

INVESTIGATORS

[Archives](#) | [Consumer Alerts](#) | [Submit an I-Team Tip](#) | [XML](#) [RSS feed](#)



Not losing weight? Some Valley low-fat claims could be wrong



Reported by: [Joe Ducey](#)
Email: jducey@abc15.com
Produced by: Maria Tomasch

Last Update: 11/06 6:24 am

Related Links

- ◆ [Original Investigation: What's on the Menu?](#)

 **Click the play button on the video window to the see the story**

A 27 page lawsuit charges a major restaurant chain and health group with teaming up to sell meals loaded with fat and calories while making low fat claims about them.



The lawsuit follows an ABC15 investigation from six months ago.

Applebee's, it's parent company and Weight Watchers are named in the lawsuit.

Working with Scripps television stations in seven different cities throughout the country, we bought and tested seven meals claiming to be low in fat and calories from Applebee's famous Weight Watchers' menu.

[See the results from our 'What's on the Menu' Investigation](#)

The calorie difference was slight, but the fat was over on every item we tested – doubling and even tripling in three of the meals.

A Washington D.C. law firm filed the class action suit on behalf of consumers across the country. Their claim is that it's not about how Applebee's made someone fat or unhealthy... this lawsuit is really about the false advertising.

They claim entrees on Applebee's special Weight Watchers section are listed as "healthy menus" but often "inaccurately represent the caloric and fat content of the food at issue."



Allison Foster is one of the attorneys who filed the lawsuit. "It's sort of a betrayal. It's taking advantage of people who want to pay attention to their health and instead selling them something that's going to hurt them."

Weight Watchers says they "don't comment on current litigation".

An Applebee's spokesman told us, "We take claims about our Weight Watchers menu seriously. We believe variation between listed and actual food nutritional content is inevitable... We are reviewing the claims, but we don't think they have merit."

Last May, we went undercover inside some of the Valley's most popular restaurants and put their diet menus under the microscope.

Following our labs instructions, we put the food in Ziploc bags, labeled it, put it on ice and sent it overnight to EPA certified Analytical Laboratories in Boise, Idaho.

Test results showed the Cajun lime tilapia had twice the amount of fat claimed. It should have 6 grams, but our lab found 12.

The garlic herb chicken should have 6 grams of fat, but tested at three times that amount, 18 grams of fat.

"6 to 18 is a big difference," said Registered Dietician Susan Grammond. "You're almost tripling your amount of fat calories. 1 gram of fat has 45 calories, so if you do the math that's increasing the amount of fat calories."

Grammond said over time, fat and calories add up.

"One time may not make that much difference, but over time if someone eats out a lot, it can have a significant impact," she said.

Anyone who ordered items from the Applebee's/Weight Watchers menu since September 2004 could be part of this class action lawsuit.

To make a claim, email [Tara Kelly](#) with Gilbert Oshinsky, LLP or call her directly at 202-772-3969.

[Click here to read the initial complaint](#) **[Click here to read Applebee's response](#)**
Copyright 2008 The E.W. Scripps Co. All rights reserved. This material may not be published, broadcast, rewritten, or redistributed.

[Add a Comment](#) [Add Video Comment](#)

[\(2\) Comments](#)

[The ABC15 Investigators](#)



[High gas prices not the only deterrent for some consumers](#)

UPDATED WITH VIDEO: When a person with disabilities honks his or her car horn at a gas station, by law, an attendant is required to help. But do all Valley stations follow this law? [Video](#)

- ◆ [Congressman wants AIG CEO to resign after Phoenix meeting](#)
- ◆ [AIG execs at posh Phoenix resort after \\$85 billion bailout](#) | [Video](#)
- ◆ [Not losing weight? Some Valley low-fat claims could be wrong](#) | [Video](#)
- ◆ [New reaction to ABC15's investigation uncovering unsecured soccer goals](#) | [Video](#)
- ◆ [54 potentially unsafe soccer goals at Valley schools, parks](#) | [Video](#)

[More Investigations](#)