

# Office of Attorney General Terry Goddard



STATE OF ARIZONA  
DEPARTMENT OF LAW  
1275 W. WASHINGTON STREET  
PHOENIX, ARIZONA 85007-2926  
[WWW.AZAG.GOV](http://WWW.AZAG.GOV)

ANNE TITUS HILBY  
PRESS SECRETARY  
PHONE: (602) 542-8019  
CELL PHONE: (602) 725-2200  
[ANNE.HILBY@AZAG.GOV](mailto:ANNE.HILBY@AZAG.GOV)

FOR IMMEDIATE RELEASE

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## **Coke, Nestle Drop Claim That Green Tea Beverage Leads to Weight Loss**

(Phoenix, Ariz. – Feb. 26, 2009) Attorney General Terry Goddard today announced a settlement with Coke, Nestle and Beverage Partnership Worldwide (BPW) resolving questions over the companies' claims that drinking Enviga, a green tea beverage, burns calories and results in weight loss.

In 2007, Attorneys General from 27 states and the District of Columbia began investigating questionable claims that drinking Enviga burned more calories than the drink contained, thereby resulting in weight loss. Marketing campaigns for Enviga claimed that consuming three cans in a day would result in burning up to 60 to 100 extra calories per day.

The study cited by the companies as the basis for the claims, however, ran for three days and included only a small group of normal-weight, healthy 18-35 year olds. While a number of study participants did experience some additional calorie burning by drinking Enviga, they did not experience weight loss. Additionally, the study did not establish that any of the calorie burning effect could be sustained over time.

The settlement reached today requires the companies to clearly disclose that weight loss is only possible through diet and exercise in any marketing of Enviga or similarly formulated beverages. The companies also must pay \$650,000 to the states.

States participating in today's settlement are: Connecticut, Alaska, Arizona, Arkansas, California, Florida, Georgia, Idaho, Illinois, Louisiana, Maine, Massachusetts, Michigan, Missouri, Montana, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Tennessee, Texas, Washington and the District of Columbia.

Assistant Attorney General Nancy Anger handled this case. Attached are examples of the Enviga marketing challenged by the Attorneys General and Enviga's new marketing materials that include disclosures required by the settlement.

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