

1 MR. BEALES: Well, we've come to the end of a
2 very busy and, I think, productive day. I'd like to
3 thank everybody who came and participated on the panels,
4 who volunteered their time to address what really is a
5 critical public health issue, and I'd like to thank the
6 individuals and groups who filed comments about what can
7 be done to reduce deception in ads for weight loss
8 products.

9 I'd particularly like to thank the media groups
10 for their willingness to come to the table and initiate
11 this discussion of what we can do together in order to
12 reduce this problem, and I hope that that dialogue can
13 continue.

14 The science panel has given us a lot of
15 valuable input. Participants expressed their views that
16 a number of common weight loss claims are not
17 scientifically feasible. Once we've had a chance to
18 review those opinions, I would hope that we can put
19 together a list that will offer guidance on the kinds of
20 claims that are legally false. Our goal is to simplify the
21 task of identifying the most egregious ads.

22 We hope that such a list can be a starting
23 point for specific, concrete, self-regulation by both the
24 industry and the media.

25 To responsible members of the weight loss

1 industry, I think we can agree that a number of bad
2 apples harm the reputation of those of you who sell
3 products and services that actually help consumers lose
4 weight. You try to meet your legal obligations to
5 substantiate advertising claims. We hope you will work
6 together towards some form of meaningful industry self-
7 regulation that can help weed out the wrongdoers and
8 instill consumer confidence in this product category.

9 To media outlets, we hope that you, too, will
10 join our efforts to reduce fraudulent weight loss claims.
11 We aren't looking for elaborate review procedures. Even
12 a simple reading to reject obviously false claims can
13 make a tremendous difference. Our goal is that if next
14 year we repeat the weight loss survey issued in
15 September, we'll see far fewer ads where we can say,
16 without any further inquiry, this ad is almost certainly
17 false.

18 We appreciate that there will always be gray
19 areas in media clearance, there will always be ad
20 interpretation issues. But that doesn't mean that we
21 should simply ignore the cases that really are black and
22 white. As we found in the weight loss report, an
23 alarming fraction of advertising is making black and
24 white claims, and all too many of them are black. Those
25 we can do something about.

1 One of the most valuable assets of any media
2 outlet is the public's trust, that it is a balanced,
3 reliable source of information. Don't let scam artists
4 take advantage of that hard-earned trust by using you as
5 a conduit for fraud.

6 To those engaged in the kind of marketing
7 that's been the focus of today's workshop, I'd like to
8 remind them that it's well-settled truth-in-advertising
9 law that requires competent and reliable scientific
10 evidence to back up claims, and if they don't have that,
11 they can expect to see us in less friendly venues than
12 this one.

13 The FTC's brought close to 100 cases in recent
14 years against the marketers of deceptive weight loss
15 products and we will continue to bring cases. But if the
16 only result of today's workshop is more and more FTC law
17 enforcement actions against more and more sellers of
18 bogus diet products, then perhaps we've all failed
19 America's consumers. We think the standards should be
20 higher than that. We need law enforcement, we need
21 consumer education and those efforts should continue.
22 But we also need your cooperation to prevent obviously
23 false ads from reaching consumers in the first place.

24 We all have a role to play in encouraging
25 truthfulness and accuracy in advertising. You have my

1 pledge that the FTC will continue to fight fraud in
2 weight loss advertising, and I hope we can count on you
3 to do your part as well. Again, thank you for coming and
4 thank you for the time and effort you've devoted to this
5 project.

6 **(Whereupon, at 4:45 p.m., the workshop was**
7 **concluded.)**

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1 C E R T I F I C A T I O N O F R E P O R T E R

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MATTER NUMBER: P024527

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CASE TITLE: WEIGHT LOSS ADVERTISING WORKSHOP

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DATE: NOVEMBER 19, 2002

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I HEREBY CERTIFY that the transcript contained
8 herein is a full and accurate transcript of the notes
9 taken by me at the hearing on the above cause before the
10 FEDERAL TRADE COMMISSION to the best of my knowledge and
11 belief.

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DATED: DECEMBER 2, 2002

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SONIA GONZALEZ

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C E R T I F I C A T I O N O F P R O O F R E A D E R

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I HEREBY CERTIFY that I proofread the transcript for
21 accuracy in spelling, hyphenation, punctuation and
22 format.

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ELIZABETH M. FARRELL