

# FTC Resolves Case Against “Melanoma Detective” App Marketer

Kristi L. Wolff

August 20, 2015

The FTC announced late last week that it resolved its case against the final defendant, Avrom Lasarow, in the “Melanoma Detective” app matters. The FTC alleged that claims that the apps could detect and diagnose melanoma in its early stages were not supported by competent and reliable scientific evidence. As we discussed [here](#), the FTC settled charges against other defendants named in the complaint in February 2015.

Under the proposed settlement order, Lasarow is prohibited from making any misleading or unsubstantiated claims about the health benefits or efficacy of any product or service, including that a device detects or diagnoses melanoma. It also includes data and recordkeeping provisions to help ensure his compliance with the order. Finally, the proposed order imposes a \$58,623.42 judgment, which is suspended based on Lasarow’s inability to pay. If he is later found to have misrepresented his finances, the full amount will immediately become due.

Health claims are a consistent source of enforcement for the FTC and the agency has stated that mobile health apps are likely to be focus of scrutiny going forward. This is particularly true for products that may play a key role in a consumer’s decision whether or not to seek professional medical care, such as determining whether or not that spot on your arm is merely a freckle or something more. Given this, app marketers need to be sure that their claims – even if not expressly marketed for medical diagnosis or treatment – are supported by competent and reliable scientific evidence.