



## **New Tests reveal 904 Percent More Lead in Herbalife, NuSkin Nutritional Shakes than Competitors, reports Fraud Discovery Institute**

*New lab tests contradict Herbalife (NYSE: HLF) CEO recent statement that all products have lead*

For Immediate Release

SAN DIEGO/EWORLDWIRE/June 2, 2008 --- The Fraud Discovery Institute Inc. (FDI) challenged the statement made by Herbalife (NYSE:HLF) CEO Michael Johnson from a May 20, 2008, investors' conference that all products have lead in them by testing the lead levels in four additional, comparable products to the Herbalife two top-selling nutritional shakes.

"The results even surprised us," said Barry Minkow, FDI co-founder. "We were simply trying to establish a baseline - an average by which we could test and compare the Herbalife claim that our results of high lead levels in the nutritional shake products were aberrational and irrelevant because of the 'everyone else has lead in their products' defense."

"We basically tested nutritional shakes from three popular, comparable products: Ensure, Slim Fast and Boost along with a fourth product, the nutritional shake of NuSkin (NYSE: NUS), a Salt Lake City, product-based, multi-level marketing company and producer of the Pharmanex 'My Victory AC Shake.'"

"The tests were performed by an FDA registered, independent and international lab, and the nutritional shakes made by the two multi-level marketing companies, NuSkin and Herbalife contained 904 percent more lead than the three products not made by multi-level marketing companies. In fact, the average lead levels per serving for Ensure, Boost and Slim Fast were a slim 0.30 micrograms per serving - well under the California Proposition 65 maximum of 0.5 micrograms. In contrast, the two Herbalife Healthy Meal and Shapeworks nutritional shakes and NuSkins (NYSE:NUS) My Victory AC Shake combined for an average of 3.04 micrograms per serving or 904 percent more lead on average per serving and well over the amount allowed by law without a warning label.

The new report from FDI also compared the average price per serving and once again the two multi-level marketing companies won that battle with an average cost of \$2.39 per serving compared to \$1.26 per serving for Ensure, Boost and Slim Fast which is an over 90 percent higher price per serving. You not only get more lead per serving from Herbalife and NuSkin products, but you get to pay handsomely for it," added Minkow. "And what is the Herbalife approach to rectifying this problem of lead in their top selling products? According to the Associated Press, the company paid almost \$200,000 so far in 2008 lobbying both Congress and the Senate to not pass legislation that would hold the company's nutritional products accountable to any outside, government regulatory body."

Finally, in a just-released Los Angeles Business Journal article, Herbalife revealed that they are now doing some lead testing of their own on 61 of their products and have already seen lower lead levels.

"If the company tries to come forward with lab results that contradict our's, that company is in for a shocking surprise," explained Minkow.

"The lab Herbalife uses, Covance, was the lab we used in the Usana Health Sciences Inc. case, and we went to that lab first to perform testing on the Herbalife products - but after placing our order, we immediately received a call from the Covance legal division stating that Herbalife was its client and the company could therefore not perform tests on Herbalife products on behalf of the Fraud Discovery Institute. Does that sound like we were trying to insert fraud and deception into the testing process?" stated Minkow.

"We wanted to use the Herbalife lab like we had in the past and were prohibited from doing so, and simply went to other independent, FDA-registered labs to objectively test the products," said Minkow. "We only tested six of Herbalife's most popular products - the six that were listed in the alleged liver damage report from Switzerland."

Minkow also points out that questioning the authenticity of the FDI lab results is an exercise in futility because of the fact that testing for lead is so inexpensive, often under \$300 per sample for a four-panel test, that for any FDA registered, independent lab to do anything but provide the most accurate and above reproach test results is simply untenable.

"Based on the results of these tests, there is really only one question left to answer: Do you like your nutritional shakes leaded or unleaded?" asked Minkow.

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