

# FULL OF SURPRISES

## *Dietary Supplements and the Gym, Or, a Tale of Corporate Social Responsibility*

A Teaching Case From the Strategic Training Initiative  
for the Prevention of Eating Disorders

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## SYNOPSIS

Working out at the gym is a healthy endeavor, but many gyms endorse unhealthful practices. They may advertise or sell dietary supplements for weight loss or muscle building that not only fail to do what they promise, but contain potentially dangerous ingredients. Callie Guertin is a primary care physician in Hamilton, in the fictitious U.S. state of Columbia, and a daily gym-goer who is slowly awakening to the fact that her chosen new gym, MuscleTone, sells weight-loss supplements at its welcome desk. She wants them to stop; but what can she do on her own? With some guidance from a young activist, Stacie Lubin, and her sympathetic personal trainer, Rudi, Guertin learns skills of coalition building to pressure the small MuscleTone chain to change its practices.

Within MuscleTone headquarters, corporate managers and executives are aware that a growing number of their clients are unhappy about the gym’s sales practices. None of them seems especially attached to the idea of supplements except as a steady stream of revenue they don’t want to lose. Perhaps, using principles of corporate social responsibility, or CSR, they can be made to realize that abandoning sales and advertising of supplements can produce a good result for everybody—healthier customers, of course, but also a new marketing campaign touting MuscleTone as the gym for “healthy living”? Guertin and her allies are working on MuscleTone to make just this case.

## **ACKNOWLEDGMENTS AND FUNDING**

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## CAST OF CHARACTERS

*In order of appearance:*

**Callie Guertin** – *a primary care physician at a community health center in Hamilton, Columbia, and member of MuscleTone women’s gyms*

**Rudi Steiner** – *Guertin’s trainer at MuscleTone*

**Stacie Lubin** – *an activist at CorpWatch in Hamilton*

**Perry Glynn** – *head of client relations and communications for MuscleTone*

**Marcus Shellenberg** – *owner of MuscleTone gyms*

**Jackie Hendricks** – *prominent citizen of Hamilton and active in several nonprofit boards and causes*

***And assorted staff from MuscleTone gyms***

## FULL OF SURPRISES:

### *Dietary Supplements and the Gym, or a Tale of Corporate Social Responsibility*

When Callie Guertin and her wife divorced, all Callie's habits changed. She used to go to Florida for one week each year to visit Deb's mother; now she didn't. She used to sail weekends in Hamilton harbor; but the boat was Deb's from her dad, and now she didn't. She used to walk the Labrador, Bertie, she never much cared for; but the dog went with Deb to Deb's new home. And with Deb she used to work out at 7 a.m. each weekday at Hamilton GymWorks, but Deb was determined to keep her membership since the gym was in the basement of the office block where she worked; and so Callie went looking for a new space to work out.

She found it, five minutes away in the car from the South Hamilton clinic where she worked as a primary care physician. Its name was MuscleTone, which she considered slightly weird—it didn't sound like the name of a gym, so for all the times she'd driven past it coming from and heading to work, it never struck her as an option, until a friend recommended it. But she took out a one-month trial membership, and she liked the trainer, Rudi, who tended to be around and available the mornings she came in. Like any gym-goer she'd had enough bad or off-putting personal trainers to know straightaway when she liked one, and this Rudi struck her as a good sort. He didn't seem out to impress anyone. He was a gay man in a women's gym and was just about the least aggressive, bull-headed or domineering person of either gender she'd encountered in that role in any of the gyms she'd frequented. If she said she didn't feel like going up 10 pounds on the weights or toughing it out for five more reps on the barbell curl, he never pushed it. He didn't just bark terse orders. He said "please."

So sure was Callie that she was onto a good thing, that after three weeks she re-upped her membership from her preliminary, one-month special offer ("Just \$19.99!"), to a full-year prepaid membership plan, renewable at the same rate "*in perpetuity*," the brochure said. Only once she'd locked herself in with MuscleTone did she really look

around the place. Recalling it later to her friend Maria-Grace, she mentioned the anxiety she felt in the pit in her stomach when she saw the large matted posters, like flags, hanging from the walls, saying things like “Lose it with Nourishh”—a dietary supplement supposedly good for weight loss. It was a product sold from the glass case at the front desk. Once Callie asked to see a bottle. Right on the label, among the listed ingredients, was bitter orange, known for containing synephrine, which resembled the banned stimulant ephedra.<sup>1</sup>

“Speeds up the heart rate, raises blood pressure, increases the likelihood of strokes. If you drink coffee or Coke or anything caffeinated, the risk shoots right up,” Callie told Maria-Grace. “I have patients who come into clinic and tell me they’ve used these things. And each time I tell them they’re horrible, they don’t work, they could even be dangerous, and I plead with them to stop. My colleague had a teenage patient who had anorexia and at first they didn’t want to admit her to the hospital because her vitals seemed fine. But then her mother found a box of pills like this hidden in the girl’s bedroom—something masking the dangerously low heart rate and blood pressure people with anorexia typically have. They admitted her straightaway. And here I am at my new gym having just walked into the lion’s den!”

“I’m confused,” replied Maria-Grace. “You said weight-loss supplements. But mostly when I hear about the gyms it’s stuff for muscle building?”

“It’s a women’s gym. But I bet if I went to a men’s one, or one that was co-ed, I’d see the muscle-building stuff, too.”

“What do the posters show?” Maria-Grace asked. “Just regular-looking women?”

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<sup>1</sup> Anonymous, “The Dangers of Dietary Supplements Investigated: What You Don’t Know About These 12 Ingredients Could Hurt You. *Consumer Reports*, September 2010. Article lists a “dirty dozen” of ingredients, including bitter orange, often found in legally sold dietary supplements; at URL: <http://www.consumerreports.org/cro/2012/05/dangerous-supplements/index.htm>.

“No, of course they’re young and very thin. They’re in skimpy exercise clothes but don’t appear to have been working out when they took the pictures.”

“Does your trainer bring it up—try to push anything on you?”

Suddenly Callie felt alarmed. He hadn’t, of course. But now she was locked in to her expensive annual membership contract. . . would he try?

\*

CorpWatch was a small nonprofit in Hamilton with exactly one part-time, paid staff member, Stacie Lubin, whose mission was to keep watch on the iffy or unethical practices of corporations in the state of Columbia. With its limited resources, Lubin had redefined that mission so that “corporations” would actually be small companies operating in the Greater Hamilton region with more than one, but fewer than 10 branches. Big chains—CVS or Walgreens for pharmaceuticals; Whole Foods supermarkets; Best Buy for electronics; Applebee restaurants—were not her remit. But the six pizzerias of Pizza Bar were, especially when a newspaper revealed how they ripped off their low-wage immigrant employees; as were the downtown Hamilton Beans coffee shops, where the managers illegally took over the tip jars. Now, thanks to an email in her inbox that morning, her interest was newly awakened in the MuscleTone chain of local gyms.

“Dear Ms. Lubin,” the email began. “I’m a physician in Hamilton and a gym-goer angry to be finding out that my own gym advertises dietary supplements and even sells them. While this is not illegal, it is disgraceful and damaging to customer health. I would appreciate advice on what to do about it. Can we talk?”

The next week, they talked. Perhaps they surprised each other. Lubin, executive director of CorpWatch, was probably not even 30 years old; Callie Guertin, author of the email, expected someone older. Lubin had assumed someone signing email as C.A.L. Guertin, MD, was actually a man. Fortunately she kept the thought to herself.

Guertin explained the situation. “There’s muscle-building supplements and weight-loss supplements, ostensibly to build muscle and lose weight. But they don’t do what they promise, and they’re not benign—they can be dangerous. They may not have the ingredients they say they do; or they may have kept the ingredients they were supposed to get rid of. There’s just no regulation, or hardly any. But we can’t go down the route of saying the gym’s breaking the law. It’s not.”

At length, Guertin explained her subject’s appalling history. Congressional legislation in 1994 produced a gray area where supplements, broadly classified as “food” and not, as maybe they should have been, drugs, fell largely outside the strong regulatory authority of the Food and Drug Administration. Basically you could take a particular brand off the market only once enough complaints had been racked up against it, by which time many consumers might be sickened or worse. Makers and sellers were rarely punished or fined for their shoddy goods; and if the FDA actually recalled a product, it might go right back on the shelf at the store, perhaps under a new name with the same offending, even toxic ingredient that caused the recall in the first place.<sup>2</sup> But maybe the tide was turning. The New York state attorney general had just announced the results of his investigation into four huge nationwide retailers that sold supplements, demanding that they remove products with herbal ingredients that were mislabeled and potentially dangerous.<sup>3</sup> But why should gyms be off the hook? That’s where people desperate to lose weight or build muscle often congregated and, because they were together sharing their preoccupations and plans, were probably most susceptible.

“Callie, what do you want to have happen?” Lubin finally asked.

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<sup>2</sup> “The FDA recalled 274 dietary supplements between January 1, 2009 and December 31, 2012.... We found that 66.7% of recalled supplements still available for purchase at least 6 months after FDA recalls remained adulterated with banned ingredients.” PA Cohen et al, Letter, *JAMA* 312:16, p. 1691 (Oct. 22/29, 2014).

<sup>3</sup> Anahad O’Connor, “New York Attorney General Targets Supplements at Major Retailers,” *New York Times*, Feb. 3, 2015. The four retailers were Walgreens, Walmart, Target and GNC. At URL: [http://well.blogs.nytimes.com/2015/02/03/new-york-attorney-general-targets-supplements-at-major-retailers/?\\_r=0](http://well.blogs.nytimes.com/2015/02/03/new-york-attorney-general-targets-supplements-at-major-retailers/?_r=0)



“Get them to stop!”

“Have you asked them?”

Guertin was surprised by the question. “No. Should I have?”

“It always helps to ask, at least to start with. Mainly you get more information.”

“How do I ask?”

“Start with the manager. If you’re not happy with the answer, let me know.”

As she gathered up her things—a *Consumer Reports* newsletter, some studies she’d printed at her office and news clippings from the *New York Times* about supplements that she’d brought with her to make her case—Guertin spilled her cup of water over most of the papers. “Damn!” she exclaimed. “I meant to leave these with you.”

“Actually I have some. There’s a trainer at one of those places who’s been educating me. It’s mostly the men’s fitness and health magazines he’s angry with. Full of ads and crazy claims, and the editorial stuff’s mixed in with the commercial. I told him we’re a small outfit, and we’re local—we’re not taking on these big publishers in New York or L.A.”

“Who is this trainer? Can I meet him?”

“I’ll introduce you at some point. But I want you to talk to your gym manager and get back to me. She may surprise you.”

Insofar as the manager of Guertin’s gym surprised her, it was to say Guertin was right: personally, the manager said, she thought these products were noxious. But she also said her hands were tied. All six MuscleTone gyms in greater Hamilton sold all the same merchandise, and no manager on her own could make unilateral decisions that, as she put it, “impacted revenue.”

“Also there are people—fitness people—in the office who just don’t believe this stuff is as bad as you’re saying. One says she uses Nourishh herself. Another one said he’d read this study and that one and they basically conflict and nothing’s definitive yet.”

“Can I ask how much you sell? How important to revenues it might actually be?”

“Very little, I’m pretty sure. For one thing, our prices aren’t any cheaper than the CVS or Walmart.”

“So maybe it’s the advertising that brings in the revenue? The posters and— what do you call those things?”

Those “things” were called banner stands: fabric-style posters that didn’t have to be hung on walls. But the manager, not wanting to be drawn in further, said, “I wouldn’t know about that. You’d have to ask the main office.”

Guertin repeated everything she’d learned, which she didn’t think was much, to Stacie Lubin of CorpWatch. But Lubin’s questions seemed, to her, off point.

“Tell me about your clinic,” she asked. “Is it part of a big hospital group?”

“We’re a community health center. Most of our funding is public money and donations, private and some corporate. We have an active board that’s always fundraising.”

“Really?” Lubin seemed very interested in this point. “Who’s on your board?”

“I don’t know most of them. There’s Jackie Hendricks, who I know a little. Why?”

“Jackie Hendricks? Of the Federals?”

The Hamilton Federals were Hamilton’s professional basketball team, doormats of the National Basketball Association until the Hendricks family purchased the team

and began putting real money into it, including building a splendid new sports arena. The name Hendricks was like Steinbrenner in New York; or Kraft in Boston. You heard someone called Hendricks in Hamilton, and immediately that's where your mind went.

"She's the wife, right?"

"Not a sports fan, Callie?"

Guertin wasn't. But yes, Jackie was the wife of Donald Hendricks, billionaire owner of the Federals and much else. And she was on the board of Guertin's community health center in South Hamilton, where together they had appeared on a panel about eating disorders in teenage girls of color, as Lubin learned while they talked.

"Do you see what I'm getting at, Callie?"

"I should tell her about dietary supplements?"

Much more than that, Lubin replied. Guertin should tell Hendricks about a women's gym that sold and advertised these products and confide that she was worried about the message it sent gym clients, the kind of women Guertin saw in her South Hamilton practice.

Yes, she could do all those things, Guertin thought. She knew Hendricks, a little; the annual fundraising gala at the Sheraton was coming up soon, and she could find time then to have a few words with her. But how was the billionaire's wife going to help Guertin get "Nourishh" and similar detestable products out of the glass case at MuscleTone? Was she going to just buy up the six gyms with pocket change on her bedside table and issue an owner's edict?

"You're building a coalition, Callie. Perhaps you don't know it yet, but you are. A billionaire's wife is a great place to start! Who else you got?"

A coalition but she didn't know it yet—Guertin thought about this a lot over the week. Perhaps all coalitions were like that—activists who didn't know or see

themselves as joining or creating something, yet for whom, when the signal came, the idea was clear as day.

“What about that trainer you mentioned? Who is he, where is he?”

“Oh, yes. I’ll connect you on email,” Lubin replied.

Surprise, surprise: the trainer was Rudi. Lubin hadn’t realized he worked at the same MuscleTone gym where Guertin went; much less that he was Guertin’s trainer. “I get these places confused,” she said.

“Not a gym-goer, Stacie?” Guertin replied.

“Callie,” Rudi said when they spoke on the phone that night. “I think I can help you.”

\*

At MuscleTone HQ, which occupied the second-story office-floor above the gym in a semi-upscale strip mall in East Hamilton, the business development manager was worried. This little band of protesters had collected 31 signatures on a petition declaring they would decline to renew membership by Labor Day if, by then, no announcement had come from the company about banning advertising and product sales of dietary supplements in the gyms. Now it was June. How had they collected so many names? Soliciting members as they came in or departed? But the managers hadn’t reported any such efforts. Had an employee shared confidential membership information with this doctor-activist, Callie Guertin, who’d then done her work on email or the phone? Surely some details of how the task had been done would have leaked out by now, were that the case.

“You’re asking the wrong questions,” Perry Glynn, head of client relations for MuscleTone, told her colleague. “You’re not the FBI. You don’t need to find out how it’s being done. Do the names check out? Are they our members?”

“Yes, all of them.”

“So we have some unhappy customers. A growing number of them. Is this what it will take to satisfy them? We stop peddling this crap?”

“Who says it’s crap? Nothing goes on the shelf here unless we know it’s what our clients want. It’s a major loss in revenue, Perry,” the business development manager said.

“So is losing thirty-one clients,” Glynn replied.

Initially the company president reacted like his business-development manager—find out the jerks who are doing this. Sue ’em, kick ’em out. Have managers ask the clients if they were being approached to sign petitions. Glynn managed to calm him down. “Let’s just send a letter instead, Marcus,” she said. She composed it, signed it with her title as director for client relations, and provided her email address and cell phone number underneath.

“It has come to our attention,” the letter to the membership began, as such letters inevitably did. It did not mention weight-loss or muscle-building supplements, just that members may have been approached by campaigners “wishing to change certain practices in the gym.” Then there was this touch, which Glynn was proud of:

Believing in healthy bodies and healthy minds, we encourage debate and hope members will always speak their mind. Most of all we encourage you to take your concerns directly to management, which is always happy to work toward customer satisfaction. We value your membership and want you to stay with MuscleTone.

But despite the invitation, hardly anyone replied or called. Perhaps the members believed it was enough to sign the threatening petition, and dialogue was not interesting to them. Perhaps the rest of their lives was filled with dialogue, disputes, confrontation, and compromise. At MuscleTone, they just wanted to work out. And they wanted a healthy environment.

Callie Guertin was disappointed, too. MuscleTone's response to her budding campaign seemed muted, restrained, with that gentle, if officious, letter from client relations, and no stressed-out managers coming out to confront her and the other campaigners. Clearly the staff had been given careful instructions. There was backlash, too, from several members she'd approached about signing on. "This isn't like steroids," one woman said. "My sister-in-law swears by it, and you know, looking at her now I have to agree with her." Another woman said, "You're a doctor, right? Why aren't you doing surveys or focus groups—finding out the real extent of the problem?"

"We have plenty of data," Guertin replied, weakly, she thought. "They're from major studies."

“But that says nothing about this gym or this community or this town,” the woman responded. “Since my third baby last year, I need all the help I can get taking off the extra weight.”

That evening to Lubin, Guertin said sadly, “It isn’t working.”

“What about Jackie Hendricks, Callie?”

“Oh, I spoke to her at the gala. You were right, it got her attention pretty fast. She said she’d call me. I emailed her office a couple times and tried calling once, but I never got through.”

“It’s hard getting hold of billionaires,” Lubin agreed. “But you know, sometimes they move in mysterious ways.”

\*

Out of the blue, an invitation had come to Marcus Shellenberg, president of MuscleTone, a family-owned company in Hamilton since 1997. The Hendricks Foundation was holding a one-day session on “Corporate Social Responsibility and the Greater Hamilton Workplace,” and he was one of “forty local leaders,” it said, invited for a morning of panels and workshops followed by lunch hosted by Jackie Hendricks at the Hilton. A hand-appended note appeared at the bottom of the invitation card.

*“Marcus, please come. Would love to talk to you about something—Jackie.”*

“Do any of you know anything about this?” Shellenberg asked his management team that afternoon. “Did we do something, donate something, make someone mad, to get the attention of Jackie Hendricks?”

Nope, said everybody, not that we know of. Glynn, who was new to Hamilton, needed some explaining as to who Jackie Hendricks was. But that was all she needed. Shellenberg’s first inclination had, in fact, been not to attend.

“Marcus, you’ve got to go.”

“All right, all right,” he finally said.

Time was passing. The number of signatures on the activists’ list had climbed to 43. The day of the conference, Marcus Shellenberg showed up at the Hilton when they were taking away the breakfast plates and, to a degree he hadn’t expected, soon found himself consumed by the proceedings. For one thing, there was a surprising number of people he knew: Leo Higuain, for instance, who ran numerous coffee shops and a tanning salon he was converting to a tattoo parlor; the owner of a chain of local restaurants; a funeral home owner and some more.

The “sense-making” workshop proved especially interesting. If your corporation does something for “the social good,” it has to make sense to both customers and staff, not to mention the board. A Spanish luxury hotel chain wanted to differentiate itself from other five-star hotel chains by promoting the idea that, in a stressful world, business clients at its establishments slept better, with improved “opportunities to dream.” The chain spent money on sleep research and a charity for traumatized children and had a medical doctor specializing in sleep studies on its board.<sup>4</sup> So it all made *sense*. After the session, Jackie Hendricks approached Shellenberg. “Oh, Marcus,” she said. “You got my note and you came. I’m so glad.”

“Ms. Hendricks,” Shellenberg carefully replied. “I’ve been trying to remember how we know each other.”

“We don’t. But I know your gyms, and I know Callie Guertin—“

“Callie—“

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<sup>4</sup> Itziar Castelló, Josep Lozano, Joseph Barberá, “Transformational and Transactional CSR Strategies: Searching for Change in the Tourism Industry,” 2009. At URL: [http://digital.csic.es/bitstream/10261/17103/1/AC244\\_1\\_Castello-Lozaono-Barberav16.pdf](http://digital.csic.es/bitstream/10261/17103/1/AC244_1_Castello-Lozaono-Barberav16.pdf)



“Exactly. Callie who’s been giving you grief about selling supplements, as she should. Marcus, I really think there’s something positive to be done. What if you stopped those ads, stopped selling the bottles of pills—and said you were going for healthy living, natural living, something like that? What if that became something you were known for?”

It made sense to him, once she said it. It made sense to him later, talking it over first with Perry Glynn, then the rest of his executive team.

“What do we have to do make it happen? How much do we lose, how much do we invest, when can we expect to start making it up?”

The answers to most of those questions would rest with the business-development team.

“I’ll talk to Callie Guertin,” Perry Glynn said at the end of the meeting.

Guertin was working out with Rudi, and Stacie Lubin, making her first visit to MuscleTone or any gym, was waiting in the lobby, watching them through the plate glass while twiddling with her smartphone and hoping she didn’t have to stay long. “How long’s this going to take?” she said to herself. She’d come on time.

Seeing her through the window, though, they came straight out, sweaty and disheveled. “Stacie, I have good news and bad news,” Guertin said.

“Good news first,” Lubin replied.

“Well, they may just be giving up this whole business peddling and promoting pills.”

“Really?” Lubin replied. “*Really?* So what’s the *bad* news?”

“Well, what do we do. . . now?”

As Guertin explained it, one of the owner's chief associates—that would be Perry Glynn—had said Guertin and her comrades could expect a total makeover in the gym's strategy and marketing in coming months. Many details remained to be worked out, and the time-frame was uncertain, but the bottom line was that she could anticipate, in the not-too distant future, the end of the practices that so offended her. What did she think of *that*?

"Stacie, I don't know what to do. All I have is her word. Nothing on paper, no concrete promises. I have 45 names on my list. What do we tell them? Are we keeping up the pressure, in case the gym folks relapse or they lied? Do we offer to *help*? Give them something, for what they gave us? I can't get my head around this."

"Oh, so that's the bad news," Lubin said. "Answered prayers and all that. I agree that it's tricky."

"Very tricky," Rudi said, sagely nodding.

"But you know, Callie, between you and me and all the others, I think we can figure it out. Coffee, anyone?"

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## ***Postscript***

Seven weeks passed, and Callie Guertin had to admit it was a pleasant respite, going to the gym each morning knowing major changes were coming and she'd had a part to play in them. At some point, though, maybe not the Tuesday of the eighth week but definitely the Wednesday, she was getting annoyed. Still those banner stands were advertising supplements; "Nourishh" and other diabolical pills and bottles were still being sold from the glass counter by reception. It was time, Guertin thought, to get hold of Perry Glynn. A major new study had just come out, attributing over 20,000 emergency room visits in the U.S. each year to dietary supplements. "This is why we've got to act," Guertin wrote in her email to Glynn, with a link to the article in the *New York Times*.<sup>5</sup>

But the email bounced back. So did a second one. Guertin called Glynn's office number; "Perry doesn't work here anymore," said the brusque young man who answered. She remembered she had a cell phone number; she tried calling that. But the number was out of service.

On the Tuesday of the ninth week, Guertin was finishing her workout with Rudi when she saw a deliveryman wheeling in cartons of fresh product for the glass cases. The guy at the desk began ripping open the boxes, readying their contents for the glass case, but these bottles seemed to be different from the other trash. Callie and Rudi looked more closely. Rudi lifted up a bottle, and held it near his eye.

"Bonanza Top Pro," he read from the label. "Muscle building to the Maxx."

He looked at Guertin. "Callie, they didn't tell us about this. I had no idea."

Guertin was quiet for a while, then she just said, "Wow." Then again: "Wow."

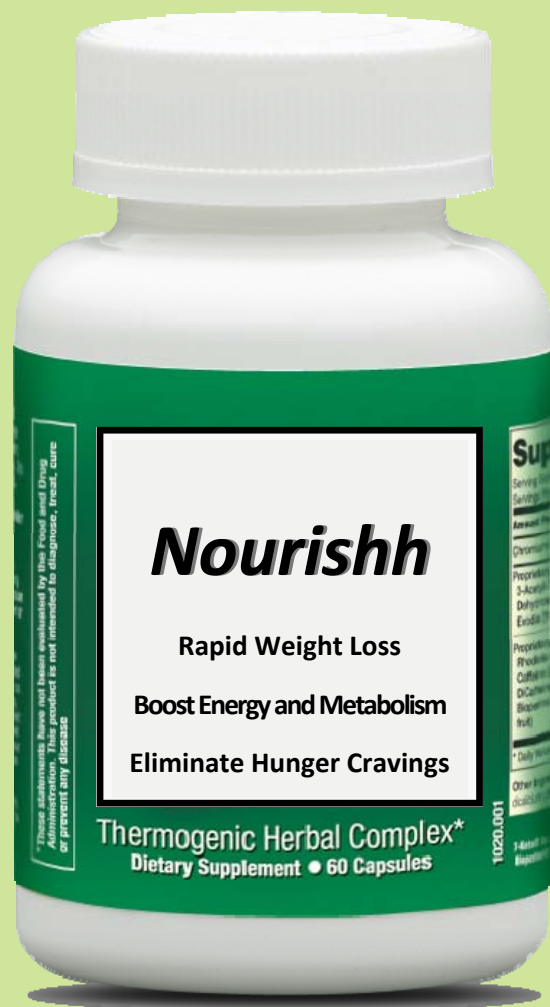
After a shower and dressing, still sitting in her car before heading to work, she made her first call of the day to Stacie Lubin.

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<sup>5</sup> Anahad O'Connor, "Dietary Supplements Lead to 20,000 E.R. Visits Yearly, Study Finds. *New York Times*, October 14, 2015. At URL: <http://well.blogs.nytimes.com/2015/10/14/dietary-supplements-lead-to-20000-e-r-visits-yearly-study-finds/>

**“I LOST 50 POUNDS WITH  
NOURISHH”**



**GET THE BODY YOU WANT NOW**

# Make MuscleTone Stop Selling Dietary Supplements!

Callie Guertin United States



Our gym sells Nourishh and other notorious "weight loss" supplements, which are not the healthful products they purport to be! True weight loss cannot be achieved with a pill or substance in a bottle, but these companies make billions of dollars assuring consumers of their success, backed by pseudo-scientific "studies" and celebrity pitch-men and women. A gym is a place for healthy exercise and should be a sanctuary from the kind of commercial pressures we see everywhere in society. The best gyms don't sell this stuff, and neither should ours! **Join MuscleTone members in a protest--if they don't take stop selling or advertising Nourishh and related products by Labor Day, sign here and tell them you won't be renewing your membership!**

0 views today

## Share this petition

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99 needed to reach 100

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Add a personal message (optional)  
Fellow MuscleTone Members: Make MuscleTone Stop Selling Diet Supplements!

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