

## NAD Finds Water Beverage Nutritional Benefit Claims Inaccurate and Unsubstantiated

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Advertising for Sunny Delight Beverages Co. ("Sunny D") was recently challenged in relation to the labeling and advertising of its claims for a line of water beverages, Fruit2O essentials. Sunny D claimed that Fruit2O: (1) contains "5 nutrients equal to 2 servings of fruit," and (2) is "fortified with nutrients equal to 2 servings of fruit." Sunny D argued that the claims were substantiated due to the fact that nutrients contained in fruit were added to the water beverage in amounts equivalent to the amounts found in fruit. However, the NAD held that because Sunny D drew direct nutritional comparison to servings of fruit (as opposed to the nutrients) and suggested that the products have the nutritional equivalence to servings of fruit, it overstated and exaggerated the nutritional benefits of the product and/or conveyed implied messages that were inaccurate. Additionally, the NAD held that the implied claim, that the product provided the nutritional benefit of fruit, was also unsubstantiated. Therefore the NAD recommended that the claims be discontinued.

**TIP: Advertisers making claims of nutritional benefits must avoid exaggerating or overstating the health and/or nutritional benefit of their products.**

1 Min Read

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### Related Capabilities

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### Related Professionals

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