Decipher the truth behind advertised nutrition and health claims and promotions.

The packaging says “heart-healthy.” It offers a money-back guarantee. It promises to protect me from Alzheimer’s. It worked for the girl in the picture—look how much weight she lost! It’s an “all-natural” alternative. Lose 50 pounds in a month? I’ll drink that! It’s your right as a consumer to purchase and use any product on the market—but buyer beware! Health fraud—specifically the promotion of false or unproven products for profit—costs consumers billions of dollars each year.

That’s because so many of us expect that anything that is printed or sold must be truthful! After all, there are many federal and state agencies that write regulations to guard consumers against health fraud. Nonetheless, misleading claims about food and nutrients are difficult to control, and there are limits on what government agencies can do to curb fraudulent nutrition misinformation.

Some of these types of nutrition claims are protected under the First Amendment, whether they are scientifically correct or not. This means that the burden is on you, as a consumer, to evaluate the accuracy of nutrition claims.
Snake Oil or Solid Science?

Claims. “Caveat Emptor” is a Latin term that means “Let the Buyer Beware.” As consumers, we all should be continually educating ourselves in order to be able to:

- discuss the prevalence of false advertising and its implications;
- identify and differentiate between claim types;
- understand the regulation (or lack thereof) of the industry; and
- learn how to spot a false claim.

It’s important to remember that food is not magic and it is not a cure-all for what ails us, despite reading or seeing advertising that makes precisely such a claim! It’s easy to be sucked in by flashy, eye-catching ads, especially in a society where the only thing better than “fast” is “instant.” Many of us want to believe that popping a pill, adopting a short-term treatment or eating a particular food will lessen the hard work of changing behaviors to achieve a long-lasting healthy lifestyle. And it’s one thing when health fraud costs us money—it’s quite another when it also risks our health!

So, how do we defend both our well-being and our bank account? Knowledge is your best protection against health fraud. Because what you don’t know can hurt you and the ones you love. That’s why education is the first step to deciphering nutrition puzzles. This article will help you begin to train your eye to recognize the tactics of someone who is trying to sell you a product or service that is unworthy of your attention.
Food Fads

Nutrition fraud is the number-one example of health fraud, due to its prevalence in the areas of weight loss and disease minimization. This term is used to describe the abuses that occur as a result of misleading claims for food and/or nutrition products that capitalize on the exaggerated belief in the effects of food or nutrition on health or disease. Specifically, these are claims that assert that

- certain foods have special attributes which may cure disease(s);
- certain foods should be removed from an individual’s diet because they can be harmful to the person’s health; and
- certain foods have special health benefits and should be included in the diet.

Is there some truth to these beliefs? Of course. Reputable research in nutrition science has linked certain foods and nutrients to higher and lower risks for weight gain/loss and various health conditions. For example, we know that excess fats and simple carbohydrates can contribute to increased weight. That’s why misleading claims can be so compelling. And it’s also why a good first step is learning more about approved health claims.

Approved Health Claims

The U.S. government works to regulate three different types of claims regarding a product’s benefit: health, nutrient content and structure/function.

A health claim describes the relationship between a food, a food component or a dietary supplement ingredient and its ability to reduce the risk of a disease or health-related condition. For example, “diets high in calcium may reduce the risk of osteoporosis.” This is an approved health claim, because scientific research has proven this claim to be accurate. Another example is omega-3 fatty acids, which have been consistently associated with heart health, including some evidence to show that they can prevent heart attacks, lower the risk of certain cancers and reduce inflammatory conditions such as arthritis.

A nutrient content claim is defined by a relative amount of a nutrient or dietary substance in a particular product. For example, Product X is considered “a good source” of choline, because it contains 55 mg of choline per serving, which is 10% of the daily value for choline (550mg). Certain terms, such as good source/excellent source or high/low, are used consistently in product claims to help ensure that the claims are meaningful and representative for all consumers.

Finally, a structure/function claim is defined as a statement about how a product may affect the organs or systems of the body, without mentioning a specific disease. For example, “fiber maintains bowel regularity” can be considered a credible claim. That’s because it’s written to describe general well-being.
from the consumption of a nutrient or dietary ingredi-
ent. “Calcium can help lower your risk for osteoporo-
sis” also passes the veracity test, because it is a benefit 
related to a medical condition that is tied to a nutrient 
deficiency. It’s important to note, however, that the 
manufacturer is responsible for ensuring the accuracy 
and truthfulness of these claims. Structure/function 
claims are not subject to review and authorization by 
the U.S. Food & Drug Administration (FDA), which 
is responsible for the vast majority of food and drug 
labeling in this country.

Spotting False Claims 
The line can be very thin between an approved claim 
and one that is false. The most important indicator? If 
it sounds too good to be true—it’s likely false!
- It’s a cure for more than one ailment.
- It can treat or cure diseases.
- It’s offered with limited availability.
- It offers “personal” testimonials.
- It promises no risk and offers a money-back guarantee.
- The advertisement or packaging uses impressive-sounding jargon (“hunger stimulation point”) or alludes to exotic connections (“special Swiss formula”).
- It’s too easy. For example, if a product claims it can “melt away fat,” then why is there still an obesity problem in this country when such a miracle drug is available?

Another tip is to consider the source of the claims and investigate for more information. Indeed, does the manufacturer even provide any contact information or a website? One way you can test your suspicions is to check the website address (URL).

An address ending in .gov is going to be the most reliable, because it is produced by the government. A URL ending in .edu should be for that of a university/college website with current research data you likely can trust. A .org website often is a non-profit organization that can be expected to have credible information. If the site has a .com URL, it is typically a for-profit site trying to sell you a product or service, but that does not mean the information presented is automatically bogus. Remember, a website address alone doesn’t make a claim credible or untrustworthy; you are always advised to scrutinize claims and supporting research carefully. And be sure to check the date on the website—when was the last time the site was updated?

Credible Claims 
Yes, Virginia, you can trust some of the claims you see on product advertising. In fact, there are quite a few that are worth seeking out and adding to your shopping cart. As examples, there are the Heart-Check Mark from the American Heart Association and the Whole Grain Stamp from the Whole Grains Council. Let’s look a little more closely at these.

The Heart-Check Mark. When the Heart-Check Mark is found on food packaging, consumers can be assured that the product has met stringent nutrition criteria established by the American Heart Association to be certified as a “heart-healthy” food. A continually updated list of products earning this certification is available at www.checkmark.heart.org/ProductsByCategory. The organization reviews a product’s content for fat, saturated fat, trans fat, cholesterol, sodium and certain beneficial nutrients, such as calcium, protein, fiber and iron. Consumers can find the complete nutrition criteria on the association’s website.

American Heart Association CERTIFIED MeetCriteria For Heart-Healthy Food

Oldways and the Whole Grains Council, www.wholegrainscouncil.org
American Heart Association, www.heart.org
The American Heart Association recently expanded its criteria in order to certify a wider variety of heart-healthy foods, including fish and nuts. But it does not certify any dessert products; currently limits snack certification to unsweetened popcorn; and restricts beverage certification to milk (including non-dairy alternatives), drinkable yogurts and fruit and vegetable juices.

**Whole Grain Stamp.**

With health experts uniformly advising Americans to improve consumption of whole grains, can the average consumer remember what to look for in order to distinguish whole grains from other forms? Sure, they might remember whole wheat and maybe even popcorn, but the Whole Grain Stamp from the Whole Grains Council makes it easier to identify products that meet the criteria to back that healthy claim.

There are two varieties of the Stamp. If a product bears the 100% Stamp, then all of its grain ingredients are whole grains. There is a minimum requirement of 16 grams per serving for products that can use the 100% Stamp. If a product features the Basic Stamp, it contains at least 8 grams (a half serving) of whole grains, but may contain some refined grains. Each Stamp also shows a number, telling you exactly how many grams of whole-grain ingredients are in a serving of the product.

**The line can be very thin between an approved claim and the one that is false. The most important indicator? If it sounds too good to be true—it’s likely false!**

The American Heart Association’s Heart-Check Mark also has a version to promote whole-grain content. When you see this mark on a food label, it means the product contains 51% or more of whole grains by weight—and it is low in saturated fat and cholesterol.

While the Whole Grain Stamp or the Heart-Check Mark can help guide you, keep in mind that these are independent certification programs, and companies are not required to participate. When it comes to whole grains, the bottom line is to look at the ingredient lists on product packaging and seek out those that contain one of the following ingredients in the first position on the list: whole wheat, graham flour, oatmeal, whole oats, brown rice, wild rice, whole-grain corn, popcorn, whole-grain barley, whole-wheat bulgur and whole rye.

And if you are looking to add variety to the whole-grain products you serve in your school meals? Visit the Whole Grains Council (www.wholegrainscouncil.org) for a list of companies and products. In addition, the HealthierUS School Challenge criteria and guidance include an easy-to-follow flowchart. And in October, USDA issued a memorandum regarding a temporary criterion for being able to claim whole-grain-rich products through the CN Label.

**Staying on Trend?**

Another food product claim that is attracting increased consumer attention is a designation of the “organic” nature of a product. This is a term that indicates that the item has been produced through approved methods and practices that foster the cycling of resources, promote ecological balance and conserve biodiversity. The U.S. Department of Agriculture (USDA) offers a certification program; products that have at least 95% organic ingredients can carry the USDA Organic seal on their labels.
Claims that a product is “natural” also are subject to varying reviews. For example, meat and poultry products are overseen by the Food Safety and Inspection Service (FSIS) at USDA, rather than the FDA. According to FSIS, the term “natural” can be used on labeling of meat and poultry products if the item does not contain artificial flavoring, coloring or a chemical preservative (among other criteria). And all products should be accompanied by a brief statement that explains what is meant by the term “natural.”

Consumers also are looking to confirm if a product is trans-fat-free or gluten-free. The government continues to evaluate criteria for such claims. In August, FDA reopened the public comment period on its proposed gluten-free labeling rule published four years ago. [Editors’ Note: See “Refine and Define,” NewsBites, October 2011, for more information about FDA’s actions in this area.]

Wellness = Well-Informed
In summary, as consumers—and as school nutrition professionals—we should keep ourselves informed about any regulatory changes that affect health and nutrition claims made regarding foods and beverages. Before you buy, make time to do the research to ensure that information comes from credible sources. We can be our own best friend—and worst enemy—when it comes to what we put into our bodies. Fortunately, we’re getting more helpful information to make good, healthy choices.

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