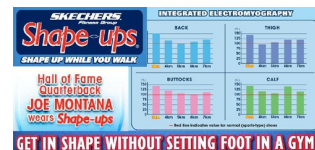


Skechers Agrees to Pay \$40 Million to Settle Charges of Unsubstantiated Claims for Toning Shoes

May 17, 2012

Last year, we [posted](#) that Reebok had agreed to pay \$25 million to settle charges that it had made unsubstantiated claims about its toning shoes. This week, the FTC announced that Skechers agreed to pay a record \$40 million to settle charges that the company deceived consumers by making unfounded claims that its toning shoes would help people lose weight, strengthen and tone their muscles, and improve cardiovascular health.

Under the [settlement](#), Skechers is barred from making certain claims for its shoes, unless the claims are backed by “competent and reliable scientific evidence.” As with other recent settlements, the FTC describes what evidence is required. For example, for strengthening claims, the company needs “at least one adequate and well controlled human clinical study of the [products] that conforms to acceptable designs and protocols, is of at least six-weeks duration, and the result of which, when considered in light of the entire body of relevant and reliable scientific evidence, is sufficient to substantiate that the representation is true.” Other claims require different levels of support.



Advertisers should pay attention to the FTC’s settlement in this case and other recent cases. Not only is the FTC raising the bar on what type of substantiation is needed to support certain types of claims, they are also raising the stakes with higher settlement amounts.