

IN THE MATTER OF

JOHNSON & COLLINS RESEARCH, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
SEC. 5 OF THE FEDERAL TRADE COMMISSION ACT*Docket C-3661. Complaint, May 31, 1996--Decision, May 31, 1996*

This consent order prohibits, among other things, a Minnesota-based company and its officer from misrepresenting the efficacy and results of their weight-loss products, and requires the respondents to disclose that such product consists primarily of a booklet or pamphlet containing information and advice on weight loss, and to possess competent and reliable scientific evidence to substantiate any future advertisements for weight-loss booklets or for other weight-loss products or programs.

*Appearances*For the Commission: *Richard L. Cleland* and *C. Lee Peeler*.For the respondents: *Peter Rosden*, Charlottesville, VA.

COMPLAINT

The Federal Trade Commission, having reason to believe that Johnson & Collins Research, Inc., a corporation, and Gregor A. von Ehrenfels, individually and as an officer of said corporation ("respondents"), have violated the Federal Trade Commission Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, alleges:

PARAGRAPH 1. Respondent Johnson & Collins Research, Inc. is a corporation organized, existing, and doing business under and by virtue of the laws of the State of Minnesota. Its principal place of business is located at 5115 Excelsior Blvd., Minneapolis, MN.

Respondent Gregor A. von Ehrenfels is an officer of the corporate respondent. Individually, or in concert with others, he participates in and/or formulates, directs, and controls the acts and practices of the corporate respondent, including the acts and practices alleged in this complaint. His address is the same as that of the corporate respondent.

PAR. 2. Respondents have advertised, offered for sale, sold, and distributed weight-loss and body-shaping products, consisting primarily of booklets containing advice on dieting and exercise, to the public. Respondents have marketed these products under various names, including "TOTAL BODY RESHAPING SYSTEM" and "SUPER TOTAL BODY RESHAPING SYSTEM" (collectively, "TBRS").

PAR. 3. The acts and practices of respondents alleged in this complaint have been in or affecting commerce, as "commerce" is defined in Section 4 of the Federal Trade Commission Act.

PAR. 4. Respondents have disseminated or have caused to be disseminated advertisements for TBRS including but not necessarily limited to the attached Exhibits A through D. These advertisements contain the following statements:

A. NOW - IN ONLY 2 WEEKS you can start to have . . .
THINNER, FIRMER, LEGS & HIPS. . .
Slimmer Arms & Shoulders, a Smaller,
Tighter Waistline, and a Prettier Bust!

YES! IN AS LITTLE AS 14 DAYS, your entire body could suddenly start to take on a whole new shape! Plus you could be thinner and firmer than ever before. In fact, the all new TOTAL BODY RESHAPING SYSTEM (SUPER TBRS for short) is 100% Guaranteed to help give you a sleeker, sexier body . . . no matter what you look like right now! (And no matter what you've tried before!)

Too Fat - or Too Thin?

SUPER TBRS is NOT just another diet program. It's a total body improver designed to "reshape" you from head to toe. So if you're overweight, SUPER TBRS will help you melt and float away ugly fat leaving you with a firmer, more beautiful body.

* * * *

Stubborn Spots???

The SUPER TOTAL BODY RESHAPING SYSTEM shows you how to attack your own unique problem areas -- shaping and molding them -- tightening, firming, helping dissolve layer after layer of fat with each new day!

That means you can zero-in on your thighs, calves, hips, waist, arms, neck or another area that needs extra strong, extra fast treatment.

* * * *

Here's How it Works ...

The moment you put SUPER TBRS methods into action, you begin to burn-off excess calories and fatty deposits. So more of the food you eat is automatically converted into energy instead of fat. That's because SUPER TBRS helps you modify your caloric intake. At the same time, SUPER TBRS's 4 Special Shaping Actions™ let you stimulate muscle tone exactly where you need it ... WITH NO AEROBIC EXERCISE!

Plus, like many other girls, you'll know it's working because you'll feel it from the very first day and see results in the mirror as quickly as fourteen days!...

But the best part is, SUPER TBRS tells you how to keep those improvements so your beautiful new body can stay that way -- and even continue to improve!...

Yet with SUPER TBRS there are ...

- NO dangerous diet pills to take
- NO chalky-tasting chemical powders
- NO silly heat suits or belts
- NO unhealthy crash diets
- NO long exhausting exercise

TBRS contains absolutely NOTHING chemical, internal, topical, or artificial like other products.

* * * *

Plus - YOU GET ALL THIS! The TBRS Master Manual, TBRS Food Tables & Personal Meal Planner, TBRS One-Year Progress Tracker, TBRS Motivational Audio Cassette, TBRS Ultra Weight Loss Formula, TBRS Ideal proportion chart & Tape Measure . . . The TOTAL BODY RESHAPING SYSTEM is arguably the most result-producing program of it's kind in the world today!.....

* * * *

When your package arrives, we want you to use it ... go ahead, let SUPER TBRS show you how to reshape, firm and beautify your body. Use it as much as you like to help solve your figure problems!

(Exhibit A; Sassy Magazine, August 1995)

B. "They Laughed When I Bought My Bikini,
But When I Walked On the Beach ... !"

I promised myself to finally do something about the way I looked. But I didn't want to go on some diet like my mom would use. Besides, I tried dieting before and nothing happened. I wanted something made for girls my age, something that really worked . . . fast!

* * * *

After being fat for so long, the Total Body Reshaping System finally gave me the body I always wanted!

How to Get the Body You Always Wanted ...

Now it's your turn! Because in as little as 14 days, your entire body could suddenly start to take on a whole new shape! Plus you could be thinner and firmer than ever before. In fact, the all new TOTAL BODY RESHAPING SYSTEM (TBRS™ for short) manual is 100% Guaranteed to give you a sleeker, sexier body that makes you stand out from other girls and gets you noticed -- no matter what you look like right now!

So if you're overweight, the TBR SYSTEM will help you melt and float away ugly fat

Stubborn Spots???

The TOTAL BODY RESHAPING SYSTEM shows you how to attack your own unique problem spots -- shaping and molding them -- tightening, firming, helping dissolve layer after layer of fat with each new day!

* * * *

The moment you put the TBR System into action, it helps you burn off excess calories and fatty deposits. That means more of the food you eat is automatically converted into energy -- instead of fat. (It's sort of like *tricking* your body into

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losing weight.) Next, TBRS modifies your caloric intake. At the same time, our *Special Shaping Actions* let you stimulate muscle tone exactly where you need it.

* * * *

(Exhibit B; Seventeen Magazine, September 1995)

(Exhibit D; YM Young & Modern Magazine, August 1995)

C. NOW - IN ONLY 2 WEEKS You Can Start to Have . . .

THINNER, FIRMER, LEGS & HIPS . . .

A Smaller, Tighter Waistline, A Flatter,

Tighter Stomach and a Prettier Bust!

YES! In as little as 14 days, your entire body could suddenly start to take on a whole new shape! Plus you could be thinner and firmer than ever before. In fact, the all new SUPER TOTAL BODY RESHAPING SYSTEM (TBRS for short) is 100% Guaranteed to give you a sleeker, sexier body . . . no matter what you look like right now!

Too Fat - or Too Thin?

SUPER TBRS is NOT just another weight-loss product. It's a total body improver designed to "reshape" you from head to toe. So if you're overweight, the SUPER TBR SYSTEM will help you melt and float away ugly fat (even cellulite!) leaving you with a firmer more beautiful body.

(Exhibit C; Teen Magazine, September 1995)

PAR. 5. Through the use of the statements contained in the advertisements referred to in paragraph four, including but not necessarily limited to the advertisements attached as Exhibits A through D, respondents have represented, directly or by implication, that users of TBRS are not required to consciously diet to lose weight.

PAR. 6. In truth and in fact, users of TBRS are required to consciously diet to lose weight. The product consists primarily of a booklet containing advice for reducing caloric intake and requires conscious dieting to lose weight. Therefore, the representation set forth in paragraph five was, and is, false and misleading.

PAR. 7. Through the use of the statements contained in the advertisements referred to in paragraph four, including but not necessarily limited to the advertisements attached as Exhibits A through D, respondents have represented, directly or by implication, that:

A. TBRS is effective in causing fast and significant weight loss;

B. TBRS is effective in significantly reducing body fat and cellulite;

C. TBRS is effective in causing weight loss, fat reduction, and increased muscle tone in specific, desired areas of the body; and

D. TBRS is effective in burning excess calories, modifying caloric intake, and converting food into energy instead of fat.

PAR. 8. Through the use of statements contained in the advertisements referred to in paragraph four, including but not necessarily limited to the advertisements attached as Exhibits A through D, respondents have represented, directly or by implication, that at the time they made the representations set forth in paragraph seven, respondents possessed and relied upon a reasonable basis that substantiated such representations.

PAR. 9. In truth and in fact, at the time they made the representations set forth in paragraph seven, respondents did not possess and rely upon a reasonable basis that substantiated such representations. Therefore, the representation set forth in paragraph eight was, and is, false and misleading.

PAR. 10. In their advertising and sale of TBRS, respondents have represented that users of this product will achieve significant weight and fat loss. Respondents have failed to disclose adequately that this product consists primarily of booklets or pamphlets containing advice concerning techniques for reducing caloric intake and/or exercise, and that reducing caloric intake and/or increasing exercise is required to lose weight or fat. These facts would be material to consumers in their purchase or use decisions regarding the product. The failure to disclose these facts, in light of the representations made, was, and is, a deceptive practice.

PAR. 11. The acts and practices of respondents as alleged in this complaint constitute unfair or deceptive acts or practices in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act.

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EXHIBIT A

NOW - IN ONLY 2 WEEKS THINNER, FIRMER

Slimmer Arms & Shoulders, a Smaller,

YES! IN AS LITTLE AS 14 DAYS, your entire body could suddenly start to take on a whole new shape! Plus you could be thinner and firmer than ever before! In fact, the **all new TOTAL BODY RESHAPING SYSTEM SUPER TBRS** (a short) is 100% Guaranteed to help give you a sleeker, sexier body that makes you stand out from other girls and gets you noticed - *no matter what you love like right now!* - And no matter what you've tried before!

Too Fat - or Too Thin?

SUPER TBRS is NOT just another diet program. It's a total body improver designed to "reshape" you from head to toe. So if you're overweight, **SUPER TBRS** will help you melt and float away ugly fat leaving you with a firmer, more beautiful body.

Or if you're on the skinny side - or just certain parts of you could use some eye catching curves - **SUPER TBRS** can help you add exciting new shape to your frame - in all the right places! And that's still only the beginning.

Stubborn Spots???

The **SUPER TOTAL BODY RESHAPING SYSTEM** shows you how to attack your own unique problem areas - shaping and molding them - tightening, firming, helping dissolve layer after layer of fat with each new day!

That means you can *zero-in* on your thighs, calves, hips, waist, arms, neck or another area that needs extra strong, extra fast treatment.

And since every girl's body is different, your results are unique for you! That means fluctuations in speed, shape, pounds and fat loss are **Guaranteed** to vary for each and every girl who uses **SUPER TBRS**. Yes! This is your opportunity to finally get your **perfect body!**

Here's How It Works...

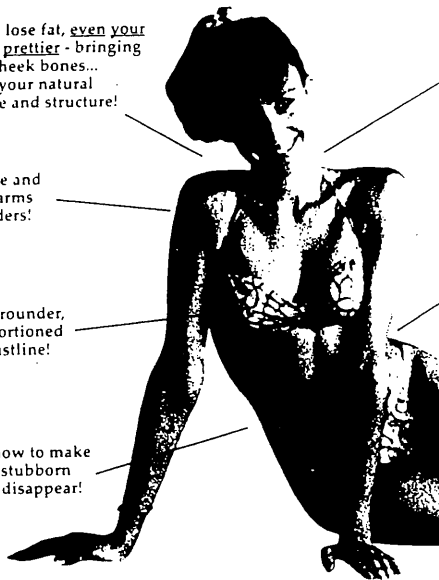
The moment you put **SUPER TBRS** methods into action, you begin to burn-off excess calories and fatty deposits. So more of the food you eat is automatically converted into energy *instead* of fat. That's because **SUPER TBRS** helps you modify your caloric intake. At the same time, **SUPER TBRS's** 4

When you lose fat, **even your face looks prettier** - bringing out your cheek bones... accenting your natural beauty line and structure!

Firm, shape and tone your arms and shoulders!

A prettier, rounder, more proportioned looking bustline!

Discover how to make your most stubborn fat start to disappear!



Special Shaping Actions! let you stimulate muscle tone exactly where you need it... with NO aerobic exercise!

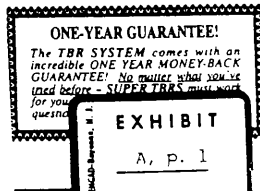
Plus, like many other girls, you'll *know* it's working because you'll feel it *from the very first day* and see results in the mirror as quickly as *fourteen days!* Plus, you can expect even better results the longer you use it! Even your face can look prettier - bringing out your cheek bones and accenting your natural beauty line and structure.

But the best part is **SUPER TBRS** tells you how to keep those improvements so your beautiful new body can stay that way - *and even continue to improve!* That means now you can look your best all year long, wear the fashions you love, and look gorgeous! Yet with **SUPER TBRS** there are

- NO dangerous diet pills to take
- NO chalky-tasting chemical powders
- NO silly heat suits or belts
- NO unhealthy crash diets
- NO long exhausting exercise

Once you use the **SUPER TOTAL BODY RESHAPING SYSTEM** there is nothing else to buy - ever! Simply follow it faithfully and then...day-by-day, inch-by-inch you'll see and feel amazing changes start to take place - **simply, safely, naturally.**

FACT: **SUPER TBRS** is safe for *all* ages. There are NO side effects. **TBRS** contains absolutely **NOTHING** chemical, internal, topical or artificial like other products.



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EXHIBIT A

As you can start to have... TIGHTER, LEGS & HIPS... Tighter Waistline, and a Prettier Bust!

A more graceful,
thinner looking
neck and a more
beautiful back!

NEW & IMPROVED!
SUPER TBR5 is Better than ever!
Yes! Now it's possible to
SEE Results IN ONLY 2 WEEKS!

A smaller, tighter
waistline and
smoother, firmer,
more shapely hips!

Thinner, shapelier,
more feminine legs
from your hips to
your ankles!

Super TBR5 is Safe and Healthy for girls of all ages! Your results are unique for you and are Guaranteed to vary for each girls body type, bone structure, condition, personal goals and commitment. No gimmicks, no fads. TBR5 gives YOU the knowledge and power to make the changes you want!

world today! Now just imagine what it could do for you...

You'll Hardly Believe Your Eyes!!!

The all new **SUPER TBR5** costs less than a new pair of jeans, but can ultimately improve your appearance one hundred times more! You may hardly believe your eyes when you look in the mirror! But maybe the best sign that you're growing sleeker and sexier is the looks from guys who never noticed you before...and the jealous looks from the competition!

Act Now and Get This ONE YEAR GUARANTEE!

Yes! **SUPER TBR5** must do everything exactly as we have promised or you don't pay a penny! And to prove it to you, we'll let you use it - **keep it** - for **ONE FULL YEAR!** That's how sure we are that **SUPER TBR5** will work for you.

When your package arrives, we want you to use it... go ahead, let **SUPER TBR5** show you how to reshape, firm and beautify your body. Use it as much as you like to help solve your figure problems!

Then - if you are not completely delighted with your new shape and appearance, if you don't look and feel absolutely sensational, simply return it for a complete and speedy refund. No hassles. No questions. No delays. Just your money back. You risk nothing.

So it's up to you. One month from today you could look no different than you do right now - or - you could look in the mirror and see a whole, new beautiful you blossoming before your eyes! You decide.

Fill in the Rush Coupon below and mail it now! Then see how great it feels to actually have a beautiful body instead of just wishing you did. We won't disappoint you!

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FACT: Only **SUPER TBR5** gives you Special Shaping Actions that let you zero-in on your own special problem areas for new shape and tone.

FACT: **SUPER TBR5's** purpose is to dramatically change the way you look and show you how to stay that way for the rest of your life!

Plus - **YOU GET ALL THIS!** The **TBR5** Master Manual, **TBR5** Food Table & Personal Meal Planner, **TBR5** One-Year Progress Tracker, **TBR5** Motivational Audio Cassette, **TBR5** Ultra Weight Loss Formula, **TBR5** Ideal proportion chart & Tape Measure, plus an incredible **ONE YEAR GUARANTEE!!** The **TOTAL BODY RESHAPING SYSTEM** is arguably the most result-producing program of its kind in the

Mail this SPECIAL RUSH ORDER FORM TODAY for your ONE-YEAR MONEY-BACK GUARANTEE!

Yes! I want to have a beautiful body. Rush me the all new **SUPER TBR5 SYSTEM** immediately! I must be thrilled with the results or I get my money back! I am enclosing ☐ \$29.95 for the Complete System or ☐ \$49.95 (you save \$10.00 for Two systems) ☐ Add \$5.00 for Shipping, Insurance & Handling. Canadian residents add \$10.00 per system. ☐ Check here for Guaranteed Privacy. Yes! Send my **SUPER TBR5** in a plain, unmarked package. **NO COINS PLEASE!**

PLEASE: You must **PRINT VERY CLEARLY** on **TBR System PERSONAL BODY TYPE AND PROBLEM SPOT FORM** your package is delivered to the right address. ☐ Use a 3 X 5 note card if you need to.

DIRECTIONS: Please put an X in the boxes that apply to your personal problem areas. Check off as many boxes as you like. Feel free to add any special notes or wishes on a separate piece of paper.

This is my general body type:

☐ TYPE A - I am overweight, I need to lose pounds and inches - reshape my problem spots for a sleeker, more graceful and toned body.
☐ TYPE B - I am too skinny, I need more shape and curves in all the right places for a more eye-catching figure.

These are the parts of my body that need the most improvement:

☐ FACE	☐ WRISTS	☐ OUTER THIGH	☐ UPPER BACK
☐ CHIN	☐ HANDS	☐ KNEE	☐ LOWER BACK
☐ NECK	☐ STOMACH	☐ CALVES	☐ BUTTOCKS
☐ SHOULDERS	☐ HIPS	☐ ANKLES	☐ BUST BOOB
☐ UPPER ARMS	☐ INNER THIGH	☐ FEET	☐ BUST SHAPE

EXHIBIT

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Johnson & Collins Research, Inc.
Dept. SS-895, USPOB NR. 18346
Mpls. MN 55415-0346

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EXHIBIT B

ADVERTISEMENT



"They Laughed When I Bought My Bikini, But When I Walked On the Beach...!"

WHAT DID they invite me in? For a good laugh? I mean, I didn't want to bathing suit since I was 10.

And now, here I am, invited to a beach party. No way could I fit in a swimsuit. I felt so fat - and depressed.

But then, something inside me said *don't give those to everyone - just me!* - that I could look great too! Right then and there, I promised myself to finally do something about the way I looked. But I didn't want to go on some diet like my mom would use. Besides, I tried dieting before and nothing happened. I wanted something made for girls my age - something that really worked - and would make me look great - too!

That's when I heard about the *Total Body Reshaping System*. I knew that lots of other girls used it - and they looked great. Plus, I knew that it was totally safe and healthy for me too. So I went ahead and sent for it.

They sent it to me fast, and I started to use it right away. After only 14 days I was excited about it. I did something kind of crazy. I went and bought my very first bikini! Everyone laughed - my family, my friends, even my best friend. But I didn't care. I was confident that the *Total Body Reshaping System* would give me the body I wanted. So I followed it everyday, exactly like it said. "Wow" - it worked!

What happened next was the most exciting moment of my life!

When I walked on the beach in my new bikini, guys - *really cute guys* - who never talked to me before suddenly wanted to meet me! Everyone crowded around me. "You look incredible!" "How'd you do it?" "What a body!" "What's your secret?" "She's beautiful!"

I couldn't believe it. It was like I was a whole new person. For the first time in my life I felt beautiful - *even popular*. After being fat for so long, the *Total Body Reshaping System* finally gave me the body I always wanted!

How to Get the Body You Always Wanted...

Now it's your turn! Because in as little as 14 days, your entire body could suddenly start to take on a whole new shape! Plus you could be thinner and firmer than ever before. In fact, the *all new TOTAL BODY RESHAPING SYSTEM - TBR* for women manual is 100% Guaranteed to give you a sleeker, sexier body that makes you stand out from other girls and gets you noticed - *no matter what you look like right now!*

So if you're overweight, the TBR SYSTEM will help you melt and *blast* away ugly fat - leaving you with a firmer, more beautiful body. But that's only the beginning.

Stubborn Spots???

The *TOTAL BODY RESHAPING SYSTEM* shows you how to attack and *burn* away unique *problem spots* - *shaping and molding* them - *enhancing, firming, helping dissolve* those stubborn spots of fat with each new day.

That means you can *zero in* on your thighs, calves, hips, waist, arms, neck or another area that needs *extra strong, extra fast treatment*.

And since every girl's body is different, the *TOTAL BODY RESHAPING SYSTEM* lets you change the parts you don't like about you, so you end up with the *perfect body for you!*

Here's How It Works

The moment you put the TBR System into action, it helps you burn off excess calories and fatty deposits. That means more of the food you eat is *automatically* converted into energy - instead of fat. This sort of *fat-burning* can't be done any other way. Next, TBR modifies your calorie intake. At the same time, our special vibrating motion lets you stimulate muscle tone exactly where you need it.

Plus, like many other girls, you'll know it's working because you'll *feel it from the very first day and could see results in the mirror as quickly as fourteen days!* Even your face can look prettier - bringing out your cheek bones and recentering your natural beauty line and structure.

But the best part is, TBR tells you how keep those improvements in your beautiful, new body *well after that day*. That means now you can look your best all year long, wear the fashions you love and look gorgeous! Yet with the TBR System there are:

- NO dangerous diet pills to take
- NO chemical powders to mix
- NO silly heat suits or belts
- NO unhealthy crash diets
- NO long exhausting exercise

Once you use the *TOTAL BODY RESHAPING SYSTEM* there is nothing else to buy - ever. Simply read and follow it faithfully and then - day-by-day, inch-by-inch - you'll see and feel amazing changes start to take place. All your figure problems will suddenly start to disappear - *simply, safely, naturally.*

FACT: TBR is completely safe for all ages. There are NO side effects. It contains *absolutely NOTHING* chemical, internal, topical or artificial like other products.

FACT: TBR gives YOU the power to make the changes you want. Your results are unique for you and are Guaranteed to vary for each girl's body type, bone structure, condition, personal goals, and commitment!

FACT: No matter what you look like right now, TBR can *DRAMATICALLY* change the way you look and show you how to stay that way for the rest of your life.

The *TOTAL BODY RESHAPING SYSTEM* costs less than a new haircut, but can improve your appearance one hundred times more. In fact, you'll hardly believe since it's given your look in the mirror.

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But maybe the best sign that you are growing sleeker and sexier is the looks from guys who never noticed you before - and the jealous looks from the competition.

Try It For 14 Days!

The *TOTAL BODY RESHAPING SYSTEM* must do everything exactly as we have promised you - or you don't pay a penny! And to prove it to you, we'll let you try TBR in your home with our **NO RISK 14 DAY TRIAL!**

So when your package arrives, we want you to use it - go ahead, let the TBR SYSTEM start to reshape, firm and beautify your body. Age it is *much as you like* to help collect your "big girl" problems!

Then, if you are not completely delighted with your new shape and appearance, it can be returned and feel absolutely sensational, simply return it for a complete and speedy refund. No hassles. No questions. No delays. Just your money back.

So it's up to you. One month from today, you could look no different than you do right now - or you could look in the mirror and see a whole, new beautiful you blossoming before your eyes! You decide. Order TBR today! Then see how great it feels to actually *have* a beautiful body instead of just wishing you did.

100% MONEY BACK GUARANTEE!

Try the TBR SYSTEM for 30 days to help you get the body you want. Then if you are not absolutely thrilled with the new you - simply return it for a full refund. No matter what you've tried before - TBR must work for you or you get your money back.

MAIL THIS SPECIAL RUSH ORDER FORM TODAY!

Yes! I want to have a beautiful body! Rush me the TBR System right now! I must be thrilled with the results or I get my money back. I am enclosing ☐ \$12.00 for one system or ☐ \$22.00 for two systems. ☐ Add \$3.00 for postage & handling. **NO COINS PLEASE**

PLEASE You must PRINT VERY CLEARLY so that your package is delivered to the right address.

☐ Check here for Guaranteed Privacy. Yes! Send me my TBR System in a plain, unmarked package.

Name _____
Street _____
City _____
State _____



Johnson & Collins Research
Dept S-995 USPDB NR 16346
Mpls MN 55416-0346

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Complaint

EXHIBIT C

When you lose fat, even your lack looks prettier - bringing out your cheek bones, accentuating your natural beauty line and structure!

Firm, shape and tone your arms and shoulders!

A prettier, rounder, more proportioned looking bustline!

Imagine... a flat, tight, toned stomach

A more graceful, thinner looking neck and a more beautiful back!

A smaller, tighter waistline and smoother, firmer, more shapely hips!

Thinner, shapelier, more feminine legs from your hips to your ankles!

NEW & IMPROVED!
SEE Results IN ONLY 2 WEEKS!

100% Safe and Healthy for girls of all ages. Your results are unique for you and are Guaranteed to vary for each girl's body type, bone structure, condition, personal goals and commitment. No gimmicks, no lies. SUPER TBRs gives YOU the power to make the changes you really want!

NOW - IN ONLY 2 WEEKS You Can Start to Have... THINNER, FIRMER, LEGS & HIPS... A Smaller, Tighter Waistline, A Flatter, Tighter Stomach and a Prettier Bust!

YES! In as little as 14 days, your entire body could suddenly start to take on a whole new shape! Plus you could be thinner and firmer than ever before. In fact, the all new SUPER TOTAL BODY RESHAPING SYSTEM TBRs for short is 100% Guaranteed to give you a sleeker, sexier body that makes you stand out from other girls and gets you noticed - no matter what you look like right now!

Too Fat - or Too Thin?

SUPER TBRs is NOT just another weight-loss product. It's a total body-improver designed to "reshape" you from head to toe. So if you're overweight, the **SUPER TBR SYSTEM** will help you melt and float away ugly fat, even cellulite, leaving you with a firmer, more beautiful body.

Or if you're on the skinny side - or not certain parts of you could use some eye-catching curves - **SUPER TBRs** can help you add existing new shape to your frame - in all the right places! And that's only the beginning.

Stubborn Spots???

The **SUPER TOTAL BODY RESHAPING SYSTEM** shows you how to attack your own unique problem spots - shaping and molding them - tightening, firming, helping dissolve (after after layer of fat with each new day).

That means you can zero-in on your thighs, calves, hips, waist, arms, neck or another area that needs extra strong, extra fast treatment. And since every girl's body is different, **SUPER TBRs** lets you change the parts you don't like about you...so you end up with the perfect body for you!

Here's How it Works...

The moment you put **SUPER TBRs** methods into action, you begin to burn-off excess calories and fatty deposits. No more of the food you eat is automatically converted into energy instead of fat. That's because **SUPER TBRs** helps you modify your caloric intake. At the same time, **SUPER TBRs**'s Special Shaping Actions let you stimulate muscle tone exactly where you need it... with NO aerobic exercise!

Plus, like many other girls, you'll know it's working because you'll feel it from that very first day.

FULL ONE-YEAR GUARANTEE!

The New **Super TBRs** comes with an unconditional ONE YEAR MONEY-BACK GUARANTEE! So whatever what you've tried before - **TBRs** must work for you or you get your money back. No questions asked. You risk nothing.

day and should see results in the mirror as quickly as fourteen days. Plus, your face can look prettier - bringing out your cheek bones and accentuating your natural beauty line and structure.

But the best part is **SUPER TBRs** tells you how to keep those improvements so your beautiful new body can stay that way...and even encourage to improve. That means now you can look your best all year long, wear the fashions you love and look gorgeous. Yet with **SUPER TBRs** there are:

- NO dangerous diet pills to take
- NO chalky tasting chemical powders
- NO silly heat suits or belts
- NO unhealthy crash diets
- NO long exhausting exercise

Once you use **SUPER TBRs** there is nothing else to buy - ever! Simply read and follow it faithfully and then - day-by-day, inch-by-inch you'll see and feel amazing changes starting to take place - simply, safely, naturally.

FACT: The **SUPER TBRs** is safe for all ages. There are NO side effects. **TBRs** contains absolutely NOTHING chemical, internal, topical or artificial like other products.

FACT: Only the **SUPER TBRs** gives you Special Shaping Actions that let you zero-in on your own unique problem spots, firming and toning you!

FACT: The **SUPER TBRs**'s purpose is to dramatically change the way you look and show you how to stay that way for the rest of your life!

You'll Hardly Believe Your Eyes!!

The **SUPER TBR SYSTEM** costs less than a new haircut, but will improve your appearance one hundred times more! In fact, you'll hardly believe

your eyes when you look in the mirror!

But maybe the best sign that you're getting the sleeker and sexier in the looks from girls who agree noticed you before - and the jealous looks from the competition!

ONE YEAR GUARANTEE!

Yes! The **SUPER TBR SYSTEM** must do EXACTLY exactly as we have promised, or you don't pay a penny! And to prove it to you, we'll let you try it for ONE FULL YEAR! That's how sure we are that **TBRs** will work for you.

When your package arrives, we want you to use it... go ahead, let **SUPER TBRs** start to reshape, firm and beautify your body. Use it as much as you like to help solve your figure problems!

Then, if you are not completely delighted with your new shape and appearance, if you don't look and feel absolutely sensational, simply return it for a complete and speedy refund. No hassles. No questions. No delays. Just your money back.

So it's up to you. One month from today, you could look no different than you do right now - or - you could look in the mirror and see a whole, new beautiful you blossoming before your eyes! You decide.

Fill in the Rush Coupon below and mail it now! Then see how great it feels to actually have a beautiful body instead of just wishing you did. We won't disappoint you!

Free Gift For You!

If you order **TBRs** right now, we'll also send you a copy of **CHANGES!** the ultimate in Total Self-Improvement absolutely FREE just for trying **TBRs**. Act Now!



100% SATISFACTION GUARANTEED OR YOUR MONEY BACK!

Yes! I want to have a beautiful body! RUSH me the all new **SUPER TBR System** immediately! I must be thrilled with the results or I get my money back! I am enclosing ☐ \$11.00 for the complete system or ☐ \$25.00 for TWO systems and Add \$4.00 for postage & handling. **NO COINS PLEASE.** (Canadians must add \$5.00)

☐ **GUARANTEED PRIVACY:** Yes! Send my **SUPER TBRs** in a plain, unmarked package.

TBR SYSTEM PERSONAL BODY TYPE AND PROBLEM SPOT FORM
 QUESTIONS: Please put an X in the boxes that apply to your personal problem areas. Check off as many boxes as you like. Feel free to add any special notes or wishes on a separate piece of paper.

This is my general body type:

- ☐ TYPE A - I am overweight. I need to lose pounds and inches - reshape my problem spots for a sleeker, more graceful and toned body.
- ☐ TYPE B - I am too skinny. I need more shape and curves in all the right places for a more eye-catching figure.

These are the parts of my body that need the most improvement:

- | | | | |
|------------------------------------|--------------------------------------|--------------------------------------|-------------------------------------|
| ☐ FACE | ☐ WRISTS | ☐ OUTER THIGH | ☐ UPPER BACK |
| ☐ CHIN | ☐ HANDS | ☐ ANKLE | ☐ LOWER BACK |
| ☐ NECK | ☐ STOMACH | ☐ CALVES | ☐ BUTTOCKS |
| ☐ SHOULDERS | ☐ HIPS | ☐ THIGHS | ☐ BELLY |
| ☐ FEET | ☐ INNER THIGH | ☐ FEET | ☐ BUST |

Johnson & Collins Research, Inc.
 Dept. T-995A, USPOB NR. 16346
 Mpls., MN 55416-0346

Complaint

121 F.T.C.

EXHIBIT D



"They Laughed When I Bought My Bikini, But When I Walked On the Beach...!"

WHY DID they make me nervous? For a good laugh? I mean, I hadn't worn a bathing suit since I was 16!

And now, yes, I am invited to beach parties. No one could fit in a swimsuit. I felt so fat and depressed.

But then something inside me said they were there to everyone - and me too! But I could look great too! Right then and there I promised myself to finally do something about the way I looked. But I didn't want to go on some diet like my mom would use. Besides, I tried dieting before, and nothing happened. I wanted something made for girls my age, something that really worked, and would make me look great! *That!*

That's when I heard about the *Total Body Reshaping System*. I knew that lots of other girls used it, and they looked great. Plus I saw that it was safe, safe and healthy for me too. So I went ahead and got it too.

They sent it to me fast and I started to use it right away. After only 3 days I was excited about it. I did something out of crazy. I went out bought my very first bikini. Everyone laughed. "You have a new friend, even my mom!" But I didn't care. I was confident that the *Total Body Reshaping System* would give me the body I wanted. So I followed it everyday, exactly like it said. "Wow," it worked!

What happened next was the most exciting moment of my life.

When I walked on the beach in my new bikini, guys - *real* nice guys - who never talked to me before suddenly wanted to meet me. I was being crowded around me. "You look incredible. How'd you do it?" "What's that?" "What's your secret?" "She's beautiful!"

I couldn't believe it. It was true. I was a whole new person. For the first time in my life I felt beautiful - *even popular*. After being fat for so long, the *Total Body Reshaping System* finally gave me the body I always wanted!

How to Get the Body You Always Wanted...

Now it's *your* turn! Because in as little as 14 days, your entire body could suddenly start to take on a whole new shape! Plus you could be thinner and firmer than ever before. In fact, the *new* *TOTAL BODY RESHAPING SYSTEM* (TBR[®]) for short manual is 100% Guaranteed to give you a sleeker, sexier body that makes you stand out from other girls and gets you noticed - *no matter what you look like right now!*

So if you're overweight, the TBR SYSTEM will help you melt and float away ugly fat - leaving you with a thinner, more beautiful body. But that's only the beginning.

Stubborn Spots???

The *TOTAL BODY RESHAPING SYSTEM* shows you how to attack your own unique problem spots - shaping and slimming them, tightening, firming, helping to dissolve cellulite, and more - all with a new help.

That means you can *zero in* on your thighs, calves, hips, waist, arms, neck or another area that needs *extra strong, extra fast* treatment.

And since every girl's body is different, the *TOTAL BODY RESHAPING SYSTEM* lets you change the parts you don't like about you, so you end up with the perfect body for you!

Here's How It Works

The moment you put the TBR System into action, it helps you burn off excess calories and fatty deposits. That means more of the food you eat is automatically converted into energy - instead of fat. It's sort of like *tricking* your body into losing weight. Next, TBR[®] molines your *energy intake*. At the same time, our *Special Soaping* lotion lets you stimulate muscle tone, exactly where you need it.

Plus, like many other girls, you'll know it's working because you'll feel it from the very first day - and should see results in the mirror as quickly as *fourteen days*. Even your face can look prettier. *Bringing out your cheek bones and becoming more beautiful by any line and structure.*

But the best part is, TBR[®] tells you how keep those improvements so your beautiful, new body will stay *that way*. That means now you can look your best all year long - wear the radiance you love and look gorgeous! Yet with the TBR System there are:

- NO dangerous diet pills to take
- NO chemical powders to mix
- NO diet fad suits or pills
- NO unhealthy crash diets
- NO long, exhausting exercise

Once you use the *TOTAL BODY RESHAPING SYSTEM* there is *nothing else* to buy - *ever*. Simply read and follow it faithfully and then - day by day, inch by inch - you'll see and feel amazing changes start to take place. All your figure problems will suddenly start to disappear - *simply, safely, naturally.*

FACT: TBR[®] is completely safe for all ages. There are NO side effects. It contains absolutely *NO* (H₂O₂) chemical, internal, natural or artificial like other products.

FACT: TBR[®] gives YOU the power to make the changes you want. *Your results are unique for you and are Guaranteed to vary for each girl's body type, bone structure, condition, personal goals and commitment!*

FACT: No matter what you look like *right now*, TBR[®] can *DRAMATICALLY* change the way you look and show you how to stay that way for the rest of your life.

The *TOTAL BODY RESHAPING SYSTEM* isn't less than a new make-up, but can improve your appearance - *one hundred times more!* In fact, you'll hardly believe what you see when you look in the mirror.

1995 JCR Inc.

But maybe the best sign that you're growing sleeker and sexier is the looks from guys who never noticed you before - and the *radiance* looks from the competition!

Try It For 14 Days!

The *TOTAL BODY RESHAPING SYSTEM* must do *everything* exactly as we have promised. If you don't pay a penny! And to prove it to you, we'll let you try TBR[®] in your home with our **NO RISK 14 DAY TRIAL!**

So when your package arrives, we want you to use it - go ahead, let the TBR SYSTEM start to reshape, firm and beautify your body. Use it as *much as you like* to help solve your figure problems.

Then - if you're not completely delighted with your new shape and appearance, if you don't want and feel absolutely sensational, simply return it for a complete and speedy refund. *No hassles. No questions. No delays. Just your money back.*

So it's up to you. One month from today you could look no different than you do right now - or - you could look in the mirror and see a whole, new beautiful you blossoming before your eyes! You decide. Order TBR[®] today! Then see how great it feels to *actually have* a beautiful body instead of just wishing you did.

100% MONEY BACK GUARANTEE!

Try the TBR SYSTEM for 30 days to help you get the body you want. Then if you are not absolutely thrilled with the new you - simply return it for a full refund. *No matter what you've tried before - TBR[®] must work for you or you get your money back.*

MAIL THIS SPECIAL RUSH ORDER FORM TODAY!

Yes! I want to have a beautiful body! Rush me the TBR System right now! I must be thrilled with the results or I get my money back. I am enclosing \$212.00 for the original TBR System or \$29.95 for the new Super TBR System with a One Year Guarantee! Add \$4.00 for postage & handling. **NO COINS PLEASE**

PLEASE! You must PRINT VERY CLEARLY so that your package is delivered to the right address.

☐ Check here for Guaranteed Privacy. Yes! Send me my TBR System in a plain, unmarked package.

Name _____
Street _____
City _____
State _____ Zip _____

Johnson & Collins Research
Dept. Y-895 USPOB NR 16346
Mpls. MN 55416-0346

DECISION AND ORDER

The Federal Trade Commission having initiated an investigation of certain acts and practices of the respondents named in the caption hereof, and the respondents having been furnished thereafter with a copy of a draft of complaint which the Bureau of Consumer Protection proposed to present to the Commission for its consideration and which, if issued by the Commission, would charge respondents with violation of the Federal Trade Commission Act; and

The respondents, their attorneys, and counsel for the Commission having thereafter executed an agreement containing a consent order, an admission by the respondents of all the jurisdictional facts set forth in the aforesaid draft of complaint, a statement that the signing of said agreement is for settlement purposes only and does not constitute an admission by respondents that the law has been violated as alleged in such complaint, or that the facts as alleged in such complaint, other than jurisdictional facts, are true and waivers and other provisions as required by the Commission's Rules; and

The Commission having thereafter considered the matter and having determined that it had reason to believe that the respondents have violated the said Act, and that a complaint should issue stating its charges in that respect, and having thereupon accepted the executed consent agreement and placed such agreement on the public record for a period of sixty (60) days, now in further conformity with the procedure prescribed in Section 2.34 of its Rules, the Commission hereby issues its complaint, makes the following jurisdictional findings and enters the following order:

1. Respondent Johnson & Collins Research, Inc. is a corporation organized, existing, and doing business under and by virtue of the laws of the State of Minnesota, with its office and principal place of business located at 5115 Excelsior Blvd., in the City of Minneapolis, State of Minnesota.

Respondent Gregor A. von Ehrenfels is an officer of said corporation. Individually or in concert with others, he participates in and/or formulates, directs, and controls the acts and practices of said corporation and his principal office and place of business are located at the above stated address.

2. The Federal Trade Commission has jurisdiction of the subject matter of this proceeding and of the respondents, and the proceeding is in the public interest.

ORDER

For purposes of this order;

1. *"Clearly and prominently"* shall mean as follows:

(a) In a television or videotape advertisement, the disclosure shall be presented simultaneously in both the audio and video portions of the advertisement. The audio disclosure shall be delivered in a volume and cadence and for a duration sufficient for an ordinary consumer to hear and comprehend it. The video disclosure shall be of a size and shade, and shall appear on the screen for a duration, sufficient for an ordinary consumer to read and comprehend it.

(b) In a print advertisement, the disclosure shall be in a type size, and in a location, that are sufficiently noticeable so that an ordinary consumer will see and read it, in print that contrasts with the background against which it appears. In multi-page documents, the disclosure shall appear on the cover or first page.

(c) In a radio advertisement, the disclosure shall be delivered in a volume and cadence sufficient for an ordinary consumer to hear and comprehend it.

2. *"Competent and reliable scientific evidence"* shall mean tests, analyses, research, studies, or other evidence based on the expertise of professionals in the relevant area, that has been conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the profession to yield accurate and reliable results.

3. *"Weight-loss product"* shall mean any product or program designed or used to prevent weight gain or to produce weight loss, reduction or elimination of fat, slimming, or caloric deficit in a user of the product or program.

I.

It is ordered, That respondents, Johnson & Collins Research, Inc., a corporation, its successors and assigns, and its officers; and Gregor A. von Ehrenfels, individually and as an officer of Johnson & Collins Research, Inc.; and respondents' agents, representatives and employees, directly or through any partnership, corporation, subsidiary, division or other device, in connection with the manufacturing, advertising, packaging, labeling, promotion, offering for sale, sale, or distribution of Total Body Reshaping System, Super Total Body Reshaping System, or any substantially similar product, in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, in any manner, directly or by implication, that such product does not require dieting.

II.

It is further ordered, That respondents, Johnson & Collins Research, Inc., a corporation, its successors and assigns, and its officers; and Gregor A. von Ehrenfels, individually and as an officer of Johnson & Collins Research, Inc.; and respondents' agents, representatives and employees, directly or through any partnership, corporation, subsidiary, division or other device, in connection with the manufacturing, advertising, packaging, labeling, promotion, offering for sale, sale, or distribution of any weight-loss product, in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, in any manner, directly or by implication, that:

- A. Such product is effective in causing fast and significant weight loss;
- B. Such product is effective in reducing body fat or cellulite;
- C. Such product is effective in causing weight loss, fat reduction, or increased muscle tone in specific, desired areas of the body;
- D. Such product is effective in burning excess calories, modifying caloric intake, or converting food into energy instead of fat; or
- E. Such product has any effect on users' weight, body size or shape, body measurements, or appetite,

unless, at the time of making such representation, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

III.

Nothing in Parts I and II of this order shall prohibit respondents from making representations which promote the sale of books and other publications, provided that, the advertising only purports to express the opinion of the author or to quote the contents of the publication; the advertising discloses the source of the statements quoted or derived from the contents of the publication; and the advertising discloses the author to be the source of the opinions expressed about the publication. This Part shall not apply, however, if the publication or its advertising is used to promote the sale of some other product as part of a commercial scheme.

IV.

It is further ordered, That respondents, Johnson & Collins Research, Inc., a corporation, its successors and assigns, and its officers; and Gregor A. von Ehrenfels, individually and as an officer of Johnson & Collins Research, Inc.; and respondents' agents, representatives and employees, directly or through any partnership, corporation, subsidiary, division or other device, in connection with the manufacturing, advertising, packaging, labeling, promotion, offering for sale, sale, or distribution of Total Body Reshaping System, Super Total Body Reshaping System, or any substantially similar product, in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from making any representation, in any manner, directly or by implication, that any such product has any effect on weight or body size, unless respondents disclose, clearly and prominently, that such product consists primarily of a booklet or pamphlet containing information and advice on weight loss.

V.

It is further ordered, That respondents, Johnson & Collins Research, Inc., a corporation, its successors and assigns, and its

officers; and Gregor A. von Ehrenfels, individually and as an officer of Johnson & Collins Research, Inc.; and respondents' agents, representatives and employees, directly or through any partnership, corporation, subsidiary, division or other device, in connection with the manufacturing, advertising, packaging, labeling, promotion, offering for sale, sale, or distribution of any weight-loss product, in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from making any representation, in any manner, directly or by implication, that any such weight-loss product has any effect on weight or body size, unless they disclose, clearly and prominently, that dieting and/or increasing exercise is required to lose weight; provided however, that this disclosure shall not be required if respondents possess and rely upon competent and reliable scientific evidence demonstrating that the weight-loss product is effective without either dieting or increasing exercise.

VI.

It is further ordered, That respondent, Johnson & Collins Research, Inc., shall:

A. Within thirty (30) days after service of this order, provide a copy of this order to each of respondent's current principals, officers, directors, and managers, and to all personnel, agents, and representatives having sales, advertising, or policy responsibility with respect to the subject matter of this order; and

B. For a period of five (5) years from the date of issuance of this order, provide a copy of this order to each of respondent's future principals, officers, directors, and managers, and to all personnel, agents, and representatives having sales, advertising, or policy responsibility with respect to the subject matter of this order who are associated with respondent or any subsidiary, successor, or assign, within three (3) days after the person assumes his or her responsibilities.

VII.

It is further ordered, That for five (5) years after the last date of dissemination of any representation covered by this order,

respondents, or their successors and assigns, shall maintain and upon request make available to the Federal Trade Commission or its staff for inspection and copying:

A. All materials that were relied upon in disseminating such representation; and

B. All tests, reports, studies, surveys, demonstrations or other evidence in their possession or control that contradict, qualify, or call into question such representation, or the basis relied upon for such representation, including complaints from consumers.

VIII.

It is further ordered, That respondent, Johnson & Collins Research, Inc., shall notify the Federal Trade Commission at least thirty (30) days prior to any proposed change in its corporate structure, including but not limited to dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or affiliates, the planned filing of a bankruptcy petition, or any other corporate change that may affect compliance obligations arising out of this order.

IX.

It is further ordered, That respondent, Gregor A. von Ehrenfels, shall, for a period of three (3) years from the date of issuance of this order, notify the Commission within thirty (30) days of the discontinuance of his present business or employment and of his affiliation with any new business or employment involving the advertising, offering for sale, sale, or distribution of any weight-loss product. Each notice of affiliation with any new business or employment shall include respondent's new business address and telephone number, current home address, and a statement describing the nature of the business or employment and his duties and responsibilities.

X.

This order will terminate on May 31, 2016, or twenty years from the most recent date that the United States or the Federal Trade

Commission files a complaint (with or without an accompanying consent decree) in federal court alleging any violation of the order, whichever comes later; provided, however, that the filing of such a complaint will not affect the duration of:

- A. Any paragraph in this order that terminates in less than twenty years;
- B. This order's application to any respondent that is not named as a defendant in such complaint; and
- C. This order if such complaint is filed after the order has terminated pursuant to this paragraph.

Provided further, that if such complaint is dismissed or a federal court rules that the respondent did not violate any provision of the order, and the dismissal or ruling is either not appealed or upheld on appeal, then the order will terminate according to this paragraph as though the complaint was never filed, except that the order will not terminate between the date such complaint is filed and the later of the deadline for appealing such dismissal or ruling and the date such dismissal or ruling is upheld on appeal.

XI.

It is further ordered, That respondents shall, within sixty (60) days after service of this order, and at such other times as the Federal Trade Commission may require, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Complaint

121 F.T.C.

IN THE MATTER OF

CANCER TREATMENT CENTERS OF AMERICA, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF
SECS. 5 AND 12 OF THE FEDERAL TRADE COMMISSION ACT*Docket C-3662. Complaint, May 31, 1996--Decision, May 31, 1996*

This consent order requires, among other things, the Illinois-based company and two affiliated hospitals to substantiate future claims regarding the success or efficacy of their cancer treatments and to ensure that testimonials they use do not misrepresent the typical experience of their patients.

*Appearances*For the Commission: *Walter Gross, III.*For the respondents: *Stephen Durchslag* and *Michael Silbarium*,
Winston & Strawn, Washington, D.C.

COMPLAINT

The Federal Trade Commission, having reason to believe that Cancer Treatment Centers of America, Inc., a corporation, Midwestern Regional Medical Center, Inc., a corporation, and Memorial Medical Center and Cancer Institute, Inc., a corporation, ("respondents") have violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, alleges:

PARAGRAPH 1. Respondent Cancer Treatment Centers of America, Inc., is an Illinois corporation, with its principal office or place of business at 3455 Salt Creek Lane, Suite 200, Arlington, Illinois.

Respondent Midwestern Regional Medical Center, Inc., is an Illinois corporation, with its principal office or place of business at Shiloh Boulevard and Emmaus Avenue, Zion, Illinois.

Respondent Memorial Medical Center and Cancer Institute, Inc., is an Oklahoma corporation, with its principal office or place of business at 8181 South Lewis Avenue, Tulsa, Oklahoma.