
My Favorite Assignment

Exploring “Responsibility” in Advertising: Health Claims about Dietary Supplements

Melinda L. Kreth

Central Michigan University, Mt. Pleasant

RESPONSIBILITY IN ADVERTISING is a concept students need to understand. To help them do so, I focus a collaborative research assignment on the health claims made for dietary supplements.

Rationale for the Topic

Why this topic? There are several reasons. First, in a general way it helps students explore the social, economic, and political contexts in which regulatory standards emerge and evolve as well as how they are disseminated, implemented, and enforced. As such, it helps them become responsible business leaders and informed consumers. Second, the dietary supplement industry is big. It generates billions of dollars annually and seems likely to continue growing, largely in response to the public's increasing frustration with the mainstream health care industry. It is also relatively unregulated (compared to, for instance, the pharmaceutical industry) and existing regulations are difficult to enforce.

Third, health claims made for dietary supplements generate much controversy among a number of interested parties: the public, regulatory agencies, the courts, Congress, the media, the business community, the medical and scientific communities, and consumer advocacy and special interest groups. For example, the medical and scientific communities claim to be concerned about dietary supplements because there is extremely little scientific evidence to prove that they are safe and/or beneficial. On the other

hand, critics of the mainstream healthcare industry counter that the real reason doctors and scientists don't like supplements is that they perceive them as a threat to their powerful positions within the healthcare hegemony. Most doctors and scientists ally themselves with consumer groups that strive to strengthen federal regulation of the dietary supplement industry and to protect consumers from quacks and con artists. But other consumer groups oppose such efforts, believing instead that federal regulation of the industry should be limited or removed altogether and that consumers should be free to choose for themselves what products are safe and effective. Most manufacturers, distributors, and retailers agree.

A fourth reason for focusing on health claims made for dietary supplements is that it's an excellent way to help students identify and question the ethics and effectiveness of using faulty reasoning in advertisements. Two common fallacies are *post hoc* reasoning and inappropriate appeals to authority. Post hoc fallacies most often take the form of testimonials from allegedly satisfied consumers who simply assume a causal relationship between a supplement and its perceived effects, as if subjective opinions are valid and reliable evidence of a supplement's epidemiological effects. In fact, any perceived effect of taking a particular supplement might simply be a placebo effect, i.e., a psychological effect rooted in the user's *belief* in the product's efficacy, rather than any *actual* effect induced by the product itself. Another widely used form of fallacious reasoning among supplement ads is inappropriate appeals to authority. For example, the television ad of a ginkgo biloba supplement offers an endorsement by an actor (who plays a doctor on a popular television show) to establish the effectiveness of the product, even though an actor does not possess the necessary expertise to legitimately make such an endorsement. Finally, a great deal of information is available to students on dietary supplements and, as we shall see, this information is available from a variety of sources.

The Assignment

Students prepare collaborative reports (5-7 pages) and give oral presentations on their findings. We discuss the concept of respon-

sibility in advertising and generate a list of research questions in terms of what we want/need to know about the topic. Below is a list of questions students are encouraged to explore, both as a class and in groups:

- What are dietary supplements? How are they defined and by whom?
- What counts as a legitimate health claim and who decides?
- How are health claims made for dietary supplements monitored and regulated and by whom? How does this process work?
- What is/are the purpose(s) of current standards for making health claims?
- To what extent must health claims be supported and how?
- What penalties can result from making illegitimate health claims?
- How are current standards implemented and enforced?
- What, if any, loopholes exist in the current standards? Who might benefit from these loopholes and in what ways? Who might be harmed and in what ways?
- What channels are available for commenting on and/or challenging the current standards?
- What problems or conflicts of interest, if any, do current standards pose for interested/affected parties, e.g., for business, for consumers, for regulators, etc.?
- What other questions does this issue raise?

After this, students form groups and discuss which research questions they want to focus on. Each group takes a different aspect, although, all groups are responsible for familiarizing themselves with the relevant regulations of the Food & Drug Administration (FDA) and the Federal Trade Commission (FTC).

Students are encouraged to examine a wide variety of sources in exploring the research questions. For example, all students read FTC documents that address standards for advertising in general and both FDA and FTC documents that address standards specifically for health claims made for dietary supplements. As a class,

we also analyze advertisements for dietary supplements in various media, e.g., brochures, direct mail, e-merce, promotional videos, and television and radio ads. Finally, students read and rhetorically analyze opinions disseminated by a variety of consumer advocacy and special interest groups: those that support current standards, those that favor tightening current standards, and those that believe current standards are too rigid and antidemocratic. (The Appendix lists specific sources students might examine. Instructors can either provide the list to students up front or use it to help students who are having difficulty finding sources on their own.) While students prepare their reports, we devote class time to such preparation and to class analysis of one ad presented by each group. We discuss the ad in terms of the FDA and FTC criteria. Once the reports are finished, student groups brief the class on their findings.

This topic lends itself to a variety of other assignments as well. An instructor could, for example, ask students to design an advertising campaign for a hypothetical dietary supplement and to write up a design rationale based on what they learned through their research about regulatory guidelines. Or, as part of a marketing research project, students might construct a research design for evaluating the "legitimacy" versus the "effectiveness" of numerous dietary supplement ads in specific media and then conduct the research and write up the results for a client. One additional variation that I am currently working on involves role playing. Instead of simply having students write up a report based on their research, I plan to ask each group to assume the role of a participant in the dietary supplement controversy (e.g., one group would represent the FDA, another the medical/scientific community, and so forth) and to write a position paper on their role(s) and position(s) within the controversy. This approach might be both more challenging and more rewarding for students.

I enjoy including this kind of module in my courses because students seem to appreciate the opportunity to practice the research process as a class and in small groups *before* having to face that challenge individually. They also appreciate practicing

on a topic that is relevant to their goals as responsible professionals and citizens.

Address correspondence to the author, Department of English Language & Literature, Anspach 215, Central Michigan University, Mt. Pleasant MI 48859 (e-mail:kreth1ml@cmich.edu).

Appendix: Resources for Students

Government Documents

Food and Drug Administration (via its Website)

- (May 1994). Enforcement policy statement of food advertising.
- (Dec. 1995). Dietary Supplement Health and Education Act of 1994.
- (Jan. 1996). Making your voice heard at FDA: How to comment on proposed regulations and submit petitions.
- (Jan. 1998). Inside FDA: Center for Food Safety and Applied Nutrition.
- (July 1998). Food and Drug Administration Modernization Act of 1997, Section 406 (b): Communicating with our stakeholders.
- (Jan. 2000). FDA finalizes rules for claims on dietary supplements.

Federal Trade Commission (via its Website)

- (Jan. 1980). FTC guides concerning use of endorsements and testimonials in advertising.

- (Oct. 1995). A business checklist for direct marketers.
- (Mar. 1996). Fraudulent health claims: Don't be fooled.
- (Oct. 1996). Myths and half-truths about deceptive advertising. Prepared remarks of Commissioner Roscoe B. Starek, III before the National Infomercial Marketing Association, Las Vegas, NV.
- (Aug. 1997). Draft report of the Commission on dietary supplement labels.
- (Nov. 1997). Virtual "treatments" can be real world deceptions.
- (May 1998). Dietary supplement advertiser settles FTC charges of deceptive health claims. Press release.
- (Aug. 1998). Regulations on statements made for dietary supplements concerning the effect of the product on the structure or function of the body; proposed rule. [Docket No. 98N-0044].
- (Nov. 1998). Generic copy test of food health claims in advertising.
- (No date). Dietary supplements: An advertising guide for industry.

Regulatory Agencies, Consumer Advocacy & Special Interest Groups

- American Council on Science and Health (ACSH)
www.acsh.org/
- American Assoc. of Nutritional Consultants
www.aanc.net/index1.html
- American Dietetics Association
www.eatright.org/
- American Medical Association
www.ama-assn.org/
- Center for Alternative Medicine Research in Cancer
www.sph.uth.tmc.edu:8052/utcam/
- Federal Food and Drug Administration (FDA)
www.fda.gov/
- Federal Register Online via GPO Access
www.nara.gov/fedreg/
- Federal Trade Commission (FTC)
www.ftc.gov/
- Food and Agriculture Organization (FAO) of the United Nations
www.fao.org/default.htm
- Healthcare Reality Check
<http://www.hcrc.org/>
- HealthWatch
www.biochem.ucl.ac.uk/~dab/healthwatch.html
- Institute of Food Technologists
www.ift.org/
- International Advocates for Health Freedom
www.pnc.com.au/~cafmr/hammell/index.html
- Medical Freedom Internet Resources

www.holisticmed.com/ www/med-free.html

- National Center for Alternative and Complementary Medicine (at NIH)
<http://altmed.od.nih.gov/nccam/>
- National Council Against Health Fraud
www.ncahf.org/
- National Nutritional Food Association
www.nnfa.org/
- Nutrition News Focus
www.nutritionnewsfocus.com/
- PR NewsWire
www.prnewswire.com/
- Quackwatch
www.quackwatch.com/
- The Scientific Review of Alternative Medicine
www.hcrc.org/sram/
- The Skeptics' Dictionary
<http://skeptdic.com/>
- USDA Food and Nutrition Information Center
www.nal.usda.gov/fnic/

Periodicals

Advertising Age
American Health
Beverage World
Business Week
Chemical Marketing Reporter
Clinical Toxicology
Consumer's Research Magazine
Current Health
Drug Store News
Drug Topics
FDA Consumer
Florida Law Review
Food and Drug Law Journal

Food Technology
International Journal of Sport Nutrition
Journal of the American Dietetic Association
Journal of the American Medical Association
Journal of the National Cancer Institute
Journal of Nutrition
Journal of Pharmacy and Law
Journal of Public Policy and Marketing
Journal of Toxicology
Lancet
New England Journal of Medicine
New Scientist
Nutrition
Nutrition Action Healthletter
Nutrition Forum
Nutrition Research Newsletter

Physician and Sportsmedicine Prevention
Progressive Grocer
Major US newspapers and popular magazines

Electronic Databases

ABI Inform
Business and Industry
CIS Congressional Universe
General Science Abstracts
HealthRefCtr
Lexis®-Nexis®
MDX Health Digest
Medline
Wilson Select
Newspaper Abstracts

Copyright of Business Communication Quarterly is the property of Association for Business Communication and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.