

IN THE MATTER OF  
NUTRI/SYSTEM, INC.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF  
SECS. 5 AND 12 OF THE FEDERAL TRADE COMMISSION ACT

*Docket C-3474. Complaint, Dec. 22, 1993--Decision, Dec. 22, 1993*

This consent order prohibits, among other things, a Pennsylvania diet program company from misrepresenting the performance or safety of any weight-loss program it offers in the future; requires it to have competent and reliable scientific evidence to back up future claims it makes about weight loss and maintenance; requires it to include, in conjunction with maintenance success claims, the statement "For many dieters, weight loss is temporary"; requires it to disclose to its customers that failure to eat all of the food recommended in the program may put their health at risk; requires it to disclose, if it makes price representations, either all mandatory fees or a list of the additional products or services consumers will need to purchase; and requires it to disclose all material connections between its program and any entity that endorses or evaluates it.

*Appearances*

For the Commission: *Richard Kelly and Matthew Daynard.*

For the respondent: *Judith L. Oldham, Collier, Shannon, Scott & Rill, Washington, D.C. Margaret S. Woodruff, Philadelphia, PA.*

COMPLAINT

The Federal Trade Commission, having reason to believe that Nutri/System, Inc., a corporation ("Nutri/System" or "respondent") has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, alleges:

PARAGRAPH 1. Respondent Nutri/System, Inc., is a Pennsylvania corporation, with its office and principal place of business located at 380 Sentry Parkway, Blue Bell, Pennsylvania.

PAR. 2. Respondent advertises, offers for sale, sells, and otherwise promotes throughout the United States weight loss and weight maintenance services, and products, and makes them available to consumers at its numerous “Nutri/System Weight Loss Centers” nationwide. These products include “food” within the meaning of Sections 12 and 15 of the Federal Trade Commission Act. Through franchised and company-owned centers, respondent is engaged, and has been engaged, in the sale and offering for sale of 1000 to 1500 calorie-a-day weight loss programs to consumers.

PAR. 3. The acts and practices of respondent alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.

PAR. 4. Respondent has disseminated or has caused to be disseminated advertisements for the Nutri/System Weight Loss Program, including but not necessarily limited to the attached Exhibits A through V.

PAR. 5. The advertisements referred to in paragraph four, including but not necessarily limited to attached Exhibits A-K, contain the following statements:

- A. “With Nutri/System I lost 88 lbs. and maintained it.” (Exhibit A)
- B. “When I lost 64 lbs. with Nutri/System I started wearing a size 10. Two years later, I still do.” (Exhibit B)
- C. “With Nutri/System, I permanently lowered my weight 126 lbs.” (Exhibit C)
- D. “With Nutri/System, I said goodbye to 50 lbs. forever.” (Exhibit D)
- E. “I lost 110 lbs., and I really feel good about myself. I will stay this way the rest of my life. Thanks to Nutri/System, thanks to everybody who has supported me.” (Exhibit E)
- F. “FOR THE FIRST TIME IN MY LIFE I WAS ABLE TO LOSE WEIGHT AND KEEP IT OFF. THEY DIDN’T PUT ME ON A DIET, THEY CHANGED MY WAY OF EATING FOR LIFE. NOW I’M 50 POUNDS LIGHTER, AND I FEEL REAL GOOD. NUTRI SYSTEM[ . ] WE SUCCEED WHERE DIETS FAIL YA.” (Exhibit F)
- G. “AND I’LL TELL YOU WHAT, TAKE YOUR TEN POUNDS, YOUR TWENTY, YOUR THIRTY, FORTY, FIFTY, WHATEVER IT IS, AND GO TO A NUTRI/SYSTEM WEIGHT LOSS CENTER. THEY’LL PICK ‘EM UP AND CARRY ‘EM FOR YA, AND YOU’LL NEVER SEE ‘EM AGAIN.” (Exhibit G)

H. "THE NUTRI/SYSTEM Program Helps You Succeed! You can succeed on the NUTRI/SYSTEM Weight Loss Program even if diets have failed you in the past - because we know what you need to succeed!...YOU'LL KEEP THE WEIGHT OFF -- FOR GOOD! We'll help you lose weight and keep it off with our Maintenance Program." (Exhibit H)

I. "If you've ever tried to lose weight, you know what it's like to be frustrated and discouraged. Our commitment here at Nutri/System is to help you eliminate these feelings and keep you on the road to successful, permanent weight loss. You're about to see for yourself why we proudly say, 'We Succeed Where Diets Fail You'." (Exhibit I)

J. "Since losing 45 lbs. with Nutri/System, staying thin is as easy as getting thin. At Nutri/System, I learned that being active not only helps you lose weight faster, it helps you keep the weight off. Nutri/System should know. They've got an activity program designed especially for people who want to lose weight -- permanently." (Exhibit J)

K. "I lost 30 lbs. in 3 months and I feel fabulous. I'm going to stay like this the rest of my life. If there is a way I can help one person or a million of people, I want to tell them try Nutri/System because it does work." (Exhibit K)

PAR. 6. Through the use of the statements contained in the advertisements referred to in paragraph five, including but not necessarily limited to the statements in the advertisements attached as Exhibits A-K, respondent has represented, directly or by implication, that:

A. Nutri/System customers typically are successful in reaching their weight loss goals and maintaining their weight loss either long-term or permanently

B. Nutri/System customers typically are successful in maintaining their weight loss achieved under the Nutri/System diet program.

C. Nutri/System customers typically are successful in reaching their weight loss goals.

PAR. 7. Through the use of the statements contained in the advertisements referred to in paragraph five, including but not necessarily limited to the statements in the advertisements attached as Exhibits A-K, respondent has represented, directly or by implication, that at the time it made the representations set forth in para-

graph six, respondent possessed and relied upon a reasonable basis that substantiated such representations.

PAR. 8. In truth and in fact, at the time respondent made the representations set forth in paragraph six, it did not possess and rely upon a reasonable basis that substantiated such representations. Therefore, respondent's representation as set forth in paragraph seven was and is false and misleading.

PAR. 9. The advertisements referred to in paragraph four, including but not necessarily limited to the attached Exhibits L-N and U, contain the following statements:

- A. "Lose All The Weight You Can For Only \$79." (Exhibit L)
- B. Announcer: "Now, lose all the weight you can at Nutri/System for only \$199. Don't wait, call now." (Exhibit M)
- C. "Lose all the weight you can at Nutri/System and pay only \$1 per pound." (Exhibit N)
- D. "3 BIG DAYS...Right now you've got three big days to save big on the best weight loss program around...ONLY \$19.50...½ OFF OUR INTRODUCTORY PROGRAM." (Exhibit U)

PAR. 10. Through the use of the statements contained in the advertisements referred to in paragraph nine, including but not necessarily limited to the statements in the advertisements attached as Exhibits L-N and U, respondent has represented, directly or by implication, that the advertised price is the only cost associated with losing weight on the Nutri/System Weight Loss Program.

PAR. 11. In truth and in fact, the advertised price is not the only cost associated with losing weight on the Nutri/System Weight Loss Program. There are substantial additional mandatory expenses associated with participation in the Nutri/System program that far exceed the advertised price. Therefore, the representation set forth in paragraph ten was, and is, false and misleading.

PAR. 12. In its advertising and sale of the Nutri/System Weight Loss Program, respondent has represented that the advertised price is the only cost associated with losing weight on the Nutri/System Weight Loss Program. Respondent has failed to disclose adequately to consumers the existence and amount of all mandatory expenses

es associated with participation in the Nutri/System program. This fact would be material to consumers in their purchase decisions regarding the program. The failure to disclose this fact, in light of the representation made, was, and is, a deceptive practice.

PAR. 13. In the routine course and conduct of its business, respondent states during initial sales presentations that consumers will typically reach their desired weight loss goal within the time frame set by respondent's "Nutri/Data" computer program .

PAR. 14. Through the use of the statements described in paragraph thirteen, respondent has represented, directly or by implication, that at the time it made the representation set forth in paragraph thirteen, respondent possessed and relied upon a reasonable basis that substantiated such representation.

PAR. 15. In truth and in fact, at the time respondent made the representation set forth in paragraph thirteen, it did not possess and rely upon a reasonable basis that substantiated such representation. Therefore, the representation set forth in paragraph fourteen was, and is, false and misleading.

PAR. 16. The advertisements referred to in paragraph four, including but not necessarily limited to the attached Exhibits O and P, contain the following statements:

A. "Now, results from a national survey of 2,000 dieters proves Nutri/System is your best choice for weight-loss success. Nutri/System clients report an average weight-loss of 29% more than dieters on other weight-loss programs." (Exhibit O)

B. "Results. Nutri/System. Nutri/System clients report they lose 29% more weight than dieters in other weight-loss programs." (Exhibit P)

PAR. 17. Through the use of the statements contained in the advertisements referred to in paragraph sixteen, including but not necessarily limited to the statements in the advertisements attached as Exhibits O and P, respondent has represented, directly or by implication, that competent and reliable studies or surveys show that Nutri/System customers lose at least 29% more weight than dieters on other weight loss programs.

PAR. 18. In truth and in fact, competent and reliable studies or surveys do not show that Nutri/System customers lose at least 29% more weight than dieters on other weight loss programs. Therefore, the representation set forth in paragraph seventeen was, and is, false and misleading.

PAR. 19. The advertisements referred to in paragraph four, including but not necessarily limited to the attached Exhibit Q, contain the following statements:

A. "Nutri/System Professionals Have What It Takes To Help You Succeed!...A specially trained and certified Nutri/System Nutritional Specialist will give you the one-on-one personal attention you need. She'll listen to your weight loss problems...help you understand them...and give you the assistance you need to reach your weight loss goal." (Exhibit Q)

PAR. 20. In the routine course and conduct of its business, respondent provides or causes to be provided certain employees of Nutri/System Weight Loss Centers with credentials including badges to place on their uniforms that identify them to customers and potential customers as "Certified Nutritional Specialists."

PAR. 21. Through the use of the statements contained in the advertisement referred to in paragraph nineteen, including but not necessarily limited to the statements in the advertisements attached as Exhibit Q, and by the conduct described in paragraph twenty, respondent has represented, directly or by implication, that Nutri/System "Nutritional Specialists" have been certified as specialists in nutrition through an objective determination of their competence in the field of nutrition.

PAR. 22. In truth and in fact, the "certification" procedure used by respondent fails to test or evaluate the Nutri/System "Nutritional Specialist's" competence in applying the basic principles of nutrition. Accordingly, Nutri/System "Nutritional Specialists" have not undergone an objective determination of their competence in the field of nutrition. Therefore, respondent's representation as set forth in paragraph twenty-one was and is false and misleading.

PAR. 23. In the course and conduct of its business, respondent provides its customers with diet protocols that require said custom-

ers, *inter alia*, to come in to one of respondent's weight-loss centers once a week for monitoring of their progress, including weighing in. In the course of regularly ascertaining weight loss progress, respondent, in some instances, is presented with weight loss results indicating that customers are losing weight significantly in excess of their projected goals, which is an indication that they may not be consuming all of the food prescribed by their diet protocol. Such conduct could, if not corrected promptly, result in health complications.

PAR. 24. When presented with the weight loss results described in paragraph twenty-three, respondent on many occasions has not disclosed to the customers that failing to follow the diet protocol and consume all of the food prescribed could result in health complications. This fact would be material to consumers in their purchase and use decisions regarding the diet program. In light of respondent's practice of monitoring people on the program, said failure to disclose was, and is, a deceptive practice.

PAR. 25. The advertisements referred to in paragraph four, including but not necessarily limited to attached Exhibits R and S, contain the following statements:

A. "The Nutri/System Weight Loss Program IS a comprehensive program that has all the essential elements as suggested by the American Medical Association's Council on Scientific Affairs..." (Exhibit R)

B. "Nutri/System includes a 1,000-1500 calories per day eat plan, and provides a comprehensive approach to weight loss that meets the guidelines of the American Medical Association and the Nutritional Standards of the American Heart Association, as well as the principles of the American Dietetic Association..." (Exhibit S)

PAR. 26. Through the use of the statements set forth in paragraph twenty-five, including but not necessarily limited to the statements in the advertisements attached as Exhibits R and S, respondent has represented, directly or by implication, that the Nutri/System Weight Loss Program complies with guidelines for a comprehensive weight loss program issued by the American

Medical Association, the American Heart Association, and the American Dietetic Association.

PAR. 27. In truth and in fact, the Nutri/System Weight Loss Program does not comply with all of the specific elements of a comprehensive weight loss program issued by the American Medical Association, the American Heart Association and the American Dietetic Association. Therefore, respondent's representation set forth in paragraph twenty-six was and is false and misleading.

PAR. 28. The advertisements referred to in paragraph four, including but not necessarily limited to Exhibits T, U and V, contain the following statements:

A. "As seen in *Healthline Magazine* - STANFORD FACULTY MEMBERS RATE NUTRI/SYSTEM #1. Faculty members at Stanford University evaluated America's most popular diets on ten essential components." (Exhibit T)

B. "3 BIG DAYS. Right now you've got three big days to save big on the best weight loss program around. Says who? Says Healthline, a magazine written in collaboration with Stanford Center for Research in Disease Prevention." (Exhibit U)

C. "NUTRI/SYSTEM RATED #1. 100%. A perfect score. Number 1. In a recent comparison of 16 popular diets, that's how Healthline Magazine saw Nutri/System...and only Nutri/System." (Exhibit V)

PAR. 29. Through the use of the statements set forth in paragraphs twenty-eight A and B, including but not necessarily limited to the statements in the advertisements attached as Exhibits T, U and V, respondent has represented, directly or by implication, that the evaluation any rating of the diet programs appearing in the May 1991 issue of *Healthline Magazine*, in the article entitled "Rating the Diets," were conducted or written in collaboration with, and the results thereof approved by, Stanford University, the faculty of Stanford University, and the Center for Research in Disease Prevention of the Stanford University School of Medicine.

PAR. 30. In truth and in fact, the evaluation and rating appearing in the *Healthline* "Rating the Diets" article were not conducted or written in collaboration with, or the results thereof approved by, Stanford University, its faculty, or its Center for Research in Dis-



ease Prevention. Therefore, respondent's representation as set forth in paragraph twenty-nine was and is false and misleading.

PAR. 31. Through the use of the statements set forth in paragraph twenty-eight, including but not necessarily limited to the statements in the advertisements attached as Exhibits T, U and V, respondent has represented, directly or by implication, that respondent had no material connection with the publication of the rating of the diet programs appearing in the May 1991 issue of Healthline Magazine, in the article entitled "Rating the Diets."

PAR. 32. In truth and in fact, respondent did have a connection with the publication of the rating of the diet programs appearing in the May 1991 issue of Healthline Magazine. Prior to publication of the article, respondent paid a sponsorship fee to Healthline for promotion and distribution of the magazine, and received and exercised a right of prior review of the article evaluating diet programs. In advertising the article and rating referred to in paragraph twenty-nine, respondent failed to disclose these facts. These facts would be material to consumers in their purchase decisions regarding the diet program. The failure to disclose these facts, in light of the representation made, was, and is, a deceptive practice.

PAR. 33. In providing advertisements and promotional materials referred to in paragraph four to its individual franchised stores for the purpose of inducing consumers to purchase its weight loss services and products, respondent has furnished the means and instrumentalities to those stores to engage in the acts and practices alleged in paragraphs five through thirty-two.

PAR. 34. The acts and practices of respondent as alleged in this complaint constitute deceptive acts or practices in or affecting commerce in violation of Sections 5(a) and 12 of the Federal Trade Commission Act.

EXHIBIT A

# "With Nutri/System I lost 88 lbs. and maintained it."



"For the first time in my life I was able to maintain my weight loss. I couldn't have done it without Nutri/System. In fact, without them I couldn't have lost weight at all. They showed me why I had trouble in the past: Social situations always upset me — as soon as I was under pressure I binged. Once I understood the problem I was able to lose weight easily. And I've kept it off for 6 months now. Now I'm confident and comfortable around people. I go out at the time I'm a regular social butterfly."

*Sharon Dehn*

The Nutri/System® Weight Loss Program includes a variety of delicious meals and snacks, nutritional and behavioral counseling, light activity, and weight maintenance.

**Don't Wait, Call Today.**

*Our client  
Sharon Dehn  
lost 88 lbs.*



**We Succeed Where Diets Fail You!**

**nutri/system**  
weight loss centers

EXHIBIT A

**nutri/system**  
weight loss centers

ONE-QUARTER PAGE 3 COL. X 10 1/2" (10 7/16" X 10 7/8")  
USAGE OF THIS AD EXPIRES MARCH 1, 1991

Complaint

116 F.T.C.

EXHIBIT B

**I started wearing a size 40.  
Two years later, I still do."**



*"I'd be back in oversized dresses if it wasn't for the wonderful maintenance program at Nutri/System. The counselors were like family to me. Caring and supportive. Always there when I needed them. Thanks to them I'm a perfect 10 now. And I'm staying one."*

*Tammy Gens*

Try the Nutri/System®  
Crave-Free® Weight Loss  
Program that includes a  
variety of delicious meals  
and Crave-Free® control  
snacks, nutritional and  
behavioral counseling and  
light activity and weight  
maintenance.

**Don't Wait,  
Call Today.**

Call over  
Tammy Gens  
1031 64 103

**We Succeed  
Where Diets Fail You.®**

**nutri/system**  
weight loss centers

© 1991 Nutri/System, Inc.

EXHIBIT B

**nutri/system**  
weight loss centers

ONE QUARTER EXPIRES JUNE 1, 1991

EXHIBIT C

**"I permanently lowered my weight 126 lbs.  
I lowered my cholesterol, too."**



*The great thing about Nutri/System is its emphasis on good nutrition and maintenance. They taught me to eat right, so I not only lost weight, I've been able to maintain my weight loss for a year now. Dishes like Chicken Polynesian, Beef Tacos and Thick Crust Pizza aren't just delicious, they're low in cholesterol, as well. Now I feel better. And my doctor says my cholesterol has never been lower. It's added years to my life.*

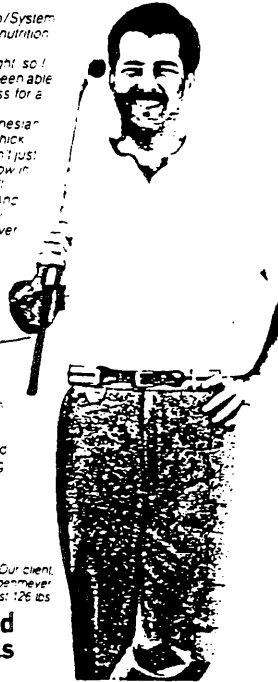
*Tom Lindenmeyer*

The Nutri/System® Weight Loss Program includes a variety of delicious meals and snacks, nutritional and behavioral counseling, light activity, and weight maintenance.

**Don't Wait,  
Call Today.**

*Our client,  
Tom Lindenmeyer  
lost 126 lbs.*

**We Succeed  
Where Diets  
Fail You.®**



ONE GUARANTEED PAGE  
USAGE OF THIS AD EXPIRES MARCH 1, 1991

**nutri/system**  
weight loss centers

EXHIBIT C

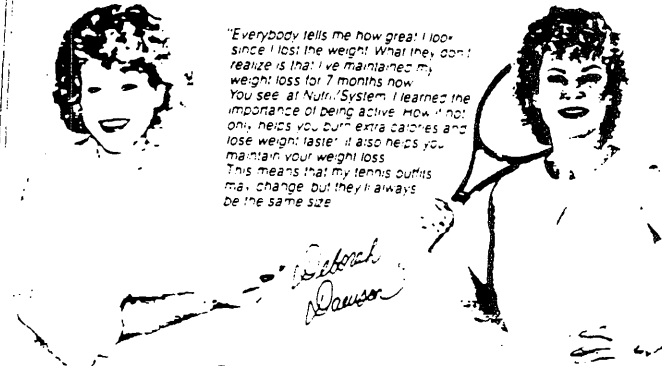
**nutri/system**  
WEIGHT LOSS CENTERS

Complaint

116 F.T.C.

EXHIBIT D

# "With Nutri/System, goodbye to 50 lbs. forever!"



"Everybody tells me how great I look since I lost the weight. What they don't realize is that I've maintained my weight loss for 7 months now. You see at Nutri/System, I learned the importance of being active. How it not only helps you burn extra calories and lose weight faster, it also helps you maintain your weight loss. This means that my tennis outfits may change, but they'll always be the same size."

The Nutri/System® Weight Loss Program includes a variety of delicious meals and snacks, nutritional and behavioral counseling, light activity and weight maintenance.

**Don't Wait,  
Call Today.**

*Outfit:  
Deborah Dawson  
lost 50 lbs.*

**We Succeed  
Where Diets  
Fail You!**



**nutri/system**  
weight loss centers

F 0004647

EXHIBIT D

**nutri/system**  
weight loss centers

ONE-QUARTER LIT  
 USAGE OF THIS AD  
 3 COLA BOTTLES  
 PIPRES MARCH 1, 1991

1408

Complaint

EXHIBIT E

**nutri/system** Nancy/Candid "THANKS" - 30 SEC. TV



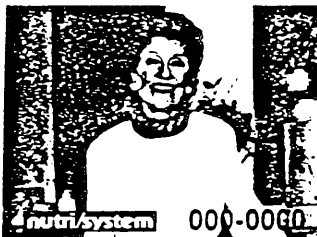
VO  
This is me, Nancy Mecozzi, before Nutri/System.



LIVE  
And this is me now. I lost 110 lbs., and I really feel good about myself.



I will stay this way the rest of my life.



Thanks to Nutri/System, thanks to everybody who has supported me.



I promise that.



TIME AVAILABLE FOR LOCAL TAG 7 seconds

USE OF THIS COMMERCIAL EXPIRES JUNE 1, 1991

Complaint

116 F.T.C.

## EXHIBIT F

"Live-On-Tape" Spring 1990

Starring Rita Bodine



Rita Bodine adds a new flare to Nutri/System radio. Her humorous charm moves people to the phone by creating visual real life pictures.

Rita Bodine is currently a DJ in the Richmond, Virginia area. She has successfully generated leads for corporate markets for over 2 years.

Ideal for country music formats or for a new twist for current live-on-tape stations.

Here's a sample spot:

RTA BODINE - SPOT #21

HI, THIS IS RITA BODINE FOR NUTRI/SYSTEM. EVERYBODY NEEDS A NICE VACATION AND WE ARE NO EXCEPTION. SO EVERY SUMMER WE TAKE THE FAMILY TO THE LAKE. THIS WILL BE THE FIRST YEAR WE'LL HAVE TO TAKE A BEACH UMBRELLA WITH US. SEE, MY BABIES ARE FAIR SKINNED SO I NEED A PLACE TO KEEP 'EM OUT OF THE SUN? UP UNTIL THIS YEAR, I'D JUST LAY ON MY SIDE AND THE ENTIRE FAMILY COULD USE MY SHADE. COURSE MY BACK ALWAYS LOOKED LIKE A LOBSTER AFTER. BUT THAT'S JUST ONE OF LIFE'S LITTLE SACRIFICES MOM'S MAKE. THIS YEAR, I'M NOT EVEN THROWIN ENOUGH SHADE FOR THE SAND FLEAS TO TAKE A FIESTA IN. NOT ONLY THAT, I MADE A BEACH BAG OUT OF MY OLE BATHIN SUIT WITH A SKIRT. AND GOT ONE THAT'S CUT UP REAL HIGH? AND I LOOK GOOD IN IT, I TAKE THAT BACK, I LOOK GREAT IN IT. AND I OWE IT ALL TO NUTRI/SYSTEM. FOR THE FIRST TIME IN MY LIFE I WAS ABLE TO LOSE WEIGHT AND KEEP IT OFF. THEY DIDNT PUT ME ON A DIET, THEY CHANGED MY WAY OF EATING FOR LIFE. NOW I'M 50 POUNDS LIGHTER, AND I FEEL REAL GOOD. NUTRI SYSTEM WE SUCCEED WHERE DIETS FAIL YA.

P 0000000

CONFIDENTIAL

© Nutri/System, Inc. 1990

EXHIBIT F

1408

Complaint

EXHIBIT G

"Live-On-Tape" Spring 1990

Starring Harve Allen



Harve Allen has been working with Nutri/System radio for over four years. First as an account executive for a leading Seattle radio station, and then as an on-air spokesman.

Harve knows what it takes to make the phones ring — and keep in on those elements with every spot.

Here's a sample spot:

HARVE ALLEN - SPOT #36

THIS IS HARVE ALLEN WITH A NUTRI/SYSTEM UPDATE FOR YOU. NOW PICTURE THIS. YOU'RE IN THE STORE BUYING GROCERIES. RIGHT? YOU GET OUT INTO THE PARKING LOT AND YOU'RE CARRYING A 20 POUND SACK OF POTATOES AND YOU'RE GOING. GEEZ. THIS THING'S VERY HEAVY. SOMEBODY COMES UP AND SAYS, "HERE, LET ME CARRY THOSE FOR YOU". YOU GO WOW, THANKS. AND YOU FEEL A LOT BETTER. DON'T YA? YOU BET. NOW, IF YOU WANT TO LOSE 20 POUNDS OFF YOUR BODY. YOU GO TO A NUTRI/SYSTEM WEIGHT LOSS CENTER. AND THEY'RE GONNA SAY, "HERE, WE'LL TAKE THOSE FOR YA", AND YOU'RE GONNA GO. GEEZ. THANKS. I FEEL A LOT BETTER. YOU WILL. IN SIX WEEKS. I LOST 25 POUNDS ON THE NUTRI/SYSTEM WEIGHT LOSS PROGRAM. OH. AND I LOOK BETTER. I FEEL BETTER. IT GIVES YOU A WHOLE NEW OUTLOOK ON LIFE. AND I'LL TELL YOU WHAT, TAKE YOUR TEN POUNDS. YOUR TWENTY. YOUR THIRTY. FORTY. FIFTY. WHATEVER IT IS. AND GO TO A NUTRI/SYSTEM WEIGHT LOSS CENTER. THEY'LL PICK 'EM UP AND CARRY 'EM FOR YA. AND YOU'LL NEVER SEE 'EM AGAIN.

F 0000000



Complaint

116 F.T.C.

EXHIBIT H

since I lost 92 lbs. with Nutri/System."

**THE NUTRI/SYSTEM<sup>®</sup> Program Helps You Succeed!**  
 You can succeed on the NUTRI/SYSTEM Weight Loss Program even if diets have failed you in the past - because we know what you need to succeed! We offer you a comprehensive program of professionally supervised, calorie-controlled meals, personalized counseling and support, and mild activity - plus a maintenance plan to help you keep the weight off for good.

**You'll Receive Nutrition and Behavior Counseling**

Do you overeat when you're angry and depressed? The NUTRI/SYSTEM Program features Behavior Breakthrough classes that provide continuing encouragement and support to combat overeating. Our Behavior Breakthrough Counselors will help you identify bad eating habits and learn healthier new ones.

**You'll Enjoy Delicious, Slimming Meals**

The NUTRI/SYSTEM high-flavor meal plan offers you foods that are high in flavor and texture and nutritionally



Our client, Theresa Turner, lost 92 lbs. "I never thought I could wear tight jeans, short skirts or anything snazzy. But thanks to Nutri/System I can! They did more than help me lose weight; they helped me develop a positive attitude. They gave me ego & real life. Now I not only have the body I want, but I also have the confidence."

*Theresa Turner*

balanced. You'll enjoy three full meals a day, plus three snacks—including dishes like Lasagna, Thick-Crust Pizza,

Beef Stroganoff and many other desserts! You'll never feel hungry or deprived.

**You'll Benefit From Easy Light Activity**

Light activity helps you firm and tone your body, lose weight faster and maintain your weight.

**You'll Keep The Weight Off For Good!**

We'll help you lose weight - and keep it off with our Maintenance Program.

**Get A Free, No-Obligation Weight Loss Analysis Today!**

Stop by today for your free, no-obligation weight loss consultation. Bring a coupon below and receive a free NUTRI/DATA<sup>®</sup> Computerized Weight Loss Analysis. Find out your ideal weight - and how soon you can expect to reach it. And ask how the NUTRI/SYSTEM Weight Loss Program can help you lose weight now - for good!

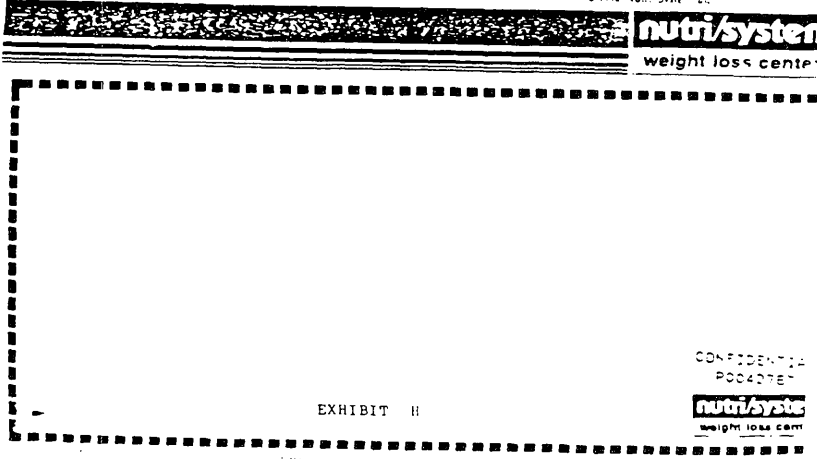
**We Succeed**

**Where Diets Fail You**

As people say, "it does an individual's weight."

© 1990 Nutri/System, Inc.

**nutri/system**  
 weight loss center



CONFIDENTIAL  
 P0040787

**nutri/system**  
 weight loss center

EXHIBIT H

**nutri/system**

*Welcome  
to the  
Nutri/System  
Program*



CONFIDENTIAL  
POC23602

"We Succeed Where Diets Fail You."

EXHIBIT I-2

them off and lead a happier, healthier life. If you've ever tried to lose weight, you know what it's like to be frustrated and discouraged. Our commitment here at Nutri System is to help you eliminate these feelings and keep you on the road to successful, permanent weight loss. You're about to see for yourself why we proudly say, "We Succeed Where Diets Fail You."

Welcome to the Nutri System family, the largest, most successful professionally supervised weight loss program in the world. We know that losing weight isn't easy. But you couldn't have picked a more understanding partner to help you achieve success. Since 1971, Nutri System has helped millions like you to lose unwanted pounds. And we'll stay with you to help you keep



Complaint

EXHIBIT J

**"Since losing 45 lbs. with Nutri/System, staying thin is as easy as getting thin."**



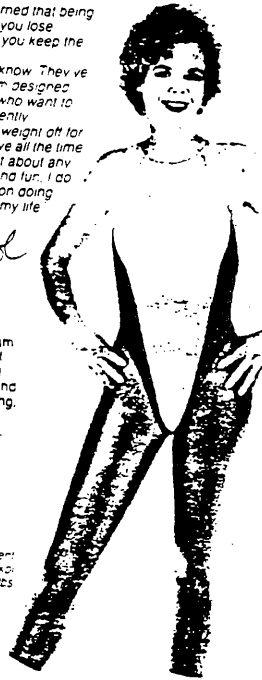
"At Nutri/System, I learned that being active not only helps you lose weight faster, it helps you keep the weight off. Nutri/System should know. They've got an activity program designed especially for people who want to lose weight — permanently. Because I've kept the weight off for 7 months now, I'm active all the time walking, swimming, just about any activity that's healthy and fun. I do. And I'm going to keep on doing them for the rest of my life.

*Lynn Sokol*

The Nutri/System® Weight Loss Program includes a variety of delicious meals and snacks, nutritional and behavioral counseling, light activity, and weight maintenance.

**Don't Wait,  
Call Today.**

Our client  
Lynn Sokol  
lost 45 lbs.



**We Succeed  
Where Diets  
Fail You.®**

USAGE OF THIS AD EXPIRES MARCH 1, 1991

**nutri/system**  
weight loss centers

EXHIBIT J

nutri/system  
weight loss centers

