

Practical Law The Journal Interviews Partner Christie Grymes Thompson on Substantiating Health Claims in Ads

November 1, 2011

In the "GC Agenda" section of *Practical Law The Journal*, partner Christie Grymes Thompson provided commentary regarding a recent large Federal Trade Commission (FTC) settlement that indicates stricter enforcement of unsubstantiated health claims.

In September, the FTC fined Reebok \$25 million dollars for unsubstantiated ads claiming that its EasyTone and RunTone shoes increased muscle tone and strength. The FTC determined that Reebok failed to provide the necessary "competent and reliable" scientific evidence, through a six-week human clinical study of the product, to adequately substantiate its health claims.

Ms. Thompson noted that in light of this settlement, as well as two previous settlements with other large companies, companies advertising products in the health and fitness industry should be aware that the FTC is requiring clinical studies for substantiation, increasing penalties for false advertising violations, and requiring greater consumer compensation from violating companies.