

# Guidelines for identification of Weight Loss Fraud and Quackery

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Fraudulent weight loss products and programs often rely on unscrupulous but persuasive combinations of the message, program, ingredients, mystique and method of availability. A weight loss product or program may be fraudulent if it does one or more of the following.

## MESSAGE

- Claims or implies a large, fast weight loss — often promised as easy, effortless, guaranteed or permanent. (Recommended loss for most people is no more than two pounds per week.)
- Implies weight can be lost without restricting calories or exercising, and discounts the benefits of exercise.
- Uses typical quackery terms such as: miraculous, breakthrough, exclusive, secret, unique, ancient, accidental discovery, doctor developed.
- Claims to get rid of “cellulite.” (Cellulite does not exist and reference to it is a red flag warning of fraud or misinformation.)
- Relies heavily on undocumented case histories, before and after photos, and testimonials by “satisfied customers” (who are often paid for testimony which is written by the advertiser).
- Misuses medical or technical terms, refers to studies without giving complete references, claims government approval.
- Professes to be a treatment for a wide range of ailments and nutritional deficiencies as well as for weight loss.
- Makes claims that are not stated on the label.

## PROGRAM

- Promotes a medically unsupervised diet of less than 1000 calories per day.
- Diagnoses nutrient deficiencies with computer-scored questionnaire and prescribes vitamins and supplements (rather than a balanced diet). Recommends them in excess of 100% of Recommended Dietary Allowance.
- Requires special foods purchased from the company rather than conventional foods.
- Promotes aids and devices such as body wraps, sauna belts, electronic muscle stimulators, passive motion tables, ear stapling, aromatherapy, appetite patches and acupuncture.
- Promotes a nutritional plan without relying on at least one counselor or author with nutrition credentials. (Many who self-identify as “nutritionists” have no credentials. Licensed nutritionists, nutrition educators and dietitians do. The

science of nutrition is taught only through college Family Consumer Science, Dietetics and related departments.)

- Fails to state risks or recommend a medical exam.

## INGREDIENTS

- Uses unproven, bogus or potentially dangerous ingredients such as dinitrophenol, spirulina, amino acid supplements, glucomannan, human chorionic gonadotrophin hormone (HCG), diuretics, slimming teas, echinacia root, bee pollen, fennel, chickweed, ephedra and starch blockers.
- Claims ingredients will block digestion or surround calories, starches, carbohydrates or fats, and remove them from the body.

## MYSTIQUE

- Encourages reliance on a guru figure who has the “ultimate answers.”
- Grants mystical properties to certain foods or ingredients.
- Bases plan on faddish ideas, such as food allergies, forbidden foods, blood type or “magic combinations” of foods.
- Declares that the established medical community is against this discovery and refuses to accept its miraculous benefits.

## METHOD OF AVAILABILITY

- Is sold by self-proclaimed health advisors or “nutritionists,” often door-to-door, in “health food” stores, or a chiropractor’s office.
- Distributes through hard-sell mail order advertisements, television infomercials, or ads that list only a toll-free number without any address, indicating possible Postal Service action against the company.
- Demands large advance payments or long-term contracts. (Payment should be pay-as-you-go, or refundable.)
- Uses high pressure sales tactics, one-time-only deals, or recruitment for a pyramid sales organization. Displays prominent money-back guarantee. (A common complaint against such companies is that this is an empty promise and they do not honor their guarantees).

Questions and complaints should be directed to your State Attorney General’s Office, Consumer Affairs. Other agencies concerned with fraud are the FDA, FTC, Postal Service and Better Business Bureau.

*Excerpted from Weight Loss Fraud and Quackery, by Francie M. Berg. Copyright 1995. Healthy Weight Network, Hettinger, ND. [www.healthyweight.net](http://www.healthyweight.net)*