



Weight Loss Testimonial Basics

Applicable to Markets That Offer Wellness Products

When it comes to weight loss, there is no magic pill. Weight loss requires a change in lifestyle – namely diet and exercise. Advertisers that choose to use testimonials/endorsements have two choices: Either the results in the ad must be typical of what other consumers can expect to achieve or the ad must clearly and conspicuously disclose the typical results. Important: false and misleading claims can be conveyed in words and in images.

The FTC has been cracking down on misleading and deceptive ads related to weight loss product claims and has therefore compiled a list of seven “gut check claims” to make it easier to spot false weight loss representations. To remain compliant, ensure that all testimonials for weight loss do not contain any of the following statements:

1. The product causes weight loss of two pounds or more a week for a month or more without dieting or exercise.
2. The product causes substantial weight loss no matter what or how much the consumer eats.
3. The product causes permanent weight loss even after the consumer stops using product.
4. The product blocks the absorption of fat or calories to enable consumers to lose substantial weight.
5. The product safely enables consumers to lose more than three pounds per week for more than four weeks.
6. The product causes substantial weight loss for all users.
7. The product causes substantial weight loss by wearing a product on the body or rubbing it into the skin.

Meaningful weight loss requires taking in fewer calories than you use. It’s really that simple. But let’s be honest, it’s not that easy for those wanting to shed unwanted pounds. That’s why ads promising substantial weight loss without diet or exercise are so appealing to those wanting to lose weight. Yet, keep in mind, there is no magic pill. No one will go to bed one night overweight and wake up fit the next. It just doesn’t work that way. So, what does that mean for ACN IBOs wanting to sell weight loss products? Remember that ads that convey substantial weight loss (whether in words or images) without diet or exercise are false and misleading, as are those that promise long-term results without continued effort. Some examples of statements to avoid are:

- “I lost 30 pounds in 30 days – and still ate all my favorite foods.”
- “Lose up to 2 pounds a day without diet or exercise.”
- “Drop four dress sizes in just a month without changing your eating habits.
- “Take it off and keep it off.
- “Block or eliminate fat before your body absorbs it.”
- “I’ve lost 50 pounds and kept it off for 2 years!”

Remember, as with all testimonials, there are to be clear and conspicuous disclaimers. If disclaimers are hard to find, tough to understand, obscured by other elements in the ad, or buried in unrelated details, they don’t meet the “clear and conspicuous” standard. Furthermore, it’s not enough to say “results not typical” or “your results will vary.” The expected average is to be disclosed.

If you have any questions about this or any of our policies,
please contact the Business Ethics Department at businessethics@acninc.com.

We are here to help you.