

What is the lawsuit against CVS and Walmart? Chains targeted over homeopathic product sales

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Looking for a cold remedy at your local pharmacy? Be careful what you choose: experts warn that some options on the shelves may be no better than sugar pills.

CVS and Walmart are in the midst of a court battle for selling FDA-approved, over-the-counter medications alongside homeopathic products, a form of alternative medicine based on diluted ingredients.

The Center for Inquiry, the nonprofit that filed the lawsuits, argues that this sort of product placement is misleading and presents homeopathic products as equivalent alternatives to science-based medicines.

There is little evidence that shows homeopathic products are effective, according to the National Institutes of Health. And while experts say most are harmless, the Food and Drug Administration warns that it cannot ensure their safety or effectiveness.

"Over-the-counter medication has to have been proven safe and effective for the condition that it's purported to treat," said Kelly Karpa, a former pharmacist and a professor in East Tennessee State University's department of [medical education](#). "(Whereas homeopathic products) had their own set of conditions under which they can be marketed. They kind of bypassed all of that safety and efficacy."

What are homeopathic medicinal products?

Homeopathy is an alternative medical practice first developed in the late 1700s. Practitioners believe that a substance that causes symptoms in a healthy person can be used to treat symptoms and illnesses, according to the FDA.

For example: Since cutting onions can make eyes water, a homeopathic treatment for itching or watering eyes would be diluted red onion.

Unlike pharmacology, which follows the idea that a higher dosage usually leads to a greater response, homeopathy believes that the more diluted a substance, the more potent it is.

The concern some [medical professionals](#) have is that homeopathy products may contain [toxic substances](#) that are not diluted enough.

"The good thing about most of the products is that most of them are safe because they're so diluted," said Adriane Fugh-Berman, a professor in the department of pharmacology and physiology at Georgetown University Medical Center. But if it fails to weaken a toxic substance enough, "that could be an issue."

Is homeopathic medicine effective?

A 2015 paper from Australia's National Health and Medical Research Council based on 176 individual studies found "no [health conditions](#) for which there was reliable evidence that homeopathy was effective."

"Homeopathy had never had any hardcore data behind it that was consistent with what we currently recognize as a double-blind, placebo-controlled trial that clearly indicates efficacy," Karpa said.

Fugh-Berman notes that most homeopathic products are harmless and may even provide a [placebo effect](#), but she has issues with them being sold on store shelves alongside FDA-approved medications.

"Homeopathic preparations should be available for those who know what they are and want to use them, but no one should inadvertently buy sugar pills," she said.

Are homeopathic products FDA approved?

Homeopathic products are typically labeled as homeopathic and have ingredients listed in terms of dilution, such as 1x or 2c.

The FDA warns that there are currently no products labeled as homeopathic that are FDA-approved, and says the agency cannot ensure these drugs meet standards for safety, effectiveness, and quality. Nevertheless, sales have increased in recent years.

The agency in December said it intends to prioritize enforcement and regulatory actions for certain homeopathic products that "potentially pose a higher risk to public health."

There have been safety issues with homeopathic products in the past. In 2017, the FDA sent out a note that it had found elevated levels of the toxic substance belladonna in certain homeopathic teething tablets.

The following year, the agency alerted consumers to a recall of certain homeopathic products for humans and pets due to microbial contamination.

"I used to look at homeopathic products as: It probably won't hurt you. Even if it's just a placebo, it might help you," Karpa said. But "there's also a risk of delaying appropriate treatment. And I think that in and of itself can be harmful."

What's the status of CFI's lawsuits?

Last month, the District of Columbia Court of Appeals denied requests for a rehearing from CVS and Walmart.

"We disagree with the ruling," reads a statement from Marci Burks, director of corporate affairs for Walmart. "We take allegations like these seriously and look forward to defending this case in the Superior Court."

CVS did not respond to a request for comment.

Nick Little, [vice president](#) and [general counsel](#) for the Center for Inquiry (CFI), says if the case does go to trial, that likely won't occur until late this year or early 2024.

"The individual stores are responsible for how they market (these products), how they represent them to customers," Little said. "We want to see all the major chains make this change."

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