

**Attachment  
Three**

Case #2490 (4/20/87)

**THE NUTRASWEET COMPANY**

**NutraSweet Brand Sweetener**

*Ogilvy and Mather/Chicago*

**Basis of Inquiry:** Magazine advertising, illustrated by a farm stand, was headed, "Another good place to find what's in NutraSweet" and claimed: "Over half the food you eat today will contain what's in NutraSweet. It's nothing mysterious. NutraSweet brand sweetener is made from two building blocks of protein (amino acids, in more scientific lingo)." "Which is all the more remarkable considering that NutraSweet tastes just like sugar." A television commercial claimed: "Banana plants don't make NutraSweet, neither do cows, but they might as well. If you've had bananas and milk, you've eaten what's in NutraSweet. It's made from things like those you find naturally in good things to eat." Shortly after NAD contacted the advertiser, a challenge was received from The Sugar Association, Inc. The challenger questioned the linking of NutraSweet, a manufactured product, with typical natural foods and the statement that it is made from amino acids equivalent to those found in food proteins. Additionally, the Association maintained that the claim "tastes just like sugar" was an extrapolation of the NutraSweet brand sweetening function relative to sugar as the taste standard.

**Resolution:** The advertiser stated that the advertising accurately presented the chemical components of NutraSweet and the foods in which they are found. As support, the advertiser provided the FDA approval for the uses of aspartame, characterizing it as a nutritive sweetener, and a 1984 textbook, *Aspartame, Physiology and Biochemistry*. The text included a chapter on comparative taste studies on aspartame and other sweeteners and this information was supplemented by additional proprietary taste studies conducted at the advertiser's request by an independent researcher.

The ensuing dialog was centered on the sweetening characteristics, chemical structure and natural derivation of NutraSweet.

**Sweetening Characteristics:** NAD noted that aspartame cannot be substituted for sugar without restriction since it is unstable in baked and fried recipes. Moreover, research studies provided by the advertiser concluded that aspartame only "closely approximates" the taste of natural sugar. In response, the advertiser provided additional information to prove that sensory evaluation and biochemical studies confirm the close identity between aspartame and sugar as sweeteners. The advertiser also stated that NutraSweet brand is permitted only in those foods where its sweetening characteristics are appropriate and thus the reference to aspartame's limitations is not applicable. NAD agreed the claim "tastes just like sugar" was substantiated in the context of the advertising.

**Chemical Structure:** NAD concluded that the reference to NutraSweet being made from two amino acids was inaccurate as a scientific statement in the magazine advertising. Materials supplied by the advertiser confirmed that aspartame's structure represents the combination of three components, aspartic acid, phenylalanine and methanol in the proportion 4:5:1. The advertiser agreed to consider NAD's concern if future advertising presents the facts in a scientific setting.

**Natural Derivation:** NAD agreed that the three components of aspartame exist separately in nature and in many common foods and that, when ingested, the body metabolizes the components of aspartame by the same mechanisms that digest foods. The particular combination of ingredients in aspartame, however, does not appear in nature. NAD concluded that, in overall impression, the television and print advertisements might lead a consumer to believe that the combination exists in nature, specifically in some food sources. The advertiser pointed to such statements as "Banana plants don't make NutraSweet" and "Nature doesn't make NutraSweet" to support its contention that it had presented the facts accurately. However, the advertiser agreed to give concern to NAD's opinion if similar claims are used in future advertising. (#2490)