



WEIGHT LOSS CLAIMS

WHAT IS PERMITTED? WHAT IS PROHIBITED?

DIRECT SELLING

KEY REGULATORY BODIES/WATCHDOG GROUPS

- Federal Trade Commission (FTC)
- Food and Drug Administration (FDA)
- Direct Selling Self-Regulatory Council (DSSRC)
- State Attorneys General (AG)
- Local Better Business Bureau (BBB)
- TruthInAdvertising.org (TinA)

FTC GUIDANCE ON WEIGHT LOSS CLAIMS

- **Prohibited**

- A company cannot make any objective claim that is not supported by scientific proof.
- Before and after photos that are not accompanied by a disclaimer which tells the consumer what they can reasonably expect.
- Any claim that you can lose weight without exercise and/or regulating your calorie intake .
- Any claim that weight loss will be permanent.
- Any claim that a product will block the absorption of fat or calories.
- Any guarantee that significant weight loss (more than 3 pounds per week) can be done safely and effectively.
- Any claim that a product results in significant weight loss for all product users.
- Anything that causes weight loss by wearing a product on the body or applying it to the skin.

- **Permitted**

- Claims supported by competent and reliable scientific evidence.
- More general claims, such as: promotes a healthy lifestyle along with proper diet and regular exercise

TLC POLICIES & PROCEDURES §7.2

7.2 Product Claims

LCs must not make any claims, including personal testimonials, as to therapeutic, curative or beneficial properties of any TLC products separate from those TLC has approved, as identified in the product fact sheet called “Facts You’ll Feel” or “FYF”. In particular, no LC may make any claim that TLC products are useful in the cure, treatment, diagnosis, mitigation or prevention of any diseases or signs or symptoms of a disease. Not only do such claims violate TLC policies, but they potentially violate applicable laws, including, but not limited to, the Federal Food, Drug, and Cosmetic Act and Federal Trade Commission Act. When speaking about TLC’s products, an LC should always disclose his or her relationship with TLC through a hashtag (e.g., “#TLCLifeChanger”), or other statement. LCs should be honest in their testimonial personal experience and assert that they are not claiming that their experience is the typical result experienced by consumers. Such testimonials should be accompanied by a disclaimer indicating that any claimed results are not typical, and disclosing the typical results with regard to the product as established in TLC’s FYF. Unless specifically warranted in the FYF LCs must not guarantee any results from the use or consumption of TLC products and services.

TLC'S ADVERTISING POLICY – WEIGHT LOSS

- Include the TLC weight loss disclaimer in every weight loss post on any platform, somewhere that people can easily see and read it:

Individual results not guaranteed and may vary from person to person. When used in combination with a low calorie, balanced diet, and regular physical activity, this product may aid in healthy weight management.

- Limit weight loss claims to no more than 2.5 lbs/week or 15 lbs total.
- Include information about eating a healthy diet, limiting calories, and increasing physical activity when making any weight loss claims.
- Make sure you only use before and after pictures that feature the person: (1) wearing the same (or similar) clothes in all pictures; (2) striking the same pose; and (3) in the same angle and lighting.
- Make claims that are true and not misleading!

DISCLAIMERS – GOOD, BUT NOT A PERFECT SOLUTION

- The FTC guidance states that a disclaimer is required every time:
 - A person claims that they lost more than 2 pounds a week for more than a month
 - A person lost more than 15 lbs. in a month.
- The disclaimer cannot just say “results may vary.” Instead, it should provide guidance of what a consumer can reasonably expect.
- The disclaimer should ideally be based on product data, but it may be sufficient to describe the effectiveness of the product generally.
- If a potential health claim is made about a dietary product, you **MUST** add the FDA DHSEA disclaimer and any other applicable disclaimers:
 - *These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.*
 - *Not intended for use by children. If you are pregnant, nursing or taking medications, consult your physician prior to use.*

PROPER WEIGHT LOSS CLAIM + DISCLAIMER EXAMPLE:

Statement: After one week of drinking Iaso Tea, I lost 3 pounds!

Sample Disclaimer: *This product is intended to support a healthy lifestyle through regular exercise and healthy diet. Results may vary. Consult your healthcare professional about your unique medical needs before consuming any dietary supplement.*

OR

Individual results not guaranteed and may vary from person to person. When used in combination with a low calorie, balanced diet, and regular physical activity, this product may aid in healthy weight management. Consult your healthcare professional about your unique medical needs or before consuming any dietary supplement.

PROPER WEIGHT LOSS PRODUCT CLAIM + DISCLAIMER:

Statement: After one week of drinking Iaso Tea, I lost 3 pounds! Plus, I haven't been constipated since I started drinking this product!

Sample Disclaimer:

This statement has not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, mitigate or prevent any disease.

Not intended for use by children. If you are pregnant, nursing or taking medications, consult your physician prior to use.

Individual results not guaranteed and may vary from person to person. When used in combination with a low calorie, balanced diet, and regular physical activity, this product may aid in healthy weight management. Consult your healthcare professional about your unique medical needs or before consuming any dietary supplement.

TLC'S "HERO" PRODUCT – IASO TEA

DON'T SAY:

- Iaso Tea is a "weight-loss" tea.
- Iaso Tea is a "detox" tea.
- Iaso Tea is a "magic" solution.
- Iaso Tea is a "miracle" product.

DO SAY:

- Iaso Tea provides a gentle cleanse which, when combined with a sensible diet and regular exercise, may aid in healthy weight management.

TESTIMONIES – BEFORE/AFTER PHOTOS: DO'S

- All personal testimonies and before/after photos should include the following:
 - Amount of time it took to lose the weight
 - What TLC products were used
 - What changes to diet were made
 - Type of exercise, changes in exercise or addition of exercise to daily routine
 - If TLC product is a dietary supplement, include the FDA DHSEA disclaimer as well as a weight loss disclaimer

TESTIMONIES – BEFORE/AFTER PHOTOS - INCORRECT

Example:



- Product Claim - “Lose 5 lbs in 5 Days”
 - Goes against both FTC rules and recommended medical guidance
- Weight Loss Claim - “Big Matt, 170 lbs Lost!!”
 - Does not include how long it took to lose that amount of weight
 - Does not indicate any changes in diet
 - Does not indicate exercise routine
 - Implies results were solely due to product
 - Does not include a disclaimer

TESTIMONIES – BEFORE/AFTER PHOTOS - **INCORRECT**

Example:



- The Facebook page indicates she is a Life Changer who is using TLC products
- The photo series shows a transformation
- No qualifying information
 - Does not include the amount of weight lost
 - Does not include how long it took
 - Does not specify products
 - Does not indicate any changes in diet
 - Does not indicate exercise routine
 - Does not include a disclaimer

TESTIMONIES – BEFORE/AFTER PHOTOS - **INCORRECT**


Example:



- The Good
 - Includes the amount of weight lost – 12 lbs
 - Includes how long it took – 2 ½ months
 - Includes products
- The Not So Good
 - Does not indicate any changes in diet
 - Does not indicate exercise routine
 - Does not include a disclaimer

TESTIMONIES – BEFORE/AFTER PHOTOS - CORRECT

Example:



Maria DiGrazia
Maria lost **41 pounds** over 5 months.*

"Life before I started this health journey was exhausting. Everything I did was mentally and physically draining. When I take the products, I feel more inclined to make better food choices and plan things better. I stopped feeling sorry for myself and started trying to be a better mom and a better me."

She used **NutraBurst®**, **NRG**, **Iaso®** **Original Brew Tea**, **Resolution Drops** and **Life Drops**.*

*Individual results are not guaranteed and may vary from person to person. Taking TLC Products is not a substitute for a reduced-calorie diet and exercise if you are trying to lose weight. You should always consult a physician before starting any weight loss or fitness regime.

- Weight Loss Claim - "Lost 41 lbs"
 - Weight loss occurred over 5 months
 - Amount is a little over 8 lbs per month
 - Lists products used
 - Indicates she made better food choices
 - Implies exercise
- Includes a disclaimer at the bottom, which is visible and in close proximity to the post.

KEY TAKEAWAYS

- When making a weight loss claim, back it up with objective evidence.
- In addition to the amount of weight lost, include how long it took, what products were used, the changes to diet made and what type of exercise was incorporated.
- When discussing weight loss, **always** include a disclaimer.
- Never claim that the amount of weight loss was due solely to the products.
- Always emphasize the necessity of diet and exercise when trying to lose weight.
- Avoid making weight loss claims based on a specific product or an ingredient or component of a product unless backed by scientific evidence.

Example: “Nutraburst has amino acids so that is going to help you lose weight.”

- Amino acids, in general, have no direct effect on weight loss. However, some amino acids have been proven to provide more energy which can be expended during a workout and may result in weight loss.
- If you experienced other benefits in addition to weight loss, remember that any product claims must only reflect what TLC has approved as shown on the product fact sheets called “Facts You’ll Feel” found for each product on TLC’s corporate website under “Products”. These claims should also include the FDA DHSEA disclaimer (e.g., <https://totallifechanges.com/facts-youll-feel-watermelon-iaso-instant-tea/>).