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Column: The Ugly Side of Beauty

The Ugly Side of Beauty Wrinkle War Waged in Court

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For getting rid of pesky wrinkles, is a Utah company's stretch mark cream better than Botox?

The question is furrowing brows at Botox manufacturer Allergan Inc., which is annoyed that advertisements for StriVectin-SD cream tease "Anti-Aging Breakthrough Better Than Botox?"

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California-based Allergan has threatened to sue Klein-Becker, the Salt Lake City company that sells StriVectin, for false advertising and unfair business practices. But after a heated exchange of letters, Klein-Becker took the antiwrinkle war to court first this week by asking a Utah federal judge to approve

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its advertising.

Klein-Becker says StriVectin-SD, created as a stretch-mark reduction cream, is instead being used as an antiwrinkle cream by consumers who discovered its effectiveness through "dumb luck."

Priced at about \$135 for a 6-ounce tube, the cream is sold in Park City and will soon be sold at Nordstrom. It touts an endorsement from a "Dr. Nathalie Chevreau, Director of Women's Health at Salt Lake City based Basic Research."

Chevreau, listed in promotional materials as the cream's distributor, has a doctorate in inorganic chemistry and is licensed as a dietitian in Utah. She is quoted as saying: "The cumulative effects of using a product like StriVectin become more noticeable every day, and ultimately last longer than Botox."

"While StriVectin-SD has not been shown to eliminate the deep furrows targeted by Botox injections, the active ingredient in StriVectin-SD has been shown to significantly reduce that category of fine lines and wrinkles that can add 10-15 years to your appearance [the type of fine lines and wrinkles Botox treatment leaves behind]."

Allergan takes issue with the challenge to its effectiveness, and also objects to another of Chevreau's claims: that the effects of Botox "begin to wear off the very next day."

Klein-Becker's lawsuit accuses Allergan of failing to disclose its own advertising scrapes over its claims about Botox, which, as a drug available only by prescription, is regulated by the Food and Drug Administration.

The lawsuit asserts the FDA warned Allergan in 2001 that Botox "is not a general-purpose wrinkle remedy, and cannot be marketed for anything other than" the treatment of wrinkles in the skin between the eyebrows.

But Allergan spokeswoman Christine Cassiano described Klein-Becker's claims about the FDA warnings as "misinformation."

"The questions the FDA had concerning marketing materials used by Allergan in conjunction with Botox cosmetics has been resolved between Allergan and the FDA," she said.

Attorney James Magleby, who represents Klein-Becker, said the matter can ultimately be resolved out of court.

Grace Leong contributed to this story.

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