Unit 8 Contemporary Weight Loss Programs
Lesson 1: The World of Weight Loss

“Eat all you want and still loose weight"1
Advertising slogan from Akävar European weight loose program featuring diet pills.

Help and Hype

The world of weight-loss includes both “…help and hype” and according to a 2007 article by Medical News Today,2 More Than One Third of Americans Cannot Separate Help from Hype

According to a new survey of 2,058 adults, conducted in late November by Harris Interactive® on behalf of GlaxoSmithKline Consumer Healthcare (NYSE: GSK), 52 percent of Americans say they plan to make a serious attempt to lose weight in 2008. But as January approaches and the drumbeat of quick and easy weight-loss promises grows louder, these individuals can become increasingly confused about what to believe.

To help overweight adults distinguish fact from fiction at this pivotal time of year, alli® is providing free access to thousands of hours worth of weight-loss advice from healthcare professionals. As the Harris Interactive survey shows, dieters value such support, but rarely take advantage of it: three quarters (73 percent) of U.S. adults who plan to make a serious attempt to lose weight in 2008 believe that outside help from a dietitian, pharmacist or other healthcare professional would help them achieve their weight-loss goals, but only a fraction (17 percent) of these adults plan to seek such support.

Weight-loss Advertising

According to Dr. George L. Blackburn,

As health care professionals, we are concerned about the epidemic of obesity: the relations between excel body weight and such medical conditions as cardiovascular disease, hypertension, type 2 diabetes, osteoarthritis, sleep apnea, and certain cancers (such as breast, ovarian, prostate and colon) are well established.

A majority of adults in the United Sates are overweight or obese. All told they invest over $30 billion a year in weight loss products and services. These consumers [of products and services’ are entitled to accurate, reliable, and clearly-stated information on methods for


weight management. They have a right to know if the weight loss products they’re buying are helpful, useless, or even dangerous. (Federal Trade Commission, 2002)³

Weight-loss as an industry is big business generating billions of dollars in sales for products and services related to dieting. The ability to successfully market weight-loss products rests on a company’s ability to attract customers. That attraction uses ‘weight-loss claims’ as part of marketing strategy.

**Appeal to Authority**

A popular and highly successful marketing ploy is the use of celebrities such as Hollywood actors and other well-known media types as spokespersons. Jenny Craig® uses “Join Valerie’s Journey” featuring television actress Valerie Bertinelli and actress-singer Queen Latifah as their spokespersons.

According to the SpokesPerson Agency Web site, “Having a real person walk onto your website is a new and powerful way to motivate your customers to take action. Many of our clients experience an increase in business in just 2 weeks using Hollywood celebrities” (2008).⁴

**Customer Success Stories**

Other weight-loss programs features advertisements showing ‘before’ and ‘after’ photos of celebrities such as Tori Spelling, Kirstie Alley, Anna Nicole Smith, Oprah Winfrey, Don and Mary Shula and Dan Marino to name just a few.

Another marketing technique is the use of ‘average’ dieters who have lost anywhere from 40 to 60 pounds or more using a weight-loss product or service. Marketing campaigns involve advertisements containing an assertion that something is true related to weight loss but which may be unsupported by evidence or proof. Whether or not a claim can be substantiated with scientific evidence, the weight-loss industry continues to assert that their products work and sometimes ‘more than the average weight-loss’ customer.

**Weight-loss Claims**

An article by the Federal Trade Commission (FTC) on November 9, 2004 FTC Launches "Big Fat Lie" Initiative Targeting Bogus Weight-loss Claims announced a major investigation related to ‘bogus’ weight-loss claims.

Today, the Federal Trade Commission is launching “Operation Big Fat Lie,” a nation-wide law enforcement sweep against six companies making false weight-loss claims in national advertisements. Operation Big Fat Lie is the latest in the Commission’s efforts to: stop deceptive advertising and provide refunds to consumers harmed by unscrupulous weight-loss advertisers; encourage media outlets not to carry advertisements containing bogus weight-loss claims; and educate consumers to be on their guard against companies promising miraculous weight loss without diet or exercise.

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Complaints in each of the six cases announced today allege that defendants used at least one of the seven bogus weight-loss claims that are part of the FTC’s “Red Flag” education campaign announced in December 2003. That ongoing Red Flag campaign provides guidance to assist media outlets in voluntarily screening out weight-loss ads that contain claims that are too good to be true.

“False and misleading advertisements are about as credible as a note from the Tooth Fairy,” said Federal Trade Commission Chairman Deborah Platt Majoras. “As part of our ‘no tolerance’ policy, we are announcing six new cases against advertisers using bogus weight loss claims. By also working with media outlets to reject false ads and educating consumers to make informed choices, the FTC hopes to keep this national obesity epidemic from getting worse.”

The cases announced today challenge ads containing false Red Flag claims for a variety of products, including pills, powders, green tea, topical gels, and diet patches. The FTC alleges in each case that the weight-loss claims are false and that the defendants did not have adequate substantiation for the claims they made. The challenged ads ran in nationally-known publications such as: Cosmopolitan; Woman’s Own; Complete Woman; USA Weekend; Dallas Morning News; San Francisco Chronicle; Cleveland Plain Dealer; Albuquerque Journal; and in Spanish-language publications, such as TeleRevista Magazine. In each of these cases, the Commission is seeking to stop the bogus ads and to secure redress for consumers. In addition to the cases announced today, the Commission has filed lawsuits against seven other companies since April 2004 for making similarly false Red Flag weight-loss claims. (See attached list of cases.)

**FTC’s “Red Flag” Media Education Campaign**
These cases follow up on the FTC’s December 2003 announcement of its Red Flag initiative to encourage the media to adopt standards that would screen out weight-loss advertisements that contain false claims. Preliminary results of this effort are promising. “Through our monitoring, we have seen a decrease in the frequency of false weight loss claims in the media,” said Chairman Majoras. “This tells us that many in the publishing and broadcasting industries are doing the right thing and stepping up their efforts to reject ads like the ones we targeted today. That is good for consumers, good for the media, and good for honest advertisers.”

As part of the Red Flag initiative, the FTC staff has sent reminder letters to media outlets that ran advertisements challenged in the six law enforcement actions announced today. The purpose of these letters is to assist media in identifying and rejecting weight-loss ads that contain facially false claims. The media letters include: (1) a copy of the problem advertisement; (2) a copy of the Commission’s Reference Guide for Media on Bogus Weight Loss Claim Detection; and (3) a description of each Red Flag Claim contained in the problem advertisement.

**Consumer Education**
The FTC is launching a campaign to help consumers spot claims that almost always signal a diet rip-off. Weighing the Evidence in Diet Ads warns consumers to steer clear of diet pills, patches, creams, or other products that offer quick weight loss without diet or exercise; that claim to block the absorption of fat, calories, or carbohydrates; or that promise that consumers can eat all they want of high-calorie foods and still lose weight. Consumers can find more tips on protecting themselves from questionable diet products at http://www.ftc.gov/dietfit.

The FTC has also launched a new "teaser" web site to reach consumers surfing online for weight-loss products. Teaser sites mimic real Web pages, using common buzz words and
making the kind of exaggerated diet claims found on many websites. At first glance, the teaser site appears to advertise a new pill promising to help consumers “Lose up to 10 pounds per week – with no sweat, no starvation!” Once the consumers try to order the product, they learn the ad is actually a consumer education piece posted by the FTC to warn consumers about diet rip-offs. The FTC’s new teaser site can be found at: http://www.wemarket4u.net/fatfoe.

**FTC Law Enforcement Actions**

**Femina, Inc.**

On November 8, 2004, the FTC filed a complaint in the U.S. District Court, Southern District of Florida, against Femina, Inc., based in Pembroke Pines, Florida, and its owner, Husnain Mirza, challenging ads for three products – ”1-2-3 Reduce Fat” (a three-part kit), “Siluette Patch” (a transdermal patch made from pure seaweed), and “Fat Seltzer Reduce” (a dietary supplement). The 1-2-3 Reduce Fat kit includes Xena RX, a diet pill; Reduce Gel Magic, a gel to put on the body; and a plaster corset to wrap around the body. The Xena RX pill purportedly contains green tea extract, and the Magic gel purportedly contains aloe vera and sea algae. The defendants primarily use Spanish-language ads.

The complaint alleges that the defendants make false and unsubstantiated claims: (1) that 1-2-3 Reduce Fat causes weight loss by blocking and eliminating fat; (2) that the green tea extract blocks up to 40 percent of the absorption of fat; and (3) that the aloe vera and seaweed gel eliminates inches of fat.

The complaint also alleges that the defendants make false and unsubstantiated claims that the Siluette Patch: (1) causes substantial weight loss when worn on the body; (2) causes rapid weight loss with no dietary changes; (3) eliminates cellulite and controls metabolism; and (4) eliminates accumulated fat.

The complaint also alleges that the defendants make false and unsubstantiated claims that Fat Seltzer Reduce: (1) causes rapid and permanent weight loss; (2) causes fat to be absorbed and eliminated fast and easily through the urine; and (3) causes weight loss without the need to diet or exercise.

On November 8, 2004, the court entered a temporary restraining order that prohibits the defendants from making false or misleading claims for any weight loss product. The TRO also includes provisions requiring the defendants to maintain records and other evidence, and requiring them to provide an accounting of their sales and other financial information.

**CHK Trading Co., Inc.**

On November 4, 2004, the FTC filed a complaint in the U.S. District Court, Southern District of New York, against two companies – CHK Trading Co., Inc., based in New Jersey, and CHK Trading Corp., based in New York City. The Commission alleged that the corporate defendants and their principal, Chong Kim, market and sell “Hanmeilin Cellulite Cream,” a topical cream which contains Chinese herbs and other all-natural ingredients. Users are told to apply the cream on the buttocks, stomach, and thighs and massage until the cream is completely absorbed. The defendants advertise their product to Spanish-speaking consumers via national advertisements in TeleRevista magazine, as well as to English-speaking and Korean-speaking consumers via their Web sites.

The complaint alleges that the defendants make false and unsubstantiated claims that rubbing Hanmeilin Cellulite Cream into the body: (1) causes permanent weight loss; (2) causes substantial weight loss, including as much as 10 to 95 pounds; and (3) eliminates fat and cellulite.
Natural Products
On November 3, 2004, the FTC filed a complaint in the U.S. District Court, Central District of California, against Natural Products, LLC; All Natural 4 U, LLC; and Ana M. Solkamans. The Tustin, California-based defendants sell a dietary supplement called "Bio Trim," "Body-Trim/Bio-Trim" or "Body-Trim" in capsule and powder form. Users are told to take two capsules with eight ounces of water one half-hour before their two biggest meals, or, if using the powder, users are told to take one half-teaspoon of the powder mix in eight ounces of cold juice 15 minutes before two meals.

The complaint alleges that the defendants make false and unsubstantiated claims that Bio Trim: (1) causes users to lose substantial weight, while eating unlimited amounts of food; (2) causes substantial weight loss by blocking the absorption of fat or calories; (3) works for all overweight users; and (4) is clinically proven to cause rapid and substantial weight loss without reducing calories.

New England Diet Center
On November 4, 2004, the Commission filed a complaint in the U.S. District Court, District of Connecticut, against Bronson Partners, LLC, (doing business as New England Diet Center and Bronson Day Spa), and Martin Howard. The defendants, based in Westport, Connecticut, sold Chinese Diet Tea and the Bio-Slim Patch – purported weight loss products. Users of the Chinese Diet Tea are told to drink one cup of tea after each meal to neutralize the absorption of fattening foods.

The complaint alleges that the defendants make false and unsubstantiated claims that Chinese Diet Tea: (1) causes rapid and substantial weight loss without the need to diet or exercise; (2) enables users to lose as much as six pounds per week over multiple weeks and months without the need to diet or exercise; (3) enables users to lose substantial weight while enjoying their favorite foods; (4) blocks the absorption of fat and calories; and (5) causes substantial weight loss for all users. The complaint further alleges that defendants falsely claim that Chinese Diet Tea is clinically proven to cause rapid and substantial weight loss without exercising or dieting.

The complaint further alleges that the defendants make false and unsubstantiated claims that the Bio-Slim Patch: (1) causes rapid and substantial weight loss without the need to exercise or diet; and (2) causes substantial weight loss when worn on the body.

AVS Marketing, Inc.
On October 27, 2004, the FTC filed a complaint in U.S. District Court for the Northern District of Illinois, Eastern Division, against AVS Marketing, Inc., and William R. Heid. The defendants, based in Thomson, Illinois, sell “Himalayan Diet Breakthrough,” a dietary supplement containing Nepalese Mineral Pitch – “a paste-like material” that “oozes out of the cliff face cracks in the summer season” in the Himalayas. Users are directed to take one tablet with water before lunch, dinner and bedtime.

The complaint alleges that the defendants make false and unsubstantiated claims that Himalayan Diet Breakthrough: (1) causes rapid and substantial weight loss, including as much as 37 pounds in 8 weeks, without the need to reduce caloric intake or increase exercise; (2) causes users to lose substantial weight, including as much as 37 pounds in 8 weeks, while still consuming unlimited amounts of food; (3) causes substantial weight loss, including as much as 37 pounds in 8 weeks, by preventing the formation of body fat; (4) causes substantial weight loss for all users; and (5) enables users to lose safely as much as 37 pounds in 8 weeks.
On October 28, 2004, the court entered a temporary restraining order that prohibits the defendants from making the above claims or any other false or unsubstantiated product claims, and prohibits further sales of Himalayan Diet Breakthrough pending determination of the FTC’s motion for a preliminary injunction. The TRO also includes provisions freezing the defendants’ assets, requiring the defendants to maintain records and other evidence, and requiring the defendants to provide an accounting of their sales and other financial information.

(Federal Trade Commission, 2002)

**Examples of Weight-loss Claims**
The Colorado State University Extension – Nutrition Resources Web site offers consumers effective guiding information related to weight loss products and programs.

- Many diet products and programs offer a quick, short-term fix, but there is no "magic bullet" for weight loss.
- When investigating weight loss products or programs, beware of high costs, pressure to buy special foods or pills, and fraudulent claims.

(Colorado State University Extension, 2008)  

**Examples of Ineffective Diet Products**

- Diet patches. Removed from the market by FDA in the early 1990s because they were ineffective as a diet aid.
- Magnet diet pills. Purportedly flush fat out of the body.
- Certain bulk fillers (such as guar gum) may cause internal obstruction.
- Electrical muscle stimulators. FDA may remove from market if promoted for weight loss.
- Appetite suppressing eyeglasses. Claim colored lenses project image on retina and decrease appetite.
- Magic weight-loss earrings. Supposedly control hunger by stimulating acupuncture points.

(Colorado State University Extension, 2008)

**Weight Loss Products**

Diet drink powdered formulas usually are mixed with a glass of milk and are substituted for one or more meals. Many users of these shakes report feeling constantly hungry and regain the lost weight when they give up the shakes. By relying on shakes, dieters follow artificial dieting methods and avoid learning how to work food into their lives. Many prescription diet medicines have side effects and may not work for long-term weight loss. Over-the-counter pills containing the appetite suppressant PPA (phenylpropanolamine hydrochloride) can raise blood pressure. Over-the-counter pills containing ephedra may cause serious side effects, including dizziness, increased blood pressure or heart rate, chest pain, heart attack, stroke, seizure and even death. Currently, the Food and Drug Administration (FDA) is taking action to limit and/or ban the use of PPA and ephedra in over-the-counter medications and dietary supplements.

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Herbalife Nutritional Program
• **Characteristics:** Replaces 2 meals a day with Herbalife "shakes" and tablets.
• **Strengths:** One meal per day of regular food advocated. Shakes generally include nonfat dry milk.
• **Weaknesses:** Heavy reliance on Herbalife powders and tablets. Suggested rate of weight loss is too high (2 1/2 to 7 1/2 pounds/week).
• **Comments:** Weight loss is never "fun and easy" as claimed. Reliance on a specific product does not teach healthy, lifelong eating habits.

**Mega- Thin/100 Formula**
• **Characteristics:** Drink Mega-Thin formula. Eat according to specified diet. Formula contains "antifat weapon."
• **Weaknesses:** Diet de-emphasized. Behavior modification lacking. Emphasis on speed of weight loss.
• **Comments:** Formula probably contains an appetite suppressant.

Ultra Slim Fast
• **Characteristics:** Weight loss program recommends two shakes/day (powder and milk), a snack and a complete dinner of 500 to 650 calories.
• **Strengths:** Plan encourages regular exercise.
• **Weaknesses:** Promotes use of Ultra Slim Fast Frozen Entrees and snack bars. Does not teach good eating habits.
• **Comments:** Difficult to maintain weight loss once shakes are discontinued.

Nestlé’s Sweet Success
• **Characteristics:** Weight loss program recommends three shakes/day (powder and skim milk), and a complete dinner of 500 to 650 calories.
• **Strengths:** Low-fat, nutrient rich foods are encouraged for dinner.
• **Weaknesses:** Does not promote healthy eating habits.
• **Comments:** Difficult to maintain weight loss once shakes are discontinued.

Diet Pills Containing PPA
• **Characteristics:** Take capsule once or twice a day. Follow diet plan that comes with capsules. Pills suppress appetite, but weight loss occurs from following diet plan. Most brands have a diet plan enclosed. Many of these are good diets.
• **Weaknesses:** Pills produce side effects that have not been adequately studied.
• **Comments:** Weight loss comes from following the diet, not from taking the pills.

Diet Pills Containing Ephedra (also called Ma Huang)
• **Characteristics:** Claims to promote weight loss. Take tablets daily. Recommended number of tablets varies depending on the product manufacturer.
• **Weaknesses:** Pills can produce potentially life-threatening side effects. Side effects have not been adequately studied.
• **Comments:** Ephedra is a central nervous system stimulant that suppresses appetite. Often combined with caffeine, which can increase risk for adverse side effects. Not proven safe or effective for weight loss.

Glucomannan Supplements
• **Characteristics:** Follow 1,000-calorie per day diet and take two capsules before each meal. Claim that capsules reduce appetite and decrease food absorption.
• **Weaknesses:** Claim weight loss of 1/2 to 1 lb/day. Sensational, nutritionally inaccurate presentation.
• **Comments:** Glucomannans are naturally occurring food thickeners. Not yet proven safe or effective. Weight loss probably comes from following the diet.
Chitosan Supplements

- **Characteristics:** Pills contain a dietary fiber derived from the shells of shellfish. Claim that taking the pills will reduce fat absorption, lower cholesterol and promote weight loss. Typical recommendations are to take 2 - 6 grams of chitosan per day, divided into doses of 1 gram with each meal.
- **Weaknesses:** May cause gas, bloating and diarrhea. At high intakes, may interfere with absorption of fat-soluble vitamins.
- **Comments:** Studies have shown weight loss occurs only when chitosan supplements are combined with a low-fat, reduced calorie diet.

Chromium Supplements

- **Characteristics:** Claims that pills will lower blood sugar, reduce body fat, control hunger, reduce cholesterol and triglyceride levels, and increase muscle mass. Supplements are usually available as chromium salts which helps increase the absorption of chromium.
- **Weaknesses:** One form of chromium, called chromium picolinate, may cause adverse side effects, including anemia, memory loss and DNA damage.
- **Comments:** Roughly 50 percent of scientific studies have shown chromium has a beneficial effect, while the remaining studies have shown no effect.

St. John's Wort Supplements

- **Characteristics:** Claims that supplementing with St. John's wort will suppress appetite and promote weight loss.
- **Weaknesses:** Side effects may include gastrointestinal discomfort, tiredness, insomnia and mild allergic reactions.
- **Comments:** According to the Food and Drug Administration, St. John's wort has not been proven safe or effective for weight loss. Not recommended for children, or for pregnant or breast feeding women.

Green Tea Extract Supplements

- **Characteristics:** Pills contain polyphenols, which are extracted from green tea and are thought to be strong antioxidants. May help lower cholesterol and triglycerides, and enhance weight loss.
- **Weaknesses:** Extracts that also contain caffeine may lead to restlessness and/or insomnia.
- **Comments:** More studies are still needed to determine if green tea extracts are beneficial for weight loss. Choose extracts that have a "standardized polyphenol content". People taking aspirin or blood thinning medications should consult their doctor before taking green tea extracts, because green tea extracts may interfere with blood clotting.

Spirulina Supplements (Algae Tablets)

- **Characteristics:** 1) Take tablets as an appetite suppressant before meals, or 2) replace evening meals with 6-10 spirulina tablets, or 3) in a modified fast, take only spirulina and drink juice for several days.
- **Strengths:** Spirulina does contain essential nutrients and can be an acceptable food when used as part of a varied diet.
- **Weaknesses:** Taken in large amounts on top of an adequate diet, spirulina could lead to toxic levels of certain nutrients. Does not teach sound eating habits.
- **Comments:** Tablets are expensive.
Summary
The world of weight-loss contains exaggerations, lies (according to allegations by the US Federal Trade Commission, half truths and mis-truths. As Gail Frank points out,

“A thorough review of popular weight-loss diets included studies on the effect of low-carbohydrate diets, but low carbohydrates had not metabolic advantage for a greater weight loss. Moderate fad diets, which include 20-30% of energy from fat, have often been compared for effectiveness with very-low-fat diets having 10-19% energy from fat. Low-fat diets coupled with caloric reduction have generally produced a great weight loss than lower-fat diets talon, and they appear to be nutritionally balanced. The low-carbohydrate diets seem to be the meal plans earning the most popularity and creating the most controversy [emphasis added]. (2008, page 783-784)"

This means that nutrition educators need to use caution when providing information to clients about the efficacy of any weight-loss program making unsupported claims about the success of their products and services.

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