



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Bureau of Consumer Protection
Division of Advertising Practices

November 17, 2015

VIA EMAIL

[RECIPIENT AND ADDRESS]

RE: Weight-Loss Claims on Your Website

Dear [RECIPIENT]:

Staff of the Federal Trade Commission has reviewed marketing claims on your website [NAME/LINK] relating to weight loss. Your site contains claims of extraordinary weight loss that do not appear to be supportable by scientific evidence. FTC staff requests you review all claims you are making for your products and evaluate your support for those claims in light of the principles discussed in this letter. That includes expert and consumer testimonials. If your claims are not supported as set forth below, you should delete or revise them immediately.

Please notify us within 48 hours via email to healthproducts@ftc.gov of the specific actions you will take to address our concerns. FTC staff has copied and preserved the pages of your website and will revisit it within 48 hours after you have notified us of the changes you have made.

Deceptive Advertising Claims are Illegal

It is unlawful to advertise that a product causes weight loss unless you possess well-controlled human clinical studies of the product, or a substantially similar product, substantiating that the claims are true. Such studies must be randomized, double-blind, and placebo-controlled, and conducted by researchers who are qualified by training and experience to conduct such studies. *See, e.g., FTC v. Nat'l Urological Group, Inc.*, 645 F. Supp. 2d 1167, 1190, 1202 (N.D. Ga. 2008), *aff'd*, 356 Fed. Appx. 358 (11th Cir. 2009); *FTC v. SlimAmerica, Inc.*, 77 F. Supp. 2d 1263, 1274 (S.D. Fla. 1999); *Schering Corp.*, 118 F.T.C. 1030, 1080, 1115-16 (1991). Consumer testimonials are not sufficient evidence to support a weight-loss claim.

In addition, if advertisements contain endorsements or testimonials, they must be honest and not misleading. For example, a claim that an endorser lost forty pounds must be supported by evidence that the endorser actually lost forty pounds *and* by human clinical testing showing that your product can cause that much weight loss. If the endorser lost more than would be expected, you must clearly and conspicuously disclose the generally expected result from using your product. You also must disclose any connection or relationship between you and an endorser that may affect how a consumer would evaluate the endorsement. *See [Federal Trade Commission's Guides Concerning Use of Endorsements and Testimonials in Advertising](#)*.

Violations of the FTC Act may result in legal action in the form of a federal district court injunction or administrative order. An order may require you to pay back money you obtained from consumers. You can visit our [Dietary Supplement webpage](#) to read about some recent actions regarding false and unsubstantiated claims made for dietary supplements.

Sincerely,

Karen Mandel
Attorney
Federal Trade Commission