



May 13, 2026

Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue NW
Washington, DC 20580

Comment submitted electronically via <https://www.regulations.gov>

Re: TruHeight; File No. 242 3093

Truth in Advertising, Inc. (“TINA.org”) submits this comment in response to the Federal Trade Commission’s April 15, 2026 request for public input and in support of the proposed consent order with TruHeight (Vanilla Chip LLC) and its principals.¹

INTEREST OF COMMENTER

TINA.org is a nonpartisan, nonprofit consumer advocacy organization dedicated to combating deceptive advertising and consumer fraud; promoting understanding of the serious harms commercial dishonesty inflicts; and working with consumers, businesses, self-regulatory bodies and government agencies to advance countermeasures that effectively prevent and stop deception in the economy. Its website, www.tina.org, provides information about common deceptive advertising techniques; consumer protection laws, regulatory actions and other lawsuits; and ad alerts about specific deceptive marketing campaigns.

TINA.org has filed several complaints with the FTC concerning the deceptive marketing of supplements, including a 2013 complaint regarding NourishLife, a children’s supplement company that deceptively advertised a supplement called Speak as able to treat childhood speech delays, among other things.² The FTC subsequently sued the company, resulting in a \$3.68 million judgment.³ TINA.org has also published numerous ad alerts regarding a multitude of companies deceptively marketing children’s supplements, including several advertised as able to increase growth.⁴

In March 2023, based on a consumer tip, TINA.org published an ad alert regarding TruHeight documenting numerous advertising concerns, including unsubstantiated claims that its supplements could help children grow, a flawed money-back guarantee, false FDA representations and inadequate disclosure of the terms of its autorenewing subscription plans.⁵ The FTC’s complaint confirms and expands upon the concerns TINA.org raised.

SUPPORT FOR THE FTC’S PROPOSED CONSENT ORDER

TINA.org supports the proposed order and commends the Commission for taking action against a company that for years exploited parents’ concerns about their children’s development to sell products with no reliable scientific backing. The conduct at issue — targeting families with children as young as five years old, making claims like “The Only Supplement Clinically Proven to Help Height Growth,” and amplifying those claims through thousands of fabricated reviews written by employees or AI chatbots — represents a serious and sustained campaign of deception.

TINA.org has long advocated for robust enforcement of truth-in-advertising laws, particularly when it involves deceptive health claims directed at children or their caregivers. Products purporting to affect physical development carry especially high risks of consumer harm, not only including financial loss but also a potential diversion from evidence-based medical or nutritional guidance. Further, the FTC’s action against TruHeight appropriately reinforces long-standing substantiation standards requiring advertisers to have adequate scientific support before making health-related claims.

TINA.org also notes that TruHeight sold its products since at least 2020 and that the deceptive practices identified in the complaint — including the use of bot-generated fake social media comments and employee-written reviews — persisted for years before this action was brought. The breadth and duration of this conduct, directed at susceptible parents of young children, underscores the importance of robust injunctive relief. TINA.org therefore supports the permanent prohibition on unsubstantiated health claims and the ban on fake and incentivized reviews, and encourages the Commission to monitor compliance actively.

Finally, as a result of TINA.org’s investigative work, we recognize that the supplement industry continues to be a significant source of misleading health claims targeting children and families. This case, along with previous FTC enforcement actions, including its 2006 action against HeightMax,⁶ demonstrates that such conduct is neither new nor isolated. TINA.org supports the Commission using this current settlement to send a clear message to the supplement industry that deceptive advertising targeting children will be met with robust and meaningful enforcement.

CONCLUSION

For the foregoing reasons, TINA.org supports final approval of the proposed consent order.

Respectfully submitted,



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¹ TruHeight; Analysis of Proposed Consent Order to Aid Public Comment, 91 Fed. Reg. 20165 (proposed Apr. 15, 2026), <https://www.federalregister.gov/documents/2026/04/15/2026-07333/truheight-analysis-of-proposed-consent-order-to-aid-public-comment>; Fed. Trade Comm'n TruHeight (Vanilla Chip LLC) Case Summary, <https://www.ftc.gov/legal-library/browse/cases-proceedings/242-3093-truheight-vanilla-chip-llc-matter>.

² TINA.org's NourishLife speak (Lifetrients) Investigation, <https://truthinadvertising.org/brands/nourishlife-speak-lifetrients/>.

³ Complaint for Permanent Injunction and Other Equitable Relief, *Fed. Trade Comm'n*, No. 15-cv-93 (N.D. Ill. Jan. 7, 2015), <https://truthinadvertising.org/wp-content/uploads/2015/01/FTC-v.-NourishLife.pdf>; Stipulated Order for Permanent Injunction and Other Equitable Relief as to Defendants NourishLife, LLC and Mark Nottoli, *Fed. Trade Comm'n v. NourishLife, LLC and Mark Nottoli*, No. 15-cv-93 (N.D. Ill. Jan. 9, 2015), <https://truthinadvertising.org/wp-content/uploads/2015/01/FTC-Speak-Settlement.pdf>.

⁴ See, e.g., *NuBest Height Growth Supplements for Kids and Teens*, TINA.org (June 25, 2025), <https://truthinadvertising.org/articles/nubest-height-growth-supplements-for-kids-and-teens/>; *First Day Teen and Kids Multivitamin Gummies*, TINA.org (Sept. 7, 2023), <https://truthinadvertising.org/articles/first-day-teen-and-kids-multivitamin-gummies/>; *Peak Height Ad Alert*, TINA.org (Nov. 23, 2015), <https://truthinadvertising.org/articles/peak-height/>. See also *NeuroBrocc Ad Alert*, TINA.org (Apr. 13, 2023), <https://truthinadvertising.org/articles/neurobrocc/>; *Simple Spectrum Ad Alert*, TINA.org (Aug. 28, 2023), <https://truthinadvertising.org/articles/simple-spectrum/>; *Focused Mind Jr.*, TINA.org (Jan. 28, 2020), <https://truthinadvertising.org/articles/focused-mind-jr/>.

⁵ *TruHeight Ad Alert*, TINA.org (Mar. 15, 2023), <https://truthinadvertising.org/articles/truheight/>.

⁶ Press Release, Fed. Trade Comm'n, FTC Targets Bogus Claims for Pill Advertised to Make Kids Taller (Nov. 28, 2006), <https://www.ftc.gov/news-events/news/press-releases/2006/11/ftc-targets-bogus-claims-pill-advertised-make-kids-taller>.