

## Yes, Another Wrist-Slap

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Back in [March](#), I called attention to the farce known as “Airborne” – as well as the look-alike product that Walgreen Pharmacies offer the naïve, a deliberate ripoff to take advantage of Airborne’s heavy popularity and to get some share of that loot that might otherwise escape them. The Airborne manufacturer misrepresented its product as a cold remedy without – of course – offering any scientific evidence to back up that claim, and also implied that the product was approved by the U.S. Food and Drug Administration [FDA]. Now, Airborne will pay \$23,300,000 to settle allegations by state attorneys general that it made false claims about its product. As a part of the settlement, they had to agree to discontinue their ads about the effects, health benefits, and safety of Airborne.

Now, this multi-million-dollar settlement is the largest payment to date in any multistate action involving any “[dietary supplement](#)” product, and that may sound like a healthy knuckle-rap to the Airborne company, but consider these two facts: first, Airborne can easily change their packaging and advertising copy to accommodate the new limitations, and can continue selling the silly product as before by coasting on the already-heavy demand they’ve created by their fake claims. Second, what tiny fraction of their profits from sales over the past *fifteen years*

is the “settlement” they will pay? This is hardly a knuckle-rap; it’s more like a pat on the shoulder: “Just change your ads and then continue on, guys, and good luck!”

To add a tad more salt to this wound, Airborne was allowed to settle the case without admitting to any wrongdoing or illegal conduct. Sure.

Our system just doesn’t work, folks. I say again: To get rich: originate a useless product, do heavy – but false – advertising, sell lots of it, and wait until the responsible government agency catches you at it. Then pay the fine, and retire, having tucked away the profits for the years that the agency took to get around to your case – if they ever do. The agencies are understaffed and overworked, so you’re quite safe...

And gee, I have to wonder if Walgreen’s will continue on selling their fake product, too. Or will the FDA send them a note...?