

## Hong Jui International

1586<sup>th</sup> Commissioners' Meeting (2022)

Case: Hong Jui International violated the Fair Trade Law for posting false advertisements to market "PP Persephone" easy-to-use graphene slimming pants on the Yunjihui website

Keyword(s): Slimming pants, false advertisement

Reference: Fair Trade Commission Decision of February 16, 2022 (the 1586<sup>th</sup> Commissioners' Meeting); Disposition Kung Ch'u Tzu No.111010

Industry: Retail Sale via Mail Order Houses or Via Internet (4871)

Relevant Law(s): Article 21 of the Fair Trade Law

### Summary:

1. Hong Jui Internaitonal Marketing Co., Ltd. (hereinafter referred to as "Hong Jui Internaitonal") marketed "PP Persephone" easy-to-use graphene slimming pants on the Yunjihui website and posted in the advertisement the wording of "Become slim just by wearing them! The graphene pants help you exercise at any time," "Wearing them will have the effect of exercising; the slimming effect is obvious without going on a diet," "Put on the graphene pants and they will create a passive circulation effect similar to the result from jogging continuously... You will feel the waist, hips and thighs becoming thinner in a week. Wearing them and walking around can achieve the effect of burning fat." However, there was no medical theory or clinical test results to support its claim and violation of Article 21 of the Fair Trade Law was therefore suspected.

2. Findings of the FTC after investigation:

Hong Jui International posted the advertisement between Jul. 15 and Sep. 30 in 2021 and presented test reports from Taiwan Textile Research Institute (hereinafter referred to as "TTRI"), Intertek Testing Services Taiwan Ltd. (hereinafter referred to as "ITST"), and SGS Taiwan Ltd. (hereinafter referred to as "SGS"). However, the reports could not serve as medical theory or clinical test results to support the claim that the product could have the effect of exercising just by wearing them and slimming could be achieved without going on a diet. In other words, the reports had nothing to do with the claim in the advertisement.

3. Grounds for disposition:

- (1) When marketing the “PP Persephone” easy-to-use graphene slimming pants on the Yunjihui website, Hong Jui International claimed “Become slim just by wearing them! The graphene pants help you exercise at any time,” “Wearing them will have the effect of exercising; the slimming effect is obvious without going on a diet,” “Put on the graphene pants and they will create a passive circulation effect similar to the result from jogging continuously... You will feel the waist, hips and thighs becoming thinner in a week; besides, the pants can also strengthen your joints and muscles and help restore the shapes and lines of the abdomen and legs. Wearing them and walking around can achieve the effect of burning fat.” The overall advertisement delivered to the public the impression that just wearing the product could achieve the effect of exercising and slimming without going on any special diet.
- (2) According to the three reports on the tests performed by the TTRI on the knitted fabric samples provided by Hong Jui International, the physiological tests conducted showed using the sample could increase the blood flow volume and speed, the blood oxygen level in fingers, and the infrared thermal image temperature. The heat preservation effect and the ammonia deodorization function of the fabric sample were also tested. The opinion of the TTRI was that textiles made by adding graphene had the characteristics of high thermal conductivity and fast heat absorption. Therefore, the product could increase and preserve heat, boost blood flow volume and speed, and raise blood oxygen level. That means the claim of production of “metabolic heat” was not without basis. Nevertheless, Chinese Taipei Society for the Study of Obesity concluded that it could not find any research reports in association with use of graphene for fat reduction and body slimming after going through related literature and empirical medical reports. Certain practices would be required in the biochemical process of fat reduction. The most basic approaches would be diet control, exercise and medication after physicians’ evaluation. Apparently, the slimming effect claimed in the advertisement could mislead consumers.
- (3) Furthermore, the results of evaluation of the antibacterial effect of the “C-type fabric” sent to be tested by the ITST and the results of tests conducted on the samples by SGS and the TTRI to assess the antibacterial capacity as well as the shrinkage, change of appearance, color fading and level of dye stains of the sample had nothing to do with the claim of slimming effect in the advertisement. In addition, the articles and news reports released by Hong Jui International only described the characteristics of application of graphene in textiles. They could not be considered

medical theory and clinical test results to support the claim that wearing the product could achieve the effect of exercising and no special diets were required to achieve slimming. In other words, the aforementioned data were invalid since they were unrelated to the claim posted in the advertisement.

- (4) In conclusion, although the reports and information presented by Hong Jui International indicated the fabric samples could have the effects of increasing and preserving heat, boosting blood flow volume and speed, and raising blood oxygen level, there were no medical theory and clinical test results to support the claim that just wearing the product would have the effect of exercising and no special diets were needed to achieve the slimming effect. As a rule of thumb, slimming and reducing fat requires diet control and appropriate exercise or medication. Therefore, the claim in the advertisement was a misleading presentation with regard to quality of product able and also could affect transaction decision in violation of Article 21(1) of the Fair Trade Law.
- (5) After assessing the business revenue of Hong Jui International, as well as the motivation behind the conduct, operating condition, market position, past violations, level of rectification of the act and cooperation in the investigation, the FTC cited the first section of Article 42 of the Fair Trade Law and imposed an administrative fine of NT\$300,000 on the company.

Appendix:

Hong Jui Internaitonal Marketing Co., Ltd.'s Uniform Invoice Number:  
80091354

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