UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

In the Matter of
GREAT EARTH INTERNATIONAL, INC.,
a corporation.

FILE NO. 842 3212
AGREEMENT CONTAINING
CONSENT ORDER TO
CEASE AND DESIST

The Federal Trade Commission having initiated an investigation of certain acts and practices of Great Earth International, Inc., a corporation, and it now appearing that Great Earth International, Inc., hereinafter sometimes referred to as proposed respondent, is willing to enter into an agreement containing an order to cease and desist from the use of the acts and practices being investigated,

IT IS HEREBY AGREED by and between Great Earth International, Inc., by its duly authorized officer and its attorney, and counsel for the Federal Trade Commission that:

1. Proposed respondent Great Earth International, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of California, with its office and principal place of business located at 1801 Parkcourt Place, Suite A, Santa Ana, California 92702.

2. Proposed respondent admits all the jurisdictional facts set forth in the draft of complaint here attached.

3. Proposed respondent waives:

   a) Any further procedural steps;

   b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law; and

   c) All rights to seek judicial review or otherwise to challenge or contest the validity of the order entered pursuant to this agreement.
4. This agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission, it, together with the draft of complaint contemplated thereby, will be placed on the public record for a period of sixty (60) days and information in respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify the proposed respondent, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision, in disposition of the proceeding.

5. This agreement is for settlement purposes only and does not constitute an admission by proposed respondent that the law has been violated as alleged in the draft of complaint here attached.

6. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 2.34 of the Commission's Rules, the Commission may, without further notice to proposed respondent, (1) issue its complaint corresponding in form and substance with the draft of complaint here attached and its decision containing the following order to cease and desist in disposition of the proceeding and (2) make information public in respect thereto. When so entered, the order to cease and desist shall have the same force and effect and may be altered, modified or set aside in the same manner and within the same time provided by statute for other orders. The order shall become final upon service. Delivery by the U.S. Postal Service of the complaint and decision containing the agreed-to order to proposed respondent's address as stated in this agreement shall constitute service. Proposed respondent waives any right it may have to any other manner of service. The complaint may be used in construing the terms of the order, and no agreement, understanding, representation, or interpretation not contained in the order or the agreement may be used to vary or contradict the terms of the order.

7. Proposed respondent has read the proposed complaint and order contemplated hereby. It understands that once the order has been issued, it will be required to file one or more compliance reports showing that it has fully complied with the order. Proposed respondent further understands that it may be liable for civil penalties in the amount provided by law for each violation of the order after it becomes final.
ORDER

I

IT IS ORDERED that respondent Great Earth International, Inc., a corporation, its successors and assigns, and its officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division or other device, in connection with the manufacturing, labeling, packaging, offering for sale, selling, advertising or distributing of the nutrient supplements known from 1983 to 1987 as "GHR Formula-PM" (presently known as "Tri-Amino Plus P.M."), "L-Arginine," "L-Ornithine," or any other food of substantially similar composition, or any other free form amino acid nutrient supplement containing arginine, ornithine, tryptophane, glycine, or any combination thereof, in or affecting commerce, as "food" and "commerce" are defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that any such product will:

A. Stimulate greater production or release of human growth hormone in users of such product than in non-users.

B. Alter human metabolism in such a way that the metabolism of users of such product will function in a manner similar to the metabolism of youth.

C. Help users achieve results similar to or superior to the results these users generally believe are achievable through use of anabolic steroids, e.g., rapid or substantial muscular development.

D. Promote greater weight loss during sleep in users of such product than in non-users of such product, when consumed before sleep.

E. Promote greater burning of fat or building, firming, toning or shaping of muscle in users of such product than in non-users.

F. Promote more rapid healing and greater protection against physical and mental fatigue in users of such product than in non-users.

G. Promote greater stimulation of the immune system and greater protection against fatigue in users of such product than in non-users.
IT IS FURTHER ORDERED that respondent Great Earth International, Inc., a corporation, its successors and assigns, and its officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division or other device, in connection with the manufacturing, labeling, packaging, offering for sale, selling, advertising or distributing of any product in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that any such product will:

A. Beneficially affect, cure, prevent or reduce the risk of any disease or any other undesirable physical, mental or emotional state or condition;

B. Improve or strengthen any bodily part, organ, system, function or ability;

C. Eliminate, inhibit, reduce or otherwise neutralize or render harmless any harmful substance or organism that may be found in the body or environment; or

D. Assist or enable a user to lose or control weight or fat, or suppress appetite

unless, at the time of making such representation, respondent possesses and relies upon competent and reliable scientific evidence that substantiates the representation. "Competent and reliable" shall mean for purposes of this Order tests, analyses, research, studies or other evidence conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted by others in that profession or science to yield accurate and reliable results.

IT IS FURTHER ORDERED that respondent Great Earth International, Inc., a corporation, its successors and assigns, and its officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division or other device, do forthwith cease and desist from using the name "Growth Hormone Releaser," "GHR" or any other name of similar meaning as a brand name or description for any product, unless such product stimulates the body to produce, or the pituitary gland to release, significantly greater amounts of human growth hormone in users than in non-users and, at the time of using such name, respondent possesses and
relies upon competent and reliable scientific evidence that substantiates the representation inherent in use of such name.

IV

IT IS FURTHER ORDERED that respondent, its successors and assigns, shall, for at least three (3) years after the last dissemination of the representation, maintain and upon reasonable request make available to the Federal Trade Commission at a place it designates for inspection and copying copies of:

A. All materials that respondent relied upon in making any representation covered by this Order.

B. All test reports, studies, surveys, or demonstrations in its possession or control that contradict any such representation.

V

IT IS FURTHER ORDERED that respondent shall notify the Commission within thirty (30) days before any changes in the respondent such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change which may affect compliance obligations arising out of this Order.

VI

IT IS FURTHER ORDERED that respondent shall, within sixty (60) days after service of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this Order.

Signed this __ day of October, 1987.

GREAT EARTH INTERNATIONAL, INC.,
a corporation

By: _______________________________
John R. Gorman, Jr.
President and Chief Executive Officer
1801 Parkcourt Place, Suite A
Santa Ana, California 92702
HART & HART
1925 Century Park East
Suite Two Thousand - Century City
Los Angeles, California  90067-2721

By:
Maurice A. Hart
One of Its Attorneys

Michael L. Sirota
Counsel for the Federal
Trade Commission

APPROVED:

William P. Golden
Acting Director
CHICAGO REGIONAL OFFICE
UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

In the Matter of
GREAT EARTH INTERNATIONAL, INC.,
a corporation.

Docket No.

COMPLAINT

The Federal Trade Commission, having reason to believe that Great Earth International, Inc., a corporation, hereinafter referred to as respondent, has violated Sections 5 and 12 of the Federal Trade Commission Act, and that an action by it is in the public interest, issues this complaint and alleges that:

PARAGRAPH ONE: Great Earth International, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of California, with its office and principal place of business located at 1801 Parkcourt Place, Suite A, Santa Ana, California 92701.

PARAGRAPH TWO: Respondent is, and has been engaged in the manufacture, labeling, packaging, offering for sale, promotion, sale and distribution to the public of various nutrient supplements, such as "GHR Formula-P.M.", "L-Arginine", "L-Ornithine," and other foods, as "food" is defined in the Federal Trade Commission Act, and other products.

PARAGRAPH THREE: Respondent has caused to be prepared and placed for publication and has caused the dissemination of various advertising and promotional materials, including, but not limited to, the advertising and promotional materials attached hereto as Exhibits A through I, to promote the sale of its nutrient supplements and other foods and other products. As advertised, respondent's nutrient supplements are "food[s]," within the meaning of Section 12 of the Federal Trade Commission Act.
PARAGRAPHS FOUR: Respondent operates in various states of the United States and in the District of Columbia. Respondent's manufacturing, labeling, packaging, offering for sale, promoting, sale and distribution of nutrient supplements and other foods and other products constitute the maintenance of a substantial course of trade in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act.

PARAGRAPHS FIVE: In the course and conduct of its business, respondent has disseminated and caused the dissemination of advertisements and promotional materials for nutrient supplements and other foods and other products by various means in or affecting commerce, including, inter alia, the placement of advertisements in newspapers and national magazines distributed through the mail and across state lines. Such advertisements and promotional materials were for the purpose of inducing, and were likely to induce, directly or indirectly, the purchase by the public of respondent's nutrient supplements and other foods and products.

PARAGRAPHS SIX: Typical examples of respondent's advertisements and promotional materials, disseminated as previously described, but not necessarily inclusive thereof, are the advertisements and promotional materials attached hereto as Exhibits A through I. Specifically, these advertisements and promotional materials have contained the following statements:

A. In regard to "GHR Formula-P.M.":

1. "How to get the body of your dreams while you sleep. When you go to sleep, GHR Formula-P.M. goes to work. How? Simply by helping your body do more of what it already does every night.

   About 90 minutes after you fall asleep, your pituitary gland begins releasing Growth Hormone, which burns fat and builds muscle. But in your adult years, less Growth Hormone is released and less fat is burned.

   GHR Formula-P.M. is taken at bedtime, permitting it to be digested and absorbed by about the same time your pituitary begins to work its nightly magic.

   The result is an increase in the amount of Growth Hormone in your bloodstream. In other words, GHR Formula-P.M. helps you start regaining your youthful metabolism and lean, firm figure overnight."
2. "When you go to sleep, GHR Formula-P.M. goes to work
   . Burning away fat
   . Building lean muscle tissue
   . Firming
   . Toning
   . Shaping"

3. "The nutrients in GHR Formula-P.M. can stimulate the release of Growth Hormone and raise blood levels. This improves your body's ability to burn unwanted excess body fat and build lean muscle."

4. "The special formula of Amino Acids in GHR Formula-P.M. can help raise your body's metabolic rate naturally."

5. "[M]any . . . athletes turn to anabolic steroids to accomplish their goals. GHR Formula-P.M. is a safe natural alternative for athletes. As a natural anabolic supplement it will help athletes to build lean muscle tissue and burn body fat."

6. "Lose While You SNOOZE."

7. "Many products claim to help you burn fat while you sleep but few really can. Most just don't contain the right balance of nutrients to properly stimulate the release of Growth Hormone. But GHR Formula-P.M. does! It's scientifically formulated for maximum effectiveness. It really works!"

8. "You can lose fat plus firm and tone your muscles without lifting a finger."

9. "Hunger Free Diet"

10. "Now you can have the firm, fat-free physique of youth with GHR Formula-P.M."

11. "Avoid Starvation Diets"

B. In regard to "L-Ornithine" and "L-Arginine":

1. "Two Amino Acids shown to help burn fat and build muscle when taken in combination."
2. "Sleep away fat! Life Extension proponents now claim rapid weight loss is possible, while you sleep, by supplementing your diet with these fat burning, muscle building amino acids."

3. "THE MUSCLE BUILDING FAT BURNING HELPERS."

4. "They help speed up healing and protect against physical and mental fatigue."

C. In regard to "L-Ornithine" only:

1. "An amino acid that functions in the body as a growth hormone and immune system stimulator. Helps protect against fatigue."

PARAGRAPH SEVEN: Through the use, inter alia, of the statements set forth in PARAGRAPH SIX (A) through SIX (C), and other statements contained in advertisements or promotional materials not specifically set forth herein, respondent has represented, and now represents, directly or by implication, that:

A. GHR Formula-P.M. will:

1. Stimulate the pituitary gland to release greater amounts of human growth hormone in users of the product than in non-users of the product.

2. Alter human metabolism in such a way that the metabolism of users of the product will function in a manner similar to the metabolism of youth.

3. Burn fat, build lean muscle tissue or firm, tone or shape muscles.

4. Help athletes or muscle builders achieve results similar to the results these individuals generally believe are achievable through use of anabolic steroids, e.g., rapid and substantial muscular development.

5. Taken before sleep, will promote greater weight loss during sleep in users of the product than in non-users of the product.
B. "L-Ornithine" or "L-Arginine," or both, will:

1. Stimulate the pituitary gland to release greater amount of human growth hormone in users of the products than in non-users of these products.

2. Promote greater burning of fat or building of muscle in users of these products than in non-users of these products.

3. Promote more rapid healing and greater protection against physical and mental fatigue in users of these products than in non-users of these products.

4. Promote greater stimulation of the immune system and greater protection against fatigue in users of these products than in non-users of these products.

PARAGRAPH EIGHT: In truth and in fact:

A. GHR Formula-P.M. will not:

1. Stimulate the pituitary gland to release greater amounts of human growth hormone in users of the product than in non-users of the product.

2. Alter human metabolism in such a way that the metabolism of users will function in a manner similar to the metabolism of youth.

3. Burn fat, build lean muscle tissue or firm, tone or shape muscles.

4. Help athletes or muscle builders achieve results similar to the results these individuals generally believe are achievable through the use of anabolic steroids, e.g., rapid and substantial muscular development.

5. Taken before sleep, promote greater weight loss during sleep in users of the product than in non-users of the product.

B. "L-Ornithine" or "L-Arginine," or both, will not:
1. Stimulate the pituitary gland to release greater amounts of human growth hormone in users of these products than in non-users of these products.

2. Promote greater burning of fat or building of muscle in users of these products than in non-users of these products.

3. Promote more rapid healing and greater protection against physical and mental fatigue in users of these products than in non-users of these products.

4. Promote greater stimulation of the immune system or greater protection against fatigue in users of these products than in non-users of these products.

Therefore, the representations set forth in PARAGRAPH SEVEN were, and are, false and misleading.

PARAGRAPH NINE: Through the use, inter alia, of the representations set forth in PARAGRAPH SEVEN, and other representations contained in advertisements or promotional materials not specifically set forth herein, respondent has represented and now represents, directly or by implication, that at the time of making the representations set forth in PARAGRAPH SEVEN respondent has possessed and relied upon a reasonable basis for these representations.

PARAGRAPH TEN: In truth and in fact, at the time of making the representations set forth in PARAGRAPH SEVEN, respondent did not possess and rely upon a reasonable basis for making the representations. Therefore, the representation set forth in PARAGRAPH NINE was, and is, false and misleading.

PARAGRAPH ELEVEN: The aforesaid acts or practices of respondent were and are to the prejudice and injury of the public and constituted and now constitute unfair and deceptive acts or practices in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act and false advertisements in violation of Section 12 of the Federal Trade Commission Act.

WHEREFORE, THE PREMISES CONSIDERED, the Federal Trade Commission on this ___ day of ________, 198__, issues its complaint against the respondent.

By the Commission.

Emily H. Rock
Secretary
## GHR FORMULA

### P.M.

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<td>L-Tryptophan</td>
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<td>Glycine</td>
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<td>Vitamin B-6</td>
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<td>(Pyridoxine HCl)</td>
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<tr>
<td>Niacinamide</td>
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Six tablets provide:
- 3000 mg.
- 1000 mg.
- 4000 mg.
- 90 mg.

No sugar, salt, starch, yeast, artificial coloring, flavoring, or preservatives added.

Components in this product are derived from natural sources.

Natural Protective Coating Utilized.

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**Great Earth Vitamins #55**

169 W. JACKSON BLVD.
CHICAGO, ILLINOIS 60603
(312) 939-2777

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EXHIBIT A
GHR FORMULA
P.M.

How can GHR Formula-P.M. help me burn fat and increase muscle?

Human Growth Hormone is stored in the pituitary gland. It helps us convert fat into muscles and energy, but as we grow out of our childhood years, the release of Growth Hormone from the pituitary gland slows dramatically.

The nutrients in GHR Formula-P.M. can stimulate the release of Growth Hormone and raise blood levels. This improves your body's ability to burn unwanted excess body fat and build lean muscle.

Can GHR Formula-P.M. really help me lose weight?

If you have tried dieting and been unsuccessful, you may be having difficulty because of a reduced metabolism. Most reduced calorie diets cause the body to compensate by slowing metabolism. Thus, weight loss slows down or stops.

The special formula of Amino Acids in GHR Formula-P.M. can help raise your body's metabolic rate naturally, and will make you more successful in your weight loss program. By supplementing your daily diet with GHR Formula-P.M., you will maximize your body's ability to burn off stored fat and excess calories.

What about building muscle?

Many serious athletes are concerned with increasing their muscle mass and minimizing body fat. Unfortunately, many of these athletes turn to anabolic steroids to accomplish their goals.

GHR Formula-P.M. is a safe natural alternative for athletes. As a natural anabolic supplement it will help athletes to build lean muscle tissue and burn body fat. Taken regularly in conjunction with a sound exercise program, it can enhance the development of lean body mass.

Why should GHR Formula-P.M. be taken at night?

The body's natural release of Growth Hormone occurs normally about 90 minutes after falling asleep. Taking GHR Formula-P.M. before bedtime will allow it to be digested and absorbed in time for it to coincide with the natural release cycle of Growth Hormone, thus maximizing the amount released.

What else should I take with GHR Formula-P.M.?

If you are trying to lose weight, try our Hunger Free™ Diet Pack to help you control hunger during the day. Should body-building be your goal, you should consider our Great Body™ Protein Powder and a program of supplements specifically designed for your accelerated muscle development. Both dieters and athletes need a sound basic nutritional supplement program like our NSP™ to ensure nutritional support for the extra demands they put on their bodies.
How to get the body of your dreams while you sleep

When you go to sleep, GHR Formula-PM goes to work

- Burning away fat
- Building lean muscle tissue
- Firming
- Toning
- Shaping

About 90 minutes after you fall asleep, your pituitary gland begins releasing Growth Hormone, which burns fat and builds muscle. But by your adult years, less Growth Hormone is released and less fat is burned.

GHR Formula-PM is taken at bedtime, permitting it to be digested and absorbed by the same time your pituitary begins to work its nightly magic.

The result is an increase in the amount of Growth Hormone in your bloodstream. In other words, GHR Formula-PM helps you start regaining your youthful metabolism and lean, firm figure overnight.

It's available only at Great Earth Vitamins, so come in today. We'll help you wake up to the body you've been dreaming of.

1299
60 tabs

GREAT EARTH VITAMINS

1721 SHERMAN AVENUE, EVANSTON
(Between Church & Clark Streets)
475-0205

CHICAGO
618 S MICHIGAN AVE
627-0177

180 Stores Nationwide to Serve You • Satisfaction Guaranteed • Nutrition Consultants
SLEEP AWAY FAT!
AMAZING NEW FORMULA LETS YOU LOSE FAT WHILE YOU SNOOZE
- BURN OFF BODY FAT!
- BUILD LEAN MUSCLE TISSUE!
- FIRM AND TONE YOUR BODY
- REGAIN YOUR YOUTHFUL METABOLISM!
- AVOID STARVATION DIETS!

NOW, WITH GHR FORMULA-P.M.
AVAILABLE EXCLUSIVELY AT GREAT EARTH VITAMIN STORES.

Taken at bedtime, this special synergistic combination of amino acids and vitamins works to burn up body fat and helps you develop more lean muscle tissue. You lose fat plus firm a t d tone your body's tissues!

This amazing new formula stimulates the release of Growth Hormone while you sleep which improves your body's ability to burn off body fat. If you've been unsuccessful at dieting you may be having difficulty because of a reduced metabolism. GHR FORMULA-P.M. can help raise your body's metabolic rate naturally! By increasing your level of Growth Hormone you can have the firm fat-free look of youth!

Many products claim to help you burn fat while you sleep but few really can. Most just don't contain the right balance of nutrients to properly stimulate the release of Growth Hormone. But GHR FORMULA-P.M. does! It's scientifically formulated for maximum effectiveness. It really works!

GHR FORMULA-P.M.
lose while you snooze!

HUNGER FREE™ DIET PACK
Attack hunger all day!

FREE

MAINTAIN™ DHEA COMPLEX
Maintain your weight loss
FREE 60 tablets
When you purchase GHR FORMULA-P.M. and the HUNGER FREE DIET PACK
Eat as you normally would and keep those extra pounds off. MAINTAIN™ prevents excess calories from turning into unwanted fat. Your body just burns them off.

GREAT EARTH VITAMINS

EXHIBIT C
now, it's possible to...

LOSE WHILE YOU SNOOZE!

Sleep away fat with GREAT EARTH VITAMIN'S new

GHR FORMULA-P.M.

Now, new maximum strength GHR FORMULA-P.M. available only at GREAT EARTH VITAMIN STORES.

12.99

60 tabs

While you sleep, this special synergistic combination of amino acids and vitamins works to break down body fat and helps you to develop more lean muscle tissue.

You can lose fat plus firm and tone your muscles without lifting a finger!

This fantastic formula works by stimulating the natural release of Growth Hormone while you are sleeping. It is Growth Hormone which is responsible for a youthful metabolism and muscle tone. Now you can have the firm, fat-free physique of youth with GHR FORMULA — P.M.

Offer good thru / / at participating stores only
Trim while you sleep with GREAT EARTH'S special offer on the "Life Extension" diet.

You've probably seen Dr. M.M. and Sandy Shaw on TV discussing the Life Extension night time diet. They're claiming rapid weight loss is possible while you sleep, by supplementing your diet with the amino acids known to stimulate the human growth hormone.

Save big on this program now by getting FREE L-Lysine with the purchase of L-Ornithine and L-Arginine in the 100 tablet size.

FREE!

SLEEP AWAY FAT!
**AMAZING DIET BREAKTHROUGH!**

**lets you maintain your ideal weight**

**MORE SPECIALS**

<table>
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<th>Vitamin C</th>
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<tr>
<td>500 mg.</td>
<td>200 IU.</td>
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<tr>
<td>199</td>
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**AND IT'S YOURS FREE!**

When you purchase Great Earth Vitamin Stores' new Snooze and Lose, Hunger Free Diet.

<table>
<thead>
<tr>
<th>Lose While You Snooze!</th>
<th>Attack Hunger All Day!</th>
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<tr>
<td>GHR Formula - P.M.</td>
<td>Hunger Free™ Diet Pack</td>
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<tr>
<td>12.99</td>
<td>16.99</td>
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</table>

**SLEEP AWAY FAT!** While you sleep this special synergistic combination of amino acids and vitamins works to burn up body fat and helps you develop more lean muscle tissue.

**ATTACK HUNGER ALL DAY!**

**HUNGER FREE™ DIET PACK**

- Three special tablets with all natural ingredients:
  1. GREAT SHAPE® helps you feel full and reduces water retention.
  2. SUPPREZEE® controls hunger.
  3. LIPO TROPIC FORMULA helps emulsify fats.
SLEEP AWAY FAT!
AMAZING NEW FORMULA LETS YOU LOSE FAT WHILE YOU SNOOZE

• BURN OFF BODY FAT!
• BUILD LEAN MUSCLE TISSUE!
• FIRM AND TONE YOUR BODY!
• REGAIN YOUR YOUTHFUL METABOLISM!
• AVOID STARVATION DIETS!

NOW, WITH GHR FORMULA-P.M.
AVAILABLE EXCLUSIVELY AT GREAT EARTH VITAMIN STORES.

Three key reasons why this new, amazing formula can help you:

1. Burn off Body Fat: GHR FORMULA-P.M. helps your body burn off body fat while you sleep. Just one bottle works as a powerful fat burning supplement.
2. Build Lean Muscle Tissue: It helps you build lean muscle tissue while you sleep.
3. Firm and Tone Your Body: GHR FORMULA-P.M. helps to firm and tone your body while you sleep.

This special formula stimulates the release of Growth Hormone while you are sleeping which improves your body’s ability to burn off body fat. If you’ve been unsuccessful at dieting and trying to lose weight, GHR FORMULA-P.M. can help you do so while you sleep.

Many products claim to help you burn fat while you sleep but few really can. Most just don’t stimulate the right balance of nutrients to properly stimulate the release of Growth Hormone. But, GHR FORMULA-P.M. does! It’s scientifically formulated for maximum effectiveness. It really works!

GHR FORMULA-P.M.
1299
60 TABLETS

GREAT EARTH® VITAMINS

STORES NATIONWIDE TO SERVE YOU • YOUR NATURAL DIET HEADQUARTERS

EXHIBIT G
L-ORNITHINE
500 mg.
helps build muscles.
burn fat
1499
100 tabs
An amino acid that functions in the body as a growth hormone and immune system stimulator. Helps protect against fatigue.

EXHIBIT H
L-Arginine and L-Ornithine are amino acids which function in the body as growth hormone and immune system stimulators. They aid the body in building muscle and burning off fat. They help speed up healing and protect against physical and mental fatigue.

L-Ornithine is twice as potent as L-Arginine.

Prices in effect 1/1 at participating stores only
The Federal Trade Commission has accepted, subject to final approval, an agreement containing a consent order from Great Earth International, Inc., a California corporation (the "respondent"). Under this agreement the respondent will cease and desist from making certain specific claims for three food supplements. The agreement also prohibits the respondent from making other specified claims for any product, unless it possesses competent and reliable scientific evidence that substantiates such claims.

The proposed consent order has been placed on the public record for sixty (60) days for receipt of comment by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement and take other appropriate action, or make final the proposed order contained in the agreement.

This matter concerns advertisements for "GHR Formula-P.M.," "L-Ornithine" and "L-Arginine," three food supplements. The Complaint accompanying the proposed consent order alleges that in connection with promoting these products the respondent engaged in deceptive acts and practices in violation of Section 5 of the Federal Trade Commission Act and that the respondent disseminated false advertisements in violation of Section 12 of the Federal Trade Commission Act. According to the Complaint, the respondent represented that these products would enable users to lose weight, build muscle, burn fat, promote healing, protect against mental and physical fatigue and strengthen the immune system.

The Complaint also alleges that the advertisements were deceptive because the respondent represented to consumers that it had a reasonable basis for the representations challenged in the Complaint when in fact it had no reasonable basis for these representations.

The consent order contains provisions designed to prevent the respondent from engaging in similar allegedly unlawful acts and practices in the future.
Part I of the order prohibits the respondent from representing that any of the three food supplements will:

1. Stimulate greater production or release of human growth hormone in users of such product than in non-users.
2. Alter human metabolism in such a way that the metabolism of users of such product will function in a manner similar to the metabolism of youth.
3. Help users achieve results similar to or superior to the results these users generally believe are achievable through use of anabolic steroids, e.g., rapid or substantial muscular development.
4. Promote greater weight loss during sleep in users of such product than in non-users of such product, when consumed before sleeping.
5. Promote greater burning of fat or building, firming, toning or shaping of muscle in users of such product than in non-users.
6. Promote rapid healing and greater protection against physical and mental fatigue in users of such product than in non-users; or
7. Promote greater stimulation of the immune system and greater protection against fatigue in users of such product than in non-users.

Part II of the order prohibits the respondent from representing that any product will:

1. Beneficially affect, cure, prevent or reduce the risk of any disease or any other undesirable physical, mental or emotional state or condition;
2. Improve or strengthen any bodily part, organ, system, function or ability;
3. Eliminate, inhibit, reduce or otherwise neutralize or render harmless any harmful substance or organism that may be found in the body or environment; or
4. Assist or enable a user to lose or control weight or fat, or suppress appetite,
unless, at the time of making such representation, respondent possesses and relies upon competent and reliable scientific evidence that substantiates the representation.

Part III of the order prohibits the respondent from using the name "Growth Hormone Releaser," "GHR" or any other name of similar meaning as a brand name or description for any product, unless such product stimulates the body to produce or the pituitary gland to release significantly greater amounts of human growth hormone in users of the product than in non-users of the product and that at the time of using such name respondent possesses and relies upon competent and reliable scientific evidence that substantiates the representation inherent in use of such name.

Part IV of the order requires the respondent to:

1. Retain records that respondent contends support any future advertising representation covered by the consent order; and
2. Retain records that contradict any such representation.

Finally, Part V of the order requires the respondent to give the Federal Trade Commission prior notification of any changes in the respondent such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change which may affect its compliance obligations under the order.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the agreement and proposed order, or to modify in any way their terms.

Emily H. Rock
Secretary

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