



Class action plaintiffs filed a lawsuit in February against Gojo Industries, Inc., the maker of Purell hand sanitizers, alleging that Gojo's marketing and advertising claims on its website and social media accounts give consumers the impression that Purell products "are effective at preventing colds, flu, absenteeism and promoting bodily health and increased academic achievement."

This lawsuit follows a January 17, 2020 [warning letter](#) sent by the Food and Drug Administration (FDA) to Gojo regarding the same claims. In the letter, the FDA warned Gojo that claims that Purell products "are effective in preventing disease or infection from pathogens such as Ebola, MRSA, VRE, norovirus, flu, and Candida auris, and in preventing the spread of infection" implies that their products are FDA-approved drugs. Similarly, the FDA states that claims that Purell products "are effective in reducing illness or disease-related student and

teacher absenteeism" are unsubstantiated. Below are a few examples of the advertising and marketing claims at issue:

- "Kills more than 99.99% of most common germs that may cause illness in a healthcare setting, including MRSA & VRE"
- "PURELL® Products Help Eliminate MRSA & VRE . . . 100% MRSA & VRE Reduction[] . . ."
- "PURELL® products can reduce student absenteeism by up to 51%[]..."
- "... it is important to note that the Ebola virus is an enveloped virus. Enveloped viruses in general are easily killed or inactivated by alcohol."

Gojo previously issued a [statement](#) in response to the FDA's warning letter stating that it had started to update its website and other content as requested by the FDA. **Takeaway:** The warning letter and subsequent lawsuit targeting Gojo's hand sanitizer disease prevention claims are a reminder to companies that they should be careful about implying that their products can prevent various diseases and are therefore approved drugs if they are not.

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