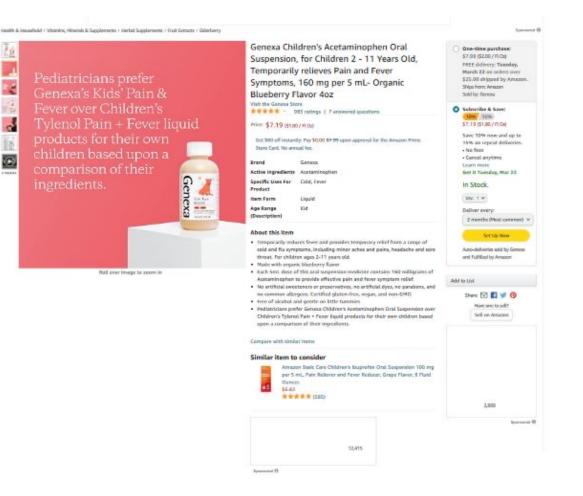


Genexa, Inc.

National Advertising Division NAD Case #7108 October 2022 National Advertising Review Board NARB Panel Report #307 January 2023



Relevant Media





Clean Medicine Without the Junk Organic Beet Root Extract vs FD&C Red Dye No. 40

Which do you prefer?

#genexa #cleanermedicine
#choosecleaner #readyourlabels





Summary

Johnson & Johnson Consumer, Inc. McNeil Healthcare Division (JJCI) challenged express and implied claims made by Genexa Inc. for its over-the-counter children's pain and fever medicine. Specifically, JJCI challenged several express and implied pediatrician preference claims about the inactive ingredients in traditional OTC children's pain and fever medicine. The National Advertising Division (NAD) found that one reasonable message conveyed by the challenged advertising is that pediatricians surveyed prefer Genexa's product to JJCI's products, although the surveyed pediatricians expressed a preference solely based upon the ingredients contained in the products. NAD recommended that the pediatrician preferred claims be discontinued.

JJCI also argued that the Genexa advertising made false and disparaging claims about traditional children's pain and fever medicine, including claims such as "PARABENS is stuff you'll find in ALL PURPOSE CLEANER. And, for some reason, in kids' fever medicine." NAD concluded that the challenged claims conveyed the message that other products are unsafe or potential risks or dangers, a message that was not supported, and recommended that the claims be discontinued.

A National Advertising Review Board (NARB) panel found that Genexa had no support for the challenged claims and recommended that the claims be discontinued or modified to make clear that the pediatrician's preference was limited to the ingredients. The panel also affirmed NAD's finding related to the challenged ingredient claims that the advertising conveyed a message that the inactive ingredients in other products are generally unsafe, harmful, or dangerous, and that such a message was unsupported. The NARB panel recommended that such claims be discontinued or modified to avoid conveying the message that competing products with other inactive ingredients are harmful.

National BBB Programs