles, skin cancer, staph and strep infections, stomach flu, thyroid conditions, tonsillitis, toxemia, stomach ulcers and whooping cough.
- B. *Colloidal Silver* kills the HIV virus and can be used as an antibiotic for all acquired diseases of active AIDS.
- C. *Colloidal Silver* is superior to antibiotics in killing disease-causing organisms and the treatment of burns.
- D. *Colloidal Silver* protects and strengthens the immune system.

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- E. *Colloidal Silver* can safely be used on open wounds, sprayed into the eye, injected, used orally, vaginally, anally, atomized or inhaled into the nose or lungs and dropped into the eyes.
- F. *Colloidal Silver* has no side effects, even at double or triple the normal dose of 260 ppm, and it is safe for children and pregnant and nursing women.
- G. *Colloidal Silver* aids the growth and health of the developing fetus and eases delivery and recovery.

8. Through the means described in Paragraph 4, respondent has represented, expressly or by implication, that he possessed and relied upon a reasonable basis that substantiated the representations set forth in Paragraph 7, at the time the representations were made.

9. In truth and in fact, respondent did not possess and rely upon a reasonable basis that substantiated the representations set forth in Paragraph 7 at the time the representations were made. For example, there is no competent and reliable scientific evidence that *Colloidal Silver* is effective in treating or curing any disease, including AIDS, anthrax, or arthritis; that *Colloidal Silver* kills the HIV virus and can be used as an antibiotic for all acquired diseases of active AIDS, or that it is superior to antibiotics in killing disease-causing organisms. In addition, there is no competent and reliable scientific evidence that *Colloidal Silver* is safe for oral ingestion, topical application, and IV administration or that *Colloidal Silver* has no side effects. Therefore, the representation set forth in Paragraph 8 was, and is, false or misleading.

10. The acts and practices of respondent as alleged in this complaint constitute unfair or deceptive acts or practices, and the

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making of false advertisements, in or affecting commerce in violation of Sections 5(a) and 12 of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission this twenty-second day of February, 2002, has issued this complaint against respondent.

By the Commission.