

OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA

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District Attorney



09-698

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***** PRESS RELEASE *****

Re: *People v. American Behavioral Research Institute LLC, dba Relaxium.com*
Santa Cruz County Superior Court, Case No. 23CV02081

District Attorney John T. Savrnoch announced today that the diet supplement company, American Behavioral Research Institute, LLC (“ABRI”), maker of Relaxium, agreed to a Court ordered judgment entered this week arising from enforcement of the California Automatic Renewal Law (“ARL”) and False Advertising Law (“FAL”). The ARL prohibits companies from automatically renewing subscriptions without making certain disclosures and without the consumer’s consent. The FAL prohibits companies from making unsupported claims about their products.

The District Attorney’s Offices of Santa Barbara County, Santa Cruz County, and Los Angeles County were leads on the case for the California Automatic Renewal Task Force (“CART”), which also includes the District Attorney’s Offices of San Diego County and Santa Clara County, and the City Attorney of Santa Monica. CART’s investigation found that the company did not make all the required disclosures to consumers, including that their subscriptions would be automatically renewed after a trial period. Under California law, online businesses must clearly and conspicuously disclose all automatic renewal terms, including price, and obtain affirmative consent to those terms from the consumer. The investigation also found that ABRI’s advertising concerning the purported benefits and clinical studies of Relaxium, on its website and on product packaging, was misleading.

The lawsuit filed in Santa Cruz County Superior Court, by the joint taskforce of prosecutors, reached a stipulated resolution against ABRI that imposes an injunction and assesses \$925,000 in civil penalties and costs. It also orders restitution to California consumers via a separate, private class-action lawsuit that has already settled. ABRI cooperated in this resolution and agreed to change the misleading advertising on its websites and product packaging.

District Attorney Savrnoch thanks Deputy District Attorneys Morgan Lucas and Christopher Dalbey for their work on this case, and commented that “consumers are entitled to accurate information about dietary supplements and to know what they paying for; automatically renewing charges without disclosure is deceptive and harmful to consumers.”
