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# **Diet** Deception

Purposely **Deceptive**  
Marketing Tactics

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## U.S Crack-Down on Diet **Ads**

The Weight Loss Mystery.....	1
The Fad Diet .....	2
Ad Nausea .....	3
The Six Red Flags of Fad Diets .....	4
Testimonials .....	5
Rapid Weight Loss .....	6
A Final Comparison .....	7

## 1.0 The Weight Loss Mystery

Since at least 1900, American consumers have been searching for a safe and effective way to lose weight. As a nation, it has been a losing battle.

Overweight and obesity have reached epidemic proportions. An estimated 61 percent of U.S. adults are overweight or obese, and the trend is in the wrong direction.

Obesity is now the second leading cause of preventable death, after smoking, resulting in an estimated 300,000 deaths per year at a cost (direct and indirect) that exceeds **\$100 billion a year**.

The struggle to shed unwanted pounds usually resolves itself into choosing between responsible products or programs that offer methods for achieving moderate weight loss over time and “miracle” products or services that promise fast and easy weight loss without sacrifice.

Over the course of the last century, popular weight-loss methods have borrowed from previous methods, in an evolutionary fashion.

The table 1.1 lists weight loss methods in order of oldest to newest. Can you see the “evolution” of each new weight loss method?

## **Table 1.1**

- Cellulite creams
- Over-the-counter dietary supplements
- Exercise trends (less work more benefit)
- Doctor-supervised diets
- Commercial diet drinks
- Commercial weight-loss centers
- Weight-loss support groups
- Motivational weight loss “experts”
- Television infomercials
- Fat-free, low-fat, fake-fat, and sugar-free foods
- Surgical Intervention

The truly amazing thing about weight loss...it's not a mystery! As a matter of fact, the “secret” to healthy weight loss has been lectured, debated, and argued within the public sector for decades...it just isn't the “secret” most of us want to hear.

Credible weight-loss experts would agree with this...

“The key to long-term weight management lies in permanent lifestyle changes that include, among

other things, a **nutritious diet at a moderate caloric level and regular physical exercise.**"

Let me make this as clear as possible, because it is your health we are discussing, right?

**Nutritious Diet**

**Moderate Caloric Intake**

**Regular Exercise**

**"In some far off galaxy, I  
could sell this as the secret to  
weight loss success."**

## 2.0 The Fad Diet

If fad diets don't work, why did the National Institute of Health (NIH), in 1994, support the concept of Yo-Yo dieting?

Given the body of knowledge on dieting in 1994, it's easy to see why they fell for what looked like the answer for obese patients.

There are two types of fad diets:

- Well meaning diets that turn out not to work or cause weight loss in unhealthy ways. Remember, losing fat is the only way to lose weight.
- Diets that purposely deceive, the **Deceptive** Diets!

Occasionally, we come across a "Fad Diet Era". This is when a fad diet is more like a concept or theory on weight loss. The result is hundreds of diet variations from this one central idea.

The best example of this occurred between the early Spring of 1994 and the end of 1999 -- **The "Carb" era**. At first, we loved the carb. It was the answer to your growing gut. But then, the carb became the enemy!

Technically, we are still in the "carb enemy" era. It's hard to imagine that the carbohydrate was ever thought of as good...which of course it is.

Nothing in and of itself is bad. It's what we do with it -- abuse that is bad. In our desire for immediate gratification, its easy to see why fad diets work and doctors mistakenly support some -- we don't' want our patients to have to go through a long grueling diet.

People are often willing to try anything that promises to help them lose weight because they want to look or feel better, or because they are worried about the risk of weight-related diseases.

Companies that promote fad diets take advantage of this fact. They appeal to people by promising weight loss that's very quick and easy.

Many people prefer to try the quick fix of a fad diet instead of making the effort to lose weight through long-term changes in their eating and exercise habits.

### **Fad diets work!**

This is the problem. They actually do lead to weight loss...just not the right kind.

We only want to lose weight if fat is lost. Keep muscle.

True diets should be judged based upon fat loss and preserving muscle...your best protection from future weight gain.

This is where Fad diets fail miserably. Quick weight loss comes from muscle loss, dieters inevitably gain weight back.

### **How can I recognize fad diets?**

As a general rule, steer clear of diets or diet products that do any of the following:

- Claim to help you lose weight very quickly (more than 1 or 2 pounds per week). Remember, it took time for you to gain unwanted weight and it will take time to lose it.

- Promise that you can lose weight and keep it off without giving up "fatty" foods or exercising on a regular basis. If a diet plan or product sounds too good to be true, it probably is.
- Base claims on "before and after" photos.
- Offer testimonials from clients or "experts" in weight loss, science or nutrition. Remember that these people are probably being paid to advertise the diet plan or product.
- Draw simple conclusions from complex medical research.
- Limit your food choices and don't encourage you to get balanced nutrition by eating a variety of foods.
- Require you to spend a lot of money on things like seminars, pills or prepackaged meals in order for the plan to work.

### 3.0 Ad-Nausea

Advertisements for weight-loss products and services saturate the marketplace. Many promise instantaneous success without the need to reduce caloric intake or increase physical activity...100% pure deception!

It's illegal.

Interestingly, this is not a new phenomenon. In the last 100 years, various types of weight loss products and programs have gained and lost popularity.

Ranging from the ludicrous, like diet bath powders, to the dangerous, like the fen/phen diet pill combination, every generation has been targeted by weight loss marketers.

The most common weight loss method since the 1900s is the "fat burning" "toxin clearing" "feel young again" pill.

For instance, the popular weight-loss pills during the early 1900s were animal-derived thyroid, laxatives, and the poisons arsenic and strychnine. Once arsenic was deemed unsafe, a synthetic insecticide and herbicide took its place, called dinitrophenol.

This was an amazing drug! Human metabolism would increase so drastically that organs failed, blindness developed and sudden death was not uncommon.

The hormone human chorionic gonadotropin (HCG) became popular in the 1950s for weight loss. It resurfaced recently, **even though the FDA exposed it as not effective for weight loss...based upon numerous studies.**

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This goes to show you how savvy the marketers can be. Without a shred of supporting evidence, the popularity of HCG, as a weight loss method, is at an all time high.

And this is peak in popularity is in spite of a mound of evidence against the use of HCG as a diet aide.

But here is the truly incredible part. We, as consumers, buy it! We demand government protection but when we get it, it's ignored. There will be no huge law suits against HCG...the public has been warned.

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## **The Current Concerns**

There are two broad categories for weight loss ads that concern the government. The first category is made up of ads that are definitely false or deceptive.

The claims made by these ads are so contrary to existing scientific evidence, or so clearly unsupported by the available evidence, that there is little doubt that they are false or deceptive. These ads are not a major concern...they are usually recognized, removed, and prosecuted quickly.

It's the second category, the "Too Good to be True" ads, that are cause for concern. The claims made by these marketers are usually misleading or unsubstantiated, but never totally false. They stretch the truth to a breaking point, but then pull back.

## **Table 2.1**

### **The “Too-Good-to-be-True” Category**

The four types of ads found in this category are...

- Incredible Weight Loss

“Lose a pound a day or more” over extended periods of time.

- No Diet or Exercise Necessary

Substantial weight loss (without surgery) can be achieved without diet or exercise.

- Eat All You Want

Lose weight while eating at all-u-can eat buffets and still lose weight

- Selective Weight Loss

Lose fat in specific parts of the body or take pills that block absorption of all fat in the diet

The report that follows is a brief summary of the index created so far.

Nearly all of the ads reviewed used at least one and sometimes several of the following techniques, many of which should raise **red flags** about the veracity of the claims.

## 4.0 Six Red Flags of Fad Diets

### 1) Consumer Testimonials...Before & After Photos.

The headline proclaimed: "I lost 46 lbs in 30 days." Another blared, "How I lost 54 pounds without dieting or medication in less than 6 weeks!"



The use of consumer testimonials is pervasive in weight-loss advertising. One hundred and ninety-five (65%) of the advertisements in the sample used consumer testimonials and 42% contained before-and-after pictures.

These testimonials and photos rarely portrayed realistic weight loss. The average for the largest amount of weight loss reported in each of the 195 advertisements was 71 pounds.

Fifty-seven ads reported weight loss exceeding 70 pounds, and 38 ads reported weight loss exceeding 100 pounds. The advertised weight loss ranges are, in all likelihood, simply not achievable for the products being promoted.

Thirty-six ads used 71 different testimonials claiming weight loss of nearly a pound a day for time periods of 13 days or more.

An entire section is devoted to testimonials at the end of the book. Why? The marketers have mastered it and we believe them.

The infographic features a central figure of a woman in a red dress, surrounded by various statistics and testimonials. The background is dark blue with orange and white text and graphics.

- 57%** With Nordicalite you see results in just 2 short days!!!
- 65%** Jayne Doe of Eerie, PA lost 43 lbs. in 6 weeks on Nordical Lite...
- 41%** ...you lose weight permanently! Jayne has kept her weight off for over 10 years!
- 44%** The all natural ingredients in Nordicalite make it possible...  
...to lose weight WITHOUT diet or exercise and still eat all your favorite foods!
- 40%** The miracle ingredients in Nordicalite have been tested and proven effective in a major university-based study in Goteberg, Sweden.
- 25%** Nordicalite is approved and endorsed by physicians for use by their patients.

Other visual elements include a calendar showing 'MONDAY 8/9', a photo of a woman pulling down her jeans, a photo of a muscular man, a photo of a doctor, and a photo of a woman in a white lab coat.

## **2) Rapid Weight-loss Claims.**

Rapid weight-loss claims were made in 57% of the advertisements in the sample. In some cases, the falsity of such claims is obvious, as in the ad that claimed that users could lose up to 8 to 10 pounds per week while using the advertised product.

## **3) No Diet or Exercise Required.**

Despite the well-accepted prescription of diet and exercise for successful weight management, 42% of all of the ads reviewed promote an array of quick-fix pills, patches, potions, and programs for effortless weight loss and 64% of those ads also promised fast results.

The ads claim that results can be achieved without reducing caloric intake or increasing physical activity. Some even go so far as to tell consumers “you can eat as much as you want and still lose weight.”

## **4) Long-term/Permanent Weight-loss Claims.**

“Take it off and keep it off” (long term/permanent weight loss) claims were used in 41% of the ads in the sample.

In fact, the publicly available scientific research contains very little that would substantiate long-term or permanent weight-loss claims for most of today’s popular diet products.

Accordingly, long-term or permanent weight-loss claims are inherently suspect.

## **5) Clinically Proven/Doctor Approved Claims.**

Clinically proven and doctor approved claims are also fairly common in weight-loss advertisements, the former occurring in 40% and the latter in 25% of the ads in the sample. Some of the specific claims are virtually meaningless. For example, a representation such as, "Clinical studies show people lost 300% more weight even without dieting," may cause consumers to conclude mistakenly that the clinically proven benefits are substantial, whereas, in fact, the difference between use of the product and dieting alone could be quite small (1.5 lbs. vs. .5 lbs.).

These claims do little to inform consumers and most ads fail to provide consumers with sufficient information to allow them to verify the advertisers' representations.

Moreover, the Federal Trade Commission, in past law enforcement actions, has evaluated the available scientific evidence for many of the *ingredients* expressly advertised as clinically proven, and challenged the weight-loss efficacy claims for these ingredients.

## **6) Natural/Safe Weight-loss Claims.**

Safety claims are also prevalent in weight-loss advertising. Nearly half of all the ads in the sample (42%) contained specific claims that the advertised products or services are safe and 71% of those ads also claimed that the products were "all natural."

## 5.0 Testimonials

Testimonials are growing so fast in popularity among marketers, that I decided a special section was warranted.

Testimonials in weight-loss advertisements appear to serve at least two functions. First, they convey an efficacy claim, *i.e.*, the product works; and second, they attempt to minimize consumer skepticism.

Many potential purchasers of weight-loss products have purchased other weight-loss products that failed. The challenge for the advertiser is to convince the purchaser that this product will work when all the others have not.

One way to do that is to present the purchaser with examples of “real people” just like themselves who have used the product successfully.

Indeed, in some instances, particularly infomercials, the endorser directly addresses viewers to reassure them that the product really worked when all other products and programs failed.

Weight-loss testimonials convey more than a limited message about one person’s experience. They also convey a very convincing claim to consumers that the product is effective and, in some instances, that the product will enable the user to experience similarly dramatic results.

Thus, testimonials can be deceptive in at least three distinct ways.

## 1) Not True (Experience)

The testimonialist may not have experienced the reported result. Testimonials presented with extreme and atypical weight loss as typical or ordinary experiences are likely to be deceptive.

The most common way to address this last issue is through a **disclaimer**.

Seventy (70) of the 195 ads (36%) had some form of disclaimer addressing the issue of whether the reported results are meant to be representative of users of the product or service.

**In only 18 cases (out of 195), the disclaimer was easily linked by the reader to the actual testimonial.**

In the vast majority of advertisements, disclaimers were buried in fine print footnotes or, in video ads, flashed as a video superscript too quickly for viewers to read.

Some of these disclaimers do little to inform consumers that the results reported in the advertisements are, at best, extreme cases, and that consumers should not expect to achieve similar results.

For example, a disclaimer telling consumers that “results may vary” tells consumers almost nothing other than that everyone will not achieve 50 pounds of weight loss.

With one or two notable exceptions, advertisers made no effort to provide specific information about the actual weight loss the average consumer could expect using a particular product.

## 2) Before/After Photos

Before-and-after photos, often appearing with testimonials, are commonly used in weight loss ads. Forty-two-percent (42%) of the ads in this sample contained before-and-after pictures.

More than just graphic consumer testimonials, these pictures try to create an image of what the consumers could accomplish personally if they only used the advertised product.

Before-and-after pictures usually fall into one of two categories:

- (1) The **illustrated** personal testimonial, containing the following elements:
  - **Before Picture** -- Snapshot quality photograph of the subject that incorporates poor posture, neutral facial expression, unkempt hair, unfashionable attire, poor lighting, and washed out skin tones.
  - **After Picture** -- Brightly lit (sometimes studio portrait quality) pose of smiling subject in fashionable, often skimpy, attire, shoulders held back, tummy tucked in, with a stylish hair style and carefully applied makeup.

Eighty-eight percent (88%) of the ads with before-and-after pictures contained illustrated testimonials.

In television spots and infomercials, this type of before-and-after treatment often incorporates a before photograph superimposed over a videotaped segment.

It features the subject after using the advertised product or service.

Another form of before-and-after illustration isolates one portion of a subject's anatomy, usually the waist or buttocks.

To show purported results, they string together a progression of three or more photographs over a period of time.

The string of pictures closely resembles the kind of illustrations found in **medical articles**.

(2) The **clinical comparison** of isolated body portions.

Eleven percent (11%) of the ads with before- and-after pictures featured "clinical" comparison pictures.

Often the only discernable difference in the before picture and the after picture is a change in posture and body control.

In the before picture the subject's shoulders are slumped, the abdominal muscles are relaxed, and the pelvis thrust forward to emphasize body fat.

The after picture shows the subject holding in her abdomen and holding back her shoulders to emphasize lean body mass.

A close examination of the before picture in this type of ad raises the question of whether the subject needed to lose weight and suggests that little or no weight was actually lost.

## 6.0 Rapid Weight Loss Claims

Fifty-seven percent (57%) of the ads in our sample promised rapid weight loss, often claiming that excess weight or fat can disappear in a matter of days or weeks.

Claims in this category range from explicit promises of rapid weight loss...

- "A Quick Weight Loss Plan For People In A Hurry"
- "RAPID WEIGHT LOSS IN 28 DAYS!"
- "Clinically proven to help you lose weight . . . fast"

Or claims for immediate or near immediate results...

- "Starts to work within minutes"
- "Works in one minute"
- "You only have to stay on it 2 DAYS TO SEE RESULTS"

Or promises of weight loss over periods of time, that simply are rapid rates of weight loss, without stating it's fast...

- "YOU CAN LOSE 18 POUNDS IN ONE WEEK!"
- "Lose up to 10 lbs in 48 hours"

The problem with rapid weight loss is this...it's unhealthy. Your body during a time of reduced calories (which is what rapid weight loss is all about) will breakdown muscle before fat.

The last thing you want to happen is lose muscle! Muscle is your best protection from gaining weight back once dieting stops.

If your diet eats away at muscle, it is causing more harm and problems for the future, and should be stopped immediately.

Figure 1: Prevalence of Claims – All Media



This is the final table the U.S research group published and plan to update in 2005.

## 7.0 A Final Comparison

Let's compare the ads from 1992 with the ads of 2003. Note the usage of "power words" and "technical words" in 2003.

It seems each year the marketers and advertisers push the "truth" envelope a little farther.

Where is the breaking point? Quite simply, the more power words used, the more video testimonials played, and the more exclamation points employed, the less substance and possibly down right lies.

### 1992

- Give us a week, we'll take off the weight.
- Finally a plan that really works.
- Guilt free eating from morning till night.
- Just think, now you can indulge in the foods you love, without the guilt.
- In universities across the country, clinical studies prove that four out of five people lost weight.
- It's all the nutrition her body needs and everything she wants to slide into something sexy.

## 2003

- You could lose 8 to 10 pounds per week, easily, . . . and you won't gain the weight back afterwards.
- Reduces body fat deposits in your belly, thighs and butt.
- Lose up to 2 pounds daily...without diet or exercise!
- A natural way to jumpstart your weight loss.
- I lost 120 LBS.
- Pounds come off slowly but steadily.
- In six months I lost 40 pounds, and have maintained my weight for eight months.
- Makes sure that the fat from your last meal leaves your body before being digested.
- An intake of 4000 calories a day can actually help you lose weight instead of gain it.
- The only thermogenic diet supplement that has been clinically proven to increase fat-loss by a phenomenal 38.6 times more than diet and exercise alone.
- A revolutionary thermogenic diet supplement clinically shown to increase fat-loss by an astounding 17 times more than diet and exercise alone.
- Weight loss breakthrough "Do you have 48 hours to lose weight?"
- Lose 10 lbs. and unwanted inches in 48 hours. Guaranteed!

- Can help you achieve weight loss through detoxification in just two days.
- We guarantee that you'll lose between 2 and 8 lbs a week . . . and you won't put the fat back on.
- I lost 68 pounds.
- Clinically proven . . . uses this technology to give you a better body without spending countless hours dieting or working out.
- As you're dieting you'll lose weight in the right places and drop clothes sizes without the dreaded Yo-Yo effect.
- Scientifically formulated to help you achieve your weight loss goals.
- By summer you can lose ten pounds (or more)!
- True weight loss success occurs when you eat right.
- I Cheat! Don't you?
- I learned that losing weight requires much more than just dieting – it takes a whole lifestyle change.
- You could lose up to 10 lbs. this weekend!
- Curbs cravings . . . reduces calorie absorption

Many in the weight loss industry promise effortless, fast weight loss.

Then, through spurious advertising messages touting physiologically impossible weight loss outcomes, they

support this misperception by bombarding Americans with the use of unproven products and services.

**All advertisers, whatever their choice of media, know that only those products and services that help people adopt lifestyles that balance caloric intake with caloric output will prevent and treat the disease of obesity.**

## The Six **Red Flags** of Fad Diets Review

- 1) Consumer Testimonials...Before & After Photos.**  
(Testimonials are fine...when real!)
- 2) Rapid Weight-loss Claims.**  
(These are true claims...it's just not healthy)
- 3) No Diet or Exercise Required.**  
(Lies, lies, lies)
- 4) Long-term/Permanent Weight-loss Claims.**  
(Usually exaggerated results)
- 5) Clinically Proven/Doctor Approved Claims.**  
(But is the doctor a weight specialist, are they paid?)
- 6) Natural/Safe Weight-loss Claims.**  
(Usually, the "natural" products are NOT tested)