

FEDERAL TRADE COMMISSION

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VIDEOTAPE:

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Ab Energizer

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FEDERAL TRADE COMMISSION

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October 5, 2001

The following transcript was produced from a
live videotape provided to For The Record, Inc. on
December 19, 2001.

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P R O C E E D I N G S

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VIDEOTAPE - INFOMERCIAL

AB ENERGIZER

ON SCREEN: The following program is a paid advertisement for Ab Energizer brought to you by Energizer Products, Inc.

MALE ANNOUNCER: The following program is a paid advertisement for the Ab Energizer System, brought to you by Energizer Products, Incorporated.

ON SCREEN: Tired?

MALE ANNOUNCER: Are you tired of crawling around on your knees --

ON SCREEN: Sweaty?

MALE ANNOUNCER: -- or doing endless sit-ups --

ON SCREEN: No Results?

MALE ANNOUNCER: -- and still not getting the results you want?

Now, with the touch of a button, you can go from flab to rock-hard abs.

ON SCREEN: Ab Energizer

Patent Pending

These statements have not been evaluated by the Food & Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

1 MALE ANNOUNCER: Introducing the revolutionary
2 Ab Energizer System, featuring 21st Century scientific
3 technology that gives you a --

4 **ON SCREEN: Simple & Easy**

5 MALE ANNOUNCER: -- simple, effective, easy way
6 to get --

7 **ON SCREEN: Firm, toned abs**

8 MALE ANNOUNCER: -- firm, toned abs without --

9 **ON SCREEN: No Sweat!**

10 MALE ANNOUNCER: -- breaking a sweat.

11 TRAVIS: I could feel my muscles just jumping.

12 JUSTIN: It's just like doing crunches.

13 JENNIFER: I could get used to this.

14 UNIDENTIFIED MALE: I'm not really breaking a
15 sweat.

16 JASON: It makes you feel like you're actually
17 doing the crunch without doing it.

18 MALE ANNOUNCER: The secret is Ab Energizer's
19 electronic impulses that --

20 **ON SCREEN: Stimulate abs**

21 MALE ANNOUNCER: -- stimulate your abs so they
22 contract and relax as if you're doing a sit-up.

23 Now you can get over --

24 **ON SCREEN: Up to 700 Muscle Contractions**

25 **10 Minutes!**

1 MALE ANNOUNCER: -- 700 muscle exercising
2 contractions in just 10 minutes and get abs with the tone
3 and definition you've always dreamed of.

4 UNIDENTIFIED FEMALE: Well, I do approximately
5 6, 700 crunches a day and having this on for five
6 minutes, I really, really feel the muscles contracting.
7 It's awesome.

8 MALE ANNOUNCER: Now you can work out your abs
9 anywhere.

10 **ON SCREEN: TV Office Cooking**

11 MALE ANNOUNCER: Watching TV, at the office,
12 even around the house.

13 **ON SCREEN: Back Buns Thighs**

14 MALE ANNOUNCER: And it's also great on your
15 lower back, buns and thighs. The Ab Energizer gives you
16 not one --

17 **ON SCREEN: 4 Contacts!**

18 MALE ANNOUNCER: -- but up to four different
19 contacts, making it more effective --

20 **ON SCREEN: More Effective!**

21 MALE ANNOUNCER: -- by targeting multiple
22 muscle groups --

23 **ON SCREEN: Multiple Muscle Groups!**

24 MALE ANNOUNCER: -- at the same time for --

25 **ON SCREEN: Faster Results!**

1 MALE ANNOUNCER: -- better, faster results.
2 Now you can get the tight abs you've been dreaming about
3 without breaking a sweat with the Ab Energizer.

4 **ON SCREEN: AB ENERGIZER**

5 **ON SCREEN: John McCafferty**

6 JOHN McCAFFERTY: Have you ever wondered if
7 there's an easier way to get great abs besides getting
8 down on the floor and doing sit-ups? Well, I have. With
9 us today is world class fitness consultant and motivator,
10 Kita Pelly. Kita, good to see you.

11 KITA PELLY: Thanks, John.

12 **(Laughter).**

13 **ON SCREEN: Kita Pelly**

14 **Nationally Recognized Fitness Expert**

15 KITA PELLY: Well, one of my life goals has
16 been to help people get fit and love the process. Let's
17 face it, most people want to get in shape, but they just
18 don't know how to get started and stay on a program.

19 I've done hundreds of thousands of hours
20 consulting and it never fails, people always ask me,
21 Kita, how can I get my abs in the best shape. Well,
22 guess what, the answer to your problems is finally here.

23 Many people think that sit-ups and crunches are
24 the only answer. Well, I recommend the Ab Energizer.

25 JOHN McCAFFERTY: Now, wait a minute, Kita,

1 sit-ups and crunches must work. I mean, look at this
2 guy. He's in great shape.

3 KITA PELLY: Yeah, John, he's in great shape,
4 but most people aren't in this type of shape. Doing a
5 lot of sit-ups for most people can be really difficult.
6 Second of all, you've got to get down on the floor and
7 then worry about proper form. I mean, look at the strain
8 on his neck and his lower back. And so, most people,
9 they don't do their abdominal crunch correctly;
10 therefore, they're not going to utilize their abdominals
11 to the very best capacity.

12 JOHN McCAFFERTY: I guess you're right. I
13 mean, I've done lots of sit-ups. I don't think I could
14 ever look like him.

15 KITA PELLY: Now there's a new and easier way
16 to get a great ab workout.

17 JOHN McCAFFERTY: What, working your fingers
18 out on a computer gets you great abs?

19 KITA PELLY: Well, kind of. She's getting a
20 complete ab workout as she's getting work done.

21 JOHN McCAFFERTY: Kita, are you pulling my leg?

22 KITA PELLY: No, not at all. In fact, check
23 this out. It's called the Ab Energizer. It works your
24 abs directly to give you an incredible ab workout.

25 JOHN McCAFFERTY: Wow. I can actually see her

1 stomach muscles contracting.

2 KITA PELLY: I know. Imagine, feeling a soft
3 massage while you exercise. You can feel it directly
4 working on your abdominal area and then you know you're
5 getting a great workout.

6 JOHN McCAFFERTY: So, you're telling me it
7 feels good to work out? Come on.

8 KITA PELLY: It's true. The Ab Energizer is
9 the most advanced electronic workout you can get that
10 directly works on the abdominal area and it feels like a
11 soft massage.

12 JOHN McCAFFERTY: Oh, sure. I'm going to get a
13 massage and great abs at the same time?

14 KITA PELLY: That's right, John. Its unique
15 programming system and multiple electronic exercising
16 units simultaneously tighten the upper, the middle, and
17 the lower abdominals --

18 **ON SCREEN: Upper Abs**

19 **Middle Abs**

20 **Lower Abs**

21 KITA PELLY: -- without the stress and sweat of
22 working out.

23 **(Music playing.)**

24 UNIDENTIFIED FEMALE: You feel it kind of
25 massaging the area a little bit.

1 UNIDENTIFIED MALE: You can feel the energy
2 going into your muscles.

3 UNIDENTIFIED FEMALE: I feel it in my abs where
4 I'm supposed to and that's it. I don't walk away with
5 backaches, headaches.

6 UNIDENTIFIED FEMALE: About an hour later, you
7 have that little bit of, not soreness, but you feel like
8 you've worked out. I feel like I've been to the gym.

9 UNIDENTIFIED FEMALE: My muscles just felt so
10 tight the next day, but it was a good feeling. It was a
11 good feeling.

12 UNIDENTIFIED FEMALE: You can definitely feel
13 it in your abs already like as if you've been working out
14 your abs for a long time.

15 UNIDENTIFIED MALE: None of it's uncomfortable
16 and it works out your muscles.

17 KITA PELLY: In less than 10 minutes a day, the
18 Ab Energizer provides over 700 muscle exercising
19 contractions. It also takes the guesswork out of ab
20 conditioning, because it directly works your muscles
21 correctly while you're doing something else at the same
22 time.

23 JOHN McCafferty: So, no more grunting and
24 groaning your way to great abs. That means I can be
25 reading a magazine or watching football while getting a

1 great ab workout. That sounds incredible, almost too
2 good to be true. But is it safe?

3 KITA PELLY: Very. We spoke with Dr. Michael
4 Skyhar, a leading orthopedic surgeon and Doctor of Sports
5 Medicine. He's published hundreds of articles in leading
6 medical journals, and is on the staff of one of the top
7 hospitals in the country.

8 **ON SCREEN: Dr. Michael Skyhar**
9 **Orthopedic Surgeon**

10 DR. MICHAEL SKYHAR: Electrical and muscle
11 stimulation has been used by the medical field and the
12 paramedical field for many, many years.

13 **ON SCREEN: All statements are based on**
14 **personal use, experience and research of Ab Energizer.**
15 **No expert medical opinion intended or implied.**

16 DR. MICHAEL SKYHAR: Athletic trainers use it,
17 physical therapists use it, chiropractors use it, and
18 physicians use it. And the beauty of electrical muscle
19 stimulation, such as provided by the Ab Energizer, is
20 that it doesn't require spinal motion or any specific
21 technique to get the muscles stronger.

22 The Ab Energizer, with its electrical muscle
23 stimulation, provides a safe way to strengthen any muscle
24 and increase that muscle's mass.

25 KITA PELLY: The Ab Energizer System is

1 absolutely incredible for people who want tighter abs and
2 want to lose inches around the midsection.

3 **ON SCREEN: To lose weight, we recommend that**
4 **you exercise regularly and eat sensibly.**

5 JOHN McCAFFERTY: So, you're telling me I can
6 get tighter abs and lose inches without doing sit-ups?

7 KITA PELLY: That's right, John. We've heard
8 from all kinds of people, and the overriding response has
9 been, the Ab Energizer works.

10 UNIDENTIFIED MALE: In '96, you know, I started
11 with a new company and the company just took over my
12 life. I gained so much weight.

13 **ON SCREEN: Before photograph**

14 UNIDENTIFIED MALE: And in that photo, I
15 weighed roughly about 225, 230. I mean, I would never,
16 ever in my life think that I would be a couch potato, but
17 I was.

18 **ON SCREEN: Before and After photographs**

19 UNIDENTIFIED MALE: The Ab Energizer System
20 I've used for five weeks and I've gotten incredible
21 results.

22 **ON SCREEN: Lost 40 lbs.**

23 **Size 37 to 34**

24 **Results not typical. Individuals results may**
25 **vary.**

1 UNIDENTIFIED MALE: I've lost 40 pounds. I've
2 gone from a waist 37 to a waist 34. The Ab Energizer and
3 the Ab Energizer System has changed my life and it's
4 really given my life back to me.

5 KITA PELLY: With the Ab Energizer, you can say
6 good-bye to strenuous time-consuming workouts and hello
7 to tight abs, buns or thighs.

8 JOHN McCAFFERTY: I'm still having a hard time
9 with this. How does it work? You're not doing sit-ups,
10 that's for sure. Are you getting the same muscle tone?

11 KITA PELLY: Even better. The Ab Energizer's
12 programmable electronic impulses --

13 **ON SCREEN: Stimulate Abs**

14 KITA PELLY: -- stimulate your abs so they
15 contract and then relax just as if you're doing a sit-up
16 or working out on an ab machine.

17 JOHN McCAFFERTY: That's really cool. So, what
18 I'm hearing is that working out your abs is as easy as
19 putting on a belt and pressing a button.

20 KITA PELLY: That's right, John. But just
21 because it's easy doesn't mean it doesn't provide you
22 with a very challenging workout. In fact, body builders,
23 professional athletes and even doctors love the Ab
24 Energizer because it consistently delivers a quick,
25 effective workout.

1 Mother of four and competitive body builder Kim
2 Webb uses the Ab Energizer, and here's what she had to
3 say.

4 **ON SCREEN: Kim Webb**

5 **Competitive Body Builder**

6 KIM WEBB: I have a very busy life. I work
7 full-time, a husband, a home to take care of. I've got
8 lots to do.

9 **ON SCREEN: 1st Place Novice - 2000**

10 **3rd Place Open -- 2001**

11 **NPC Collegiate Body Building Championships**

12 KIM WEBB: It's really, really important to
13 target my abs because that is the center of your body.
14 And when you're standing on stage, that's the first place
15 your eyes go.

16 I use the Ab Energizer twice a day. I love it
17 first thing in the morning. I have my cup of coffee,
18 then I put it on and I go about my morning business of
19 packing backpacks and so on. I wear it for 10 minutes,
20 and it lasts even after I take it off, because my muscles
21 have just been working very, very hard, and I'm conscious
22 of that. And when you're conscious of your abs being
23 tight, you stand up stronger, you take in more oxygen,
24 you feel healthier. You have more energy.

25 JOHN McCAFFERTY: What about other problem

1 areas, say my love handles?

2 KITA PELLY: Well, you know, John, while other
3 units only have one --

4 **ON SCREEN: 1 Contact (Crossed out with red X)**

5 KITA PELLY: -- electronic exerciser --

6 **ON SCREEN: 4 Contacts!**

7 KITA PELLY: -- ours has multiple exercising
8 units. The Ab Energizer works not only on your abs, but
9 also on your lower back, your thighs and your buns.

10 **ON SCREEN: Back Thighs Buns**

11 KITA PELLY: And you can watch the kids --

12 **ON SCREEN: Outside Office Cooking**

13 KITA PELLY: -- talk on the phone, and do
14 simple housework.

15 JOHN McCAFFERTY: I could do yard work, work on
16 my car, barbecue?

17 KITA PELLY: That's right, John. While the Ab
18 Energizer gives you a fabulous workout.

19 UNIDENTIFIED FEMALE: My body already feels
20 tighter. I've lost three pounds.

21 **ON SCREEN: Results not typical. Individuals**
22 **results may vary.**

23 **ON SCREEN: Lost 10 lbs!**

24 UNIDENTIFIED FEMALE: I've lost just under 10
25 pounds in two and a half weeks.

1 **ON SCREEN: Lost 12 lbs.**

2 **3" off waist!**

3 UNIDENTIFIED MALE: I've lost 12 pounds and
4 three inches off my waist in four weeks.

5 **ON SCREEN: More Energy!**

6 UNIDENTIFIED FEMALE: Actually, I have a lot
7 more energy.

8 **ON SCREEN: Stronger Abs!**

9 UNIDENTIFIED FEMALE: I definitely feel
10 stronger abs.

11 UNIDENTIFIED MALE: You can actually see some
12 of the muscle formation.

13 KIM WEBB: Nothing else has actually ever made
14 my lower abs sore, and I've been doing sit-ups for 20
15 years.

16 KITA PELLY: You know, I don't think it could
17 be any easier. In the past when I trained people, one of
18 their main problems was proper technique. If you don't
19 have the right form, sometimes sit-ups can lead to
20 injury.

21 JOHN McCAFFERTY: Yeah. Like when I go to the
22 gym, I feel like I get hurt just looking at the
23 equipment, which is why I make up a lot of excuses for
24 not going.

25 KITA PELLY: That's what's so great about the

1 Ab Energizer. You can't mess up. You're not twisting
2 and turning your joints or your body. The Ab Energizer's
3 unique programming is designed to copy the messages sent
4 from your brain to your muscles during exercise.

5 JOHN McCAFFERTY: All I have to do is put it on
6 and press a button. Sounds good to me.

7 KITA PELLY: And you're going to love the
8 results.

9 Recently, we went out and introduced the Ab
10 Energizer to some folks at a local gym. Now, these
11 people are muscle fanatics, so I was more than a little
12 curious to see what they had to say about the Ab
13 Energizer.

14 UNIDENTIFIED MALE: This feels a lot -- a lot
15 like doing the leg raises. Down in my lower abs right
16 now, I can feel it contracting.

17 UNIDENTIFIED FEMALE: It's like here's the
18 muscle and it's just -- you know, it's focusing on that
19 muscle.

20 UNIDENTIFIED FEMALE: Well, I do approximately
21 6, 700 crunches a day and having this one for five
22 minutes, I'm already feeling a burn, I really am.

23 UNIDENTIFIED MALE: It feels like the muscles
24 are just firing, just hard, intense contractions and like
25 it's going boom, boom, boom.

1 UNIDENTIFIED FEMALE: It feels great. It feels
2 energizing.

3 UNIDENTIFIED MALE: I'm not really breaking a
4 sweat. It's just a comfortable feeling. It's a good
5 workout for the abdominal muscles, and it's simple
6 really. Definitely an easy workout.

7 JOHN McCAFFERTY: Now, Kita, how about people
8 who don't go to the gym, like my mom or brother?

9 KITA PELLY: You know, John, just about anybody
10 can use the Ab Energizer.

11 **ON SCREEN: Consult your doctor or medical**
12 **professional before starting any exercise program.**

13 KITA PELLY: You know, for example, some people
14 have a hard time getting down on the floor and doing sit-
15 ups. It hurts their back or other body parts. So, they
16 then avoid exercising altogether, and you know, that just
17 isn't good. We wanted to design a product that anybody
18 could use.

19 JOHN McCAFFERTY: So, the great thing about the
20 Ab Energizer is all you have to do is put it on and press
21 a button and you're working out. You can use it
22 anywhere, anytime, and get fabulous results.

23 UNIDENTIFIED MALE: You strap the belt around
24 your waist --

25 UNIDENTIFIED FEMALE: And you press the

1 button --

2 UNIDENTIFIED FEMALE: And then before you know
3 it, you can just kind of do exactly whatever you want to
4 do.

5 UNIDENTIFIED FEMALE: I do the normal
6 housework, I vacuum, I work out in my garden, I water.

7 UNIDENTIFIED FEMALE: With four kids, you know,
8 something's bound to happen. So, I can't really cook and
9 work out. With this, I can.

10 UNIDENTIFIED FEMALE: I'm standing here not
11 doing anything. I could be sitting and watching TV. I
12 just feel it really, really working, penetrating really
13 deeply. So, it's great.

14 JOHN McCAFFERTY: Let me see if I've got this
15 right. The Ab Energizer is 21st Century scientific
16 technology in a simple, easy-to-use format. It's
17 designed to give incredible results with just the touch
18 of a button.

19 KITA PELLY: It's like having a mini-computer
20 strapped to your waist that generates electrical impulses
21 that program your muscles to contract and then relax just
22 like during a workout.

23 JOHN McCAFFERTY: Wow. And the beauty is you
24 don't break a sweat and you can walk around the house --

25 **ON SCREEN: These statements have not been**

1 **evaluated by the Food & Drug Administration. This**
2 **product is not intended to diagnose, treat, cure or**
3 **prevent any disease.**

4 JOHN McCAFFERTY: -- watch TV, talk on the
5 phone, do whatever you like while your Ab Energizer gives
6 you the workout.

7 KITA PELLY: That's right, John. And it works
8 not only your abs, but it also tightens and firms your --

9 **ON SCREEN: Buns Back Thighs**

10 KITA PELLY: -- love handles, your lower back,
11 your thighs and your buns, too. And you can use it
12 anywhere, look, at anytime.

13 JOHN McCAFFERTY: Wow, look at that.

14 KITA PELLY: I know.

15 **ON SCREEN: This program you are watching is a**
16 **paid advertisement for the Ab Energizer System.**

17 KITA PELLY: The Ab Energizer gives you firm,
18 toned abs without even breaking a sweat. Now, what are
19 you waiting for?

20 **ON SCREEN: Tired?**

21 MALE ANNOUNCER: Are you tired of crawling
22 around on your knees or doing --

23 **ON SCREEN: Sweaty?**

24 MALE ANNOUNCER: -- endless sit-ups and
25 still --

1 **ON SCREEN: No Results?**

2 MALE ANNOUNCER: -- not getting the results you
3 want?

4 Now, with the touch of a button, you can go
5 from flab to rock-hard abs.

6 **ON SCREEN: Ab Energizer**

7 **Patent Pending**

8 MALE ANNOUNCER: Introducing the revolutionary
9 Ab Energizer System, featuring 21st Century technology
10 that's a --

11 **ON SCREEN: Simple & Easy**

12 MALE ANNOUNCER: -- simple, easy way to help
13 you --

14 **ON SCREEN: Firm Toned Abs**

15 MALE ANNOUNCER: -- firm and tone your abs
16 without --

17 **ON SCREEN: No Sweat!**

18 MALE ANNOUNCER: -- breaking a sweat.
19 The secret is Ab Energizer's electronic
20 impulses that --

21 **ON SCREEN: Stimulate Abs**

22 MALE ANNOUNCER: -- stimulate your abs so they
23 contract and relax as if you're doing a sit-up.

24 **ON SCREEN: Up to 700 Muscle Contractions**

25 **10 Minutes!**

1 MALE ANNOUNCER: Now you can get up to 700
2 muscle contractions in just 10 minutes and get the tone
3 and definition you've always wanted.

4 UNIDENTIFIED FEMALE: I'm standing here not
5 doing anything. I could be sitting and watching TV. I
6 just feel it really, really working, penetrating really
7 deeply. So, it's great.

8 KIM WEBB: Nothing else has actually ever made
9 my lower abs sore, and I've been doing sit-ups for 20
10 years.

11 UNIDENTIFIED MALE: By using the Ab Energizer,
12 it's actually provided me with incredible results.

13 **ON SCREEN: Size 37 to 34**
14 **Results not typical. Individual results may**
15 **vary.**

16 UNIDENTIFIED MALE: I've gone from a waist 37
17 to a waist 34.

18 MALE ANNOUNCER: The Ab Energizer is completely
19 portable, so you can work out your abs anywhere.

20 **ON SCREEN: TV Office Cooking**

21 MALE ANNOUNCER: Watching TV, at the office or
22 around the house. The Ab Energizer is also great for
23 your --

24 **ON SCREEN: Back Buns Thighs**

25 MALE ANNOUNCER: -- lower back, buns and

1 thighs.

2 **ON SCREEN: Dr. Michael Skyhar**

3 **Orthopedic Surgeon**

4 DR. MICHAEL SKYHAR: Electrical muscle
5 stimulation has been used in the medical field for many,
6 many years, and it's a proven technique for building
7 muscle mass.

8 **ON SCREEN: All statements are based on**
9 **personal use, experience and research of Ab Energizer.**
10 **No expert medical opinion intended or implied.**

11 DR. MICHAEL SKYHAR: The Ab Energizer, using
12 electrical muscle stimulation, can accomplish this.

13 MALE ANNOUNCER: Some ab stimulators have all
14 kinds of wires and --

15 **ON SCREEN: Cost Over \$600 (crossed out with**
16 **red X)**

17 MALE ANNOUNCER: -- cost over \$600.

18 **ON SCREEN: Why Spend \$120 (crossed out with**
19 **red X) or More!**

20 MALE ANNOUNCER: Single unit products can cost
21 \$120 or more, and only make contact at one point.

22 While the double unit Ab Energizer --

23 **ON SCREEN: 1/2 Price!**

24 MALE ANNOUNCER: -- at about half the price of
25 single-unit products, gives you not one but --

1 **ON SCREEN: 4 Contacts!**

2 MALE ANNOUNCER: -- up to four contacts, making
3 it --

4 **ON SCREEN: More Effective!**

5 MALE ANNOUNCER: -- more effective by
6 targeting --

7 **ON SCREEN: Multiple Muscle Groups!**

8 MALE ANNOUNCER: -- multiple muscle groups.

9 **ON SCREEN: 2 Modes 10 Settings**

10 MALE ANNOUNCER: With two modes and ten
11 settings, you'll --

12 **ON SCREEN: Maximize Workout!**

13 MALE ANNOUNCER: -- maximize your workout --

14 **ON SCREEN: Faster Results!**

15 MALE ANNOUNCER: -- and get faster results.

16 **ON SCREEN: Only \$59.95 plus s&h**

17 **Ab Energizer**

18 **P.O. Box 570**

19 **Van Nuys, CA 91408**

20 **www.abenergizer.com**

21 **1-800-230-9988**

22 **Complete System**

23 MALE ANNOUNCER: Ab Energizer is yours for just
24 \$59.95. Your complete Ab Energizer System includes the
25 Ab Energizer belt with two Ab Energizer power units.

1 You'll also get the Ab Energizer tightening gel, an easy-
2 to-read instruction guide and meal plan, plus a
3 convenient carrying case.

4 **ON SCREEN: Only \$59.95 plus s&h**

5 **Ab Energizer**

6 **P.O. Box 570**

7 **Van Nuys, CA 91408**

8 **www.abenergizer.com**

9 **1-800-230-9988**

10 **Diet Energizer**

11 **\$29.95 Value!**

12 **These statements have not been evaluated by the**
13 **Food & Drug Administration. This product is not intended**
14 **to diagnose, treat, cure or prevent any disease.**

15 **MALE ANNOUNCER:** But that's not all. Call now
16 and you'll also receive a 30-day supply of Diet Energizer
17 with its fat-burning formula to help you lose weight
18 fast.

19 **ON SCREEN: Free!**

20 **MALE ANNOUNCER:** A \$29.95 value, the Diet
21 Energizer is yours free.

22 **ON SCREEN: Only \$59.95 plus s&h**

23 **Ab Energizer**

24 **P.O. Box 570**

25 **Van Nuys, CA 91408**

1 **www.abenergizer.com**

2 **1-800-230-9988**

3 **Guaranteed! (less s&h)**

4 **Lose 2" in 30 Days**

5 MALE ANNOUNCER: The Ab Energizer System is
6 guaranteed. If you don't lose at least two inches off
7 your waist in the first 30 days, return it for a full
8 refund of the purchase price, no questions asked.

9 **ON SCREEN: Only \$59.95 plus s&h**

10 **Ab Energizer**

11 **P.O. Box 570**

12 **Van Nuys, CA 91408**

13 **www.abenergizer.com**

14 **1-800-230-9988**

15 **Call Now!**

16 MALE ANNOUNCER: To order your Ab Energizer
17 System, call now.

18 KITA PELLY: So, here we are in Southern
19 California, beautiful Oceanside Pier. We wanted to see
20 what first-time users had to say about the Ab Energizer.

21 **ON SCREEN: Jennifer**

22 **Ruidoso, NM**

23 JENNIFER: It feels like it's doing something,
24 but it feels good. Like when you do crunches, it kind of
25 feels kind of tingly, like -- it feels good. I could get

1 used to this.

2 **ON SCREEN: Justin**

3 **Springfield, MO**

4 JUSTIN: That feels great. It's just like --
5 it's just like doing crunches. It's just like doing the
6 crunches I do every day.

7 **ON SCREEN: Travis**

8 **Utah**

9 TRAVIS: I can feel my muscles just jumping,
10 you know, like tightening up.

11 **ON SCREEN: Jason**

12 **Wildemar, CA**

13 JASON: I've had it on for about three minutes
14 and it feels great. It's still giving that in and out
15 push that makes you feel you're actually doing the crunch
16 without doing it.

17 **ON SCREEN: Becky** **Karen**

18 **Solana Beach, CA** **Del Mar, CA**

19 BECKY: This is the kind of ab machine I like.
20 I could do this while I'm watching TV.

21 KAREN: Or while you're in the kitchen baking
22 cookies.

23 BECKY: Right, yeah.

24 JENNIFER: It felt good. It makes me want to
25 keep doing it.

1 JOHN McCAFFERTY: Kita, can you tell me a
2 little more about how the Ab Energizer is made?

3 KITA PELLY: Sure, John. The Ab Energizer is
4 no ordinary electronic exerciser. In fact, the unique
5 patent-pending design is incredible. It uses paired,
6 anatomically positioned electronic exercises to softly
7 and gently contract and release your muscles.

8 JOHN McCAFFERTY: Wait a second, hold on. What
9 the heck does paired, anatomically positioned mean?

10 KITA PELLY: It means you can work two or more
11 sets of muscles at the same time, and automatically in
12 the proper position. It's the ultimate in effortless
13 workout devices.

14 John, you're going to just have to experience
15 it for yourself to see the results. Just imagine getting
16 hundreds of exercising contractions without even having
17 to do one single sit-up.

18 **ON SCREEN: Dr. Michael Skyhar**
19 **Orthopedic Surgeon**

20 DR. MICHAEL SKYHAR: As an orthopedic surgeon,
21 I've seen back pain every single day. You can see the
22 spine flexing and extending as if you're doing a sit-up.
23 And every time the back does that, it adds stress to the
24 bones and to the discs and to the nerves that exit the
25 spine.

1 **ON SCREEN: All statements are based on**
2 **personal use, experience and research of Ab Energizer.**
3 **No expert medical opinion intended or implied.**

4 DR. MICHAEL SKYHAR: EMS, which is electrical
5 muscle stimulation, is more of a passive endeavor in that
6 you can hook something up to a muscle, turn on a button
7 or push a switch and get the muscle to twitch without any
8 exertion whatsoever. The Ab Energizer, using electrical
9 muscle stimulation, can accomplish this.

10 JOHN McCAFFERTY: Wow. I mean, I can feel my
11 upper and lower ab muscles contracting and relaxing. It
12 actually feels like a gentle massage. That's amazing.
13 You know, I'm thinking the Ab Energizer could really be
14 great for people with bad backs or joints, as well as
15 people who want to avoid injuries altogether.

16 KITA PELLY: Absolutely, that's true. Because
17 a lot of people have bad backs or joints and they can't
18 get on the floor and do sit-ups. But they could use the
19 Ab Energizer to firm and tone their abs as well as their
20 back.

21 **ON SCREEN: These statements have not been**
22 **evaluated by the Food & Drug Administration. This**
23 **product is not intended to diagnose, treat, cure or**
24 **prevent any disease.**

25 JOHN McCAFFERTY: Why would anyone not want an

1 Ab Energizer? It's easy, you don't sweat, and it really
2 works.

3 KITA PELLY: That's what I've been telling you
4 all along. It's safe, fast, and really gets the results
5 you're after. So, if you don't want all that pain and
6 hardship while working out in a sweaty gym on those
7 machines, or you can't afford a gym membership, or you
8 just plain don't want to stand in those long lines, get
9 the Ab Energizer and you'll be on your way to fitter,
10 tighter abs.

11 UNIDENTIFIED MALE: Probably the greatest thing
12 about the Ab Energizer is it's simple.

13 UNIDENTIFIED FEMALE: It's real simple.

14 UNIDENTIFIED FEMALE: It's really easy.

15 UNIDENTIFIED FEMALE: I like it because it's
16 easy.

17 KIM WEBB: It's easy.

18 UNIDENTIFIED MALE: It's like wearing a belt.

19 UNIDENTIFIED FEMALE: Just slip it on, you know
20 what to expect.

21 UNIDENTIFIED MALE: Just wrap it around.

22 UNIDENTIFIED FEMALE: You push this little
23 button.

24 UNIDENTIFIED MALE: You press one button.

25 JENNIFER: I mean, I could feel it right away

1 when I pushed it.

2 UNIDENTIFIED FEMALE: I felt my muscles
3 contracting and it feels good.

4 UNIDENTIFIED FEMALE: I can really, really feel
5 the muscles contracting. It's awesome.

6 BECKY: I can feel them going in and out, in
7 and out, in and out.

8 UNIDENTIFIED MALE: It feels like I'm doing
9 sit-ups, but it's a little bit different, more
10 comfortable, and I feel good. It feels really good.

11 KIM WEBB: When I felt the initial contraction,
12 because I did have it on the lowest level, I thought,
13 wow, I can really feel my muscles. So, I got excited and
14 I started to turn it up and turn it up and started
15 wearing it longer, and I'm loving it. I'm absolutely
16 loving it.

17 KITA PELLY: So, if you've been looking for a
18 great way to get firm, toned abs, waist, hips and thighs,
19 now's your chance, because the Ab Energizer does the
20 thinking and workout for you. You don't have to sweat,
21 you don't have to do sit-ups or use any more ab machines
22 on the floor.

23 **ON SCREEN: This program you are watching is a**
24 **paid advertisement for the Ab Energizer System.**

25 KITA PELLY: It's as easy as putting on a belt

1 and pushing a button.

2 And guess what? You're going to love the
3 results.

4 MALE ANNOUNCER: Are you tired --

5 **ON SCREEN: Tired?**

6 MALE ANNOUNCER: -- of crawling around on your
7 knees or --

8 **ON SCREEN: Sweaty?**

9 MALE ANNOUNCER: -- doing endless sit-ups
10 and --

11 **ON SCREEN: No Results?**

12 MALE ANNOUNCER: -- still not getting the
13 results you want?

14 Now, with the touch of a button, you can go
15 from flab to rock-hard abs.

16 **ON SCREEN: Ab Energizer**

17 **Patent Pending**

18 MALE ANNOUNCER: Introducing the revolutionary
19 Ab Energizer System, featuring 21st Century technology
20 that's a --

21 **ON SCREEN: Simple & Easy**

22 MALE ANNOUNCER: -- simple, easy way to help
23 you --

24 **ON SCREEN: Firm Toned Abs**

25 MALE ANNOUNCER: -- firm and tone your abs --

1 **ON SCREEN: No Sweat!**

2 MALE ANNOUNCER: -- without breaking a sweat.

3 **ON SCREEN: Stimulate Abs**

4 MALE ANNOUNCER: The secret is Ab Energizer's
5 electronic impulses that stimulate your abs so they
6 contract and relax as if you're doing a sit-up.

7 **ON SCREEN: Up to 700 Muscle Contractions**
8 **10 Minutes!**

9 MALE ANNOUNCER: Now you can get up to 700
10 muscle contractions in just 10 minutes and get the tone
11 and definition you've always wanted.

12 UNIDENTIFIED FEMALE: I'm standing here not
13 doing anything. I could be sitting and watching TV. I
14 just feel it really, really working, penetrating really
15 deeply. So, it's great.

16 KIM WEBB: Nothing else has actually ever made
17 my lower abs sore, and I've been doing sit-ups for 20
18 years.

19 UNIDENTIFIED MALE: By using the Ab Energizer,
20 it's actually provided me with incredible results.

21 **ON SCREEN: Size 37 to 34**

22 **Results not typical. Individual results may**
23 **vary.**

24 UNIDENTIFIED MALE: I've gone from a waist 37
25 to a waist 34.

1 MALE ANNOUNCER: The Ab Energizer is completely
2 portable, so you can work out your abs anywhere.

3 **ON SCREEN: TV Office Cooking**

4 MALE ANNOUNCER: Watching TV, at the office or
5 around the house. The Ab Energizer is also great for --

6 **ON SCREEN: Back Buns Thighs**

7 MALE ANNOUNCER: -- your lower back, buns and
8 thighs.

9 **ON SCREEN: Dr. Michael Skyhar**

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11 DR. MICHAEL SKYHAR: Electrical muscle
12 stimulation has been used in the medical field for many,
13 many years, and it's a proven technique for building
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19 electrical muscle stimulation, can accomplish this.

20 MALE ANNOUNCER: Some ab stimulators have all
21 kinds of wires and --

22 **ON SCREEN: Cost Over \$600 (crossed out with**
23 **red X)**

24 MALE ANNOUNCER: -- cost over \$600.

25 **ON SCREEN: Why Spend \$120 (crossed out with**

1 **red X) or More!**

2 MALE ANNOUNCER: Single unit products can cost
3 \$120 or more, and only make contact at one point. While
4 the double unit Ab Energizer --

5 **ON SCREEN: 1/2 Price!**

6 MALE ANNOUNCER: -- at about half the price of
7 single-unit products, gives you not one but --

8 **ON SCREEN: 4 Contacts!**

9 MALE ANNOUNCER: -- up to four contacts, making
10 it --

11 **ON SCREEN: More Effective!**

12 MALE ANNOUNCER: -- more effective by
13 targeting --

14 **ON SCREEN: Multiple Muscle Groups!**

15 MALE ANNOUNCER: -- multiple muscle groups.

16 **ON SCREEN: 2 Modes 10 Settings**

17 MALE ANNOUNCER: With two modes and ten
18 settings, you'll --

19 **ON SCREEN: Maximize Workout!**

20 MALE ANNOUNCER: -- maximize your workout
21 and --

22 **ON SCREEN: Faster Results!**

23 MALE ANNOUNCER: -- get faster results.

24 **ON SCREEN: Only \$59.95 plus s&h**

25 **Ab Energizer**

1 **P.O. Box 570**
2 **Van Nuys, CA 91408**
3 **www.abenergizer.com**
4 **1-800-230-9988**
5 **Complete System**

6 **MALE ANNOUNCER:** Ab Energizer is yours for just
7 \$59.95. Your complete Ab Energizer System includes the
8 Ab Energizer belt with two Ab Energizer power units.
9 You'll also get the Ab Energizer tightening gel, an easy-
10 to-read instruction guide and meal plan, plus a
11 convenient carrying case.

12 **ON SCREEN: Only \$59.95 plus s&h**
13 **Ab Energizer**
14 **P.O. Box 570**
15 **Van Nuys, CA 91408**
16 **www.abenergizer.com**
17 **1-800-230-9988**
18 **Diet Energizer**
19 **\$29.95 Value!**

20 **These statements have not been evaluated by the**
21 **Food & Drug Administration. This product is not intended**
22 **to diagnose, treat, cure or prevent any disease.**

23 **MALE ANNOUNCER:** But that's not all. Call now
24 and you'll also receive a 30-day supply of Diet Energizer
25 with its fat-burning formula to help you lose weight

1 fast.

2 **ON SCREEN: Free!**

3 MALE ANNOUNCER: A \$29.95 value, the Diet
4 Energizer is yours free.

5 **ON SCREEN: Only \$59.95 plus s&h**

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7 **P.O. Box 570**

8 **Van Nuys, CA 91408**

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11 **Guaranteed! (less s&h)**

12 **Lose 2" in 30 Days**

13 MALE ANNOUNCER: The Ab Energizer System is
14 guaranteed. If you don't lose at least two inches off
15 your waist in the first 30 days, return it for a full
16 refund of the purchase price, no questions asked.

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20 **Van Nuys, CA 91408**

21 **www.abenergizer.com**

22 **1-800-230-9988**

23 **Call Now!**

24 MALE ANNOUNCER: To order your Ab Energizer
25 System, call now.

1 KITA PELLY: Pick up the phone and call now --

2 **ON SCREEN: www.abenergizer.com**

3 **1-800-230-9988**

4 KITA PELLY: -- because the Ab Energizer comes
5 with an unconditional money-back guarantee. If you're
6 not completely satisfied with your results, return it
7 within 30 days for a complete refund. So, hey, why not
8 give it a try. You have absolutely nothing to lose
9 except inches around your waist, your stomach, your hips
10 and your thighs. So, call now.

11 JOHN McCAFFERTY: Kita, there are a lot of men
12 and women who lose weight, but they still have that pooch
13 in their gut. What's that all about?

14 KITA PELLY: Well, John, sometimes it's not the
15 weight, it's poor muscle tone. Poor muscle tone allows
16 your waistline to drift down and droop into the pelvic
17 girdle. The end result is your stomach droops even
18 though you're really not that heavy.

19 The answer is easy. The Ab Energizer's
20 electronic impulses stimulate your abs so they contract
21 and relax as if you're doing a sit-up. So, it firms and
22 tones your lower abdominals.

23 JOHN McCAFFERTY: Hmm. So, I work my stomach
24 muscles without breaking a sweat and get rid of the gut
25 once and for all?

1 **ON SCREEN:** To lose weight, we recommend that
2 **you exercise regularly and eat sensibly.**

3 KITA PELLY: It's worked for thousands of men
4 and women, and I don't see any reason why it won't work
5 for you.

6 UNIDENTIFIED FEMALE: It feels energizing.

7 UNIDENTIFIED FEMALE: Actually, I have a lot
8 more energy.

9 UNIDENTIFIED MALE: I'm not really breaking a
10 sweat. It's just a comfortable feeling.

11 UNIDENTIFIED FEMALE: But you feel like you've
12 worked out. I feel like I've been to the gym.

13 UNIDENTIFIED MALE: You can feel the energy
14 going into your muscles.

15 UNIDENTIFIED FEMALE: I feel it in my abs where
16 I'm supposed to, and that's it. I don't walk away with a
17 backache or a headache.

18 JOHN McCAFFERTY: I'm a little concerned the
19 training modes might be a little too complicated for me.
20 I mean, it is run by a computer, right?

21 KITA PELLY: I know, John. Guess what? It's
22 as easy as one, two.

23 JOHN McCAFFERTY: One, two?

24 KITA PELLY: Yes.

25 **ON SCREEN: Mode 1**

1 **Muscle Firming**

2 KITA PELLY: Mode one tones your muscles. It's
3 the key to maintaining a great figure and keeping your
4 gut nice and flat.

5 **ON SCREEN: Mode 2**

6 **Muscle Sculpting**

7 KITA PELLY: Now, mode two is for body
8 conditioning or body sculpting. It strengthens deep
9 muscles that give you more muscle definition.

10 **ON SCREEN: www.abenergizer.com**

11 **1-800-230-9988**

12 JOHN McCAFFERTY: So, I have complete control
13 over how I get to work out.

14 KITA PELLY: Yes. Whether you use mode one for
15 toning or mode two for muscle sculpting, you have total
16 control with ten different levels of intensity, so you
17 can grow with this machine. And as you get stronger, so
18 can your workout.

19 Now, of course, we recommend you start out low
20 and build up, just as you would in any workout.

21 JOHN McCAFFERTY: But it sounds like your own
22 private gym instructor that does all the thinking for
23 you.

24 KITA PELLY: It's better because you get
25 results without straining or breaking a sweat.

1 **ON SCREEN: Kim Webb**

2 **Competitive Body Builder**

3 KIM WEBB: I started actually on the very
4 lowest mode, just because I wanted to be safe and because
5 I didn't know how I was going to feel the next day.

6 **ON SCREEN: www.abenergizer.com**

7 **1-800-230-9988**

8 KIM WEBB: Obviously, I was able to handle it,
9 and so, I've increased little by little. I'm now, I
10 would say, on Level 8. So, even as an athlete, I still
11 have two more levels to go, which is nice, because you
12 always want to be challenged, you want to know that
13 there's a place to go and room to grow.

14 The one thing that the Ab Energizer has done
15 for me that nothing else has done for me is absolutely
16 made me target my very lower, lower abs. I really feel
17 my lower abs targeted. I look forward to being able to
18 use this now before my next competition. I know I am
19 going to have not just a six-pack, but an eight-pack.

20 JOHN McCAFFERTY: I think the most amazing
21 thing about the Ab Energizer is its direct abdominal
22 exercising program, portability, and most of all, no more
23 excuses. While I'm doing anything else, I can still
24 exercise and get firm tight abs anytime, anywhere.

25 KITA PELLY: Well, that's the beauty of 21st

1 Century scientific technology perfected. The Ab
2 Energizer's programmable electronic impulses stimulate
3 your abs so they contract and then relax, just as if
4 you're doing a sit-up or working out on an ab machine.
5 So, your muscles are programmed to think that they're
6 exercising the old-fashioned way --

7 **ON SCREEN: www.abenergizer.com**

8 **1-800-230-9988**

9 KITA PELLY: -- on the floor and sweating.

10 UNIDENTIFIED MALE: It feels like the muscles
11 are just firing, just hard, intense contractions.

12 UNIDENTIFIED FEMALE: My body already feels
13 tighter. I've lost three pounds.

14 UNIDENTIFIED FEMALE: Well, I do approximately
15 6, 700 crunches a day, and having this on for five
16 minutes, I'm already feeling them burn.

17 **ON SCREEN: Lost 12 lbs**

18 **3" off waist!**

19 **Results not typical. Individual results may**
20 **vary.**

21 UNIDENTIFIED MALE: I've lost 12 pounds and
22 three inches off my waist.

23 **ON SCREEN: Size 37 to 34**

24 UNIDENTIFIED MALE: I've gone from a waist 37
25 to a waist 34.

1 **ON SCREEN: Lost 10 lbs!**

2 UNIDENTIFIED FEMALE: I've lost just under 10
3 pounds in two and a half weeks.

4 JOHN McCAFFERTY: So, if I want to have six-
5 pack abs, I don't have to go to the gym and spend hours
6 sweating and working out. All I have to do is use the Ab
7 Energizer.

8 **ON SCREEN: To lose weight, we recommend that**
9 **you exercise regularly and eat sensibly.**

10 JOHN McCAFFERTY: How hard can it be? I mean,
11 you put it on, you press a button, you turn on the TV,
12 talk on the phone and I'm working out.

13 KITA PELLY: You've got it, John.

14 **ON SCREEN: This program you are watching is a**
15 **paid advertisement for the Ab Energizer System.**

16 KITA PELLY: So, why not get the firm, toned
17 abs you've always dreamed of. Hey, it's just a phone
18 call away.

19 MALE ANNOUNCER: Are you tired --

20 **ON SCREEN: Tired?**

21 MALE ANNOUNCER: -- of crawling around on your
22 knees or --

23 **ON SCREEN: Sweaty?**

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25 and --

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7 **Patent Pending**

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23 **10 Minutes!**

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12 kinds of wires and --

13 **ON SCREEN: Cost Over \$600 (crossed out with**
14 **red X)**

15 MALE ANNOUNCER: -- cost over \$600.

16 **ON SCREEN: Why Spend \$120 (crossed out with**
17 **red X) or More!**

18 MALE ANNOUNCER: Single unit products can cost
19 \$120 or more, and only make contact at one point. While
20 the double unit Ab Energizer --

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23 single-unit products, gives you not one but --

24 **ON SCREEN: 4 Contacts!**

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3 MALE ANNOUNCER: -- more effective by
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18 **Van Nuys, CA 91408**

19 **www.abenergizer.com**

20 **1-800-230-9988**

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5 **P.O. Box 570**

6 **Van Nuys, CA 91408**

7 **www.abenergizer.com**

8 **1-800-230-9988**

9 **Diet Energizer**

10 **\$29.95 Value!**

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14 **MALE ANNOUNCER: But that's not all. Call now**
15 **and you'll also receive a 30-day supply of Diet Energizer**
16 **with its fat-burning formula to help you lose weight**
17 **fast.**

18 **ON SCREEN: Free!**

19 **MALE ANNOUNCER: A \$29.95 value, the Diet**
20 **Energizer is yours free.**

21 **ON SCREEN: Only \$59.95 plus s&h**

22 **Ab Energizer**

23 **P.O. Box 570**

24 **Van Nuys, CA 91408**

25 **www.abenergizer.com**

1 **1-800-230-9988**

2 **Guaranteed! (less s&h)**

3 **Lose 2" in 30 Days**

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6 your waist in the first 30 days, return it for a full
7 refund of the purchase price, no questions asked.

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10 **P.O. Box 570**

11 **Van Nuys, CA 91408**

12 **www.abenergizer.com**

13 **1-800-230-9988**

14 **Call Now!**

15 MALE ANNOUNCER: To order your Ab Energizer
16 System, call now.

17 **ON SCREEN: These statements have not been**
18 **evaluated by the Food & Drug Administration. This**
19 **product is not intended to diagnose, treat, cure or**
20 **prevent any disease.**

21 KITA PELLY: You've seen the results. You've
22 heard from a doctor, fitness experts and people just like
23 you who've had tremendous success.

24 **ON SCREEN: www.abenergizer.com**

25 **1-800-230-9988**

1 KITA PELLY: Now, I guarantee you, this ab unit
2 will not be sitting in the corner of your garage. So,
3 why not get the six-pack abs that you've been dreaming
4 about? You can do it and sooner than you think with the
5 Ab Energizer. So, make that call.

6 **ON SCREEN: The preceding program was a paid**
7 **advertisement for Ab Energizer brought to you by**
8 **Energizer Products, Inc.**

9 MALE ANNOUNCER: The preceding program was a
10 paid advertisement for the Ab Energizer System, brought
11 to you by Energizer Products, Incorporated.

12 **(The infomercial was concluded.)**

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C E R T I F I C A T I O N O F T Y P I S T

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MATTER NUMBER: P024301

CASE TITLE: MISC MATTERS-DPI-DIV OF PLAN

TAPING DATE: OCTOBER 5, 2001

TRANSCRIPTION DATE: DECEMBER 27, 2001

I HEREBY CERTIFY that the transcript contained herein is a full and accurate transcript of the tapes transcribed by me on the above cause before the FEDERAL TRADE COMMISSION to the best of my knowledge and belief.

DATED: DECEMBER 27, 2001

ELIZABETH M. FARRELL

C E R T I F I C A T I O N O F P R O O F R E A D E R

I HEREBY CERTIFY that I proofread the transcript for accuracy in spelling, hyphenation, punctuation and format.

KATHY J. DE MENT