

Huckabee Loses Suit Against Meta Over Cannabis Gummies Ads

Federal Judge Dismisses Mike Huckabee's Lawsuit Against Meta Over CBD Ads

A federal judge in Delaware has dismissed a lawsuit brought by former Arkansas Governor Mike Huckabee against Meta, the parent company of Facebook and Instagram. Huckabee alleged that Meta allowed advertisements falsely claiming his endorsement of CBD products to circulate on its platforms, benefiting financially from the misleading ads.

This case raised questions about privacy, liability, and the role of social media companies in moderating content. However, the judge ultimately ruled that Huckabee's claims did not meet the legal requirements to proceed.

Background of the Case

Huckabee, who is also a Baptist minister and President-elect Donald Trump's nominee for U.S. ambassador to Israel, filed the lawsuit after advertisements appeared online using his name and image to promote CBD gummies. The ads falsely implied that Huckabee endorsed these products, which contain cannabidiol (CBD), a non-psychoactive compound found in cannabis.

CBD does not produce the high associated with THC, the psychoactive component of marijuana, but its association with cannabis has made it a controversial subject in some circles. Huckabee, a vocal opponent of marijuana, argued that the ads misrepresented his stance and harmed his reputation.

Meta's Defense Under Section 230

Meta argued that it was shielded from liability under Section 230 of the Federal Communications Decency Act. This provision protects online platforms from being held accountable for content posted by third parties.

U.S. District Judge Gregory Williams rejected Meta's claim of immunity, noting that the company's involvement in collecting user data and determining ad placement made it an "information content provider." This classification, according to the judge, could subject Meta to liability in certain cases.

Why the Case Was Dismissed

Despite ruling against Meta's Section 230 defense, Judge Williams dismissed the lawsuit because Huckabee failed to establish essential legal claims.

Lack of Evidence for Knowledge of Falsehoods

The court found that Huckabee did not sufficiently demonstrate that Meta knew the ads were false or that the company should have been aware of their illegitimacy. Huckabee's claim that Meta acted with malice or reckless disregard for the truth was deemed a conclusory statement unsupported by specific evidence.

Invasion of Privacy and Publicity Protection Act Claims

The judge also ruled that Huckabee's allegations under Arkansas' Publicity Protection Act and invasion of privacy laws were insufficient. Huckabee did not provide evidence that Meta directly profited from the misuse of his name and image in a manner that violated these statutes.

No Duty for Due Diligence

Judge Williams determined that Meta had no obligation to perform due diligence to verify the accuracy of third-party advertisements. Without a legal requirement to investigate, Meta's actions did not rise to the level of malice required to sustain Huckabee's claims.

Implications for Social Media Platforms and Public Figures

This ruling highlights the challenges public figures face when seeking legal remedies against social media platforms for false advertisements. While the court acknowledged that Meta's role in curating content could remove some Section 230 protections, Huckabee's inability to provide evidence of malice or intent was pivotal in the case's dismissal.

The decision also underscores the complexities of holding tech giants accountable for third-party content. Platforms like Meta operate vast networks of advertisers, making it difficult to police every claim. Without clear evidence of intent or negligence, courts are hesitant to impose liability on these companies.

The dismissal of Mike Huckabee's lawsuit against Meta underscores the legal hurdles public figures face when seeking accountability for false or misleading content on social media platforms. Although the court rejected Meta's blanket immunity claim under Section 230, Huckabee's failure to prove malice or intent ultimately led to the case's dismissal.

As the digital landscape evolves, this case adds to the ongoing debate about the responsibilities of tech companies in moderating content and the protections available to public figures against misuse of their identity online.

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