

## Company of the Month: ASA

### Who controls advertising in your country?

In Britain the Advertising Standards Authority controls advertising. It is not a government agency, it is run and paid for by the advertising industry. But why do advertisers want their advertisements controlled?

If advertisements were allowed to tell lies, if, for example a product or service did not live up to the claims made about it in an advertisement, consumers may not buy that product or service again. The experience may also make consumers doubt the trustworthiness of all advertising. However, if people trust what they are told in ads, they will be more willing to buy goods and services being advertised.

In the years before the Advertising Standards Authority many advertisements made false claims and false promises. A famous case was in 1893 with the Carbolic Smoke Ball Company.



Their advertisement claimed that the Carbolic Smoke Ball would prevent you from catching influenza. It supported this promise with an offer of £100 for anyone who caught influenza after using the Carbolic Smoke Ball. In a famous case, Mrs Carhill caught influenza after using the ball and claimed the £100 (a lot of money in those days).

The company then claimed the advertisement was not a serious offer and refused to pay the reward. But Mrs Carhill took the company to court, which decided she was right and said the advertisers had to pay the money.

This case set the precedent for much of the consumer protection law in relation to advertising that exists today.

The ASA is concerned with advertisements which do not tell actual lies, but also with advertisements which are misleading. For example, a company which make a fruit drink called Ribena produced a special low-sugar version which it called Ribena Tooth Kind.



In response to complaints that this ad misleadingly implied the product benefited oral hygiene, the advertisers sent the ASA evidence they said proved the product contained natural fruit sugars, that it was lower than ordinary soft drinks in fruit acids, and that it had been formulated to minimise the impact of acid on dental tissue loss. The advertisers said they added calcium, which combined with fruit acids to help reduce the risk of the acid attacking tooth enamel.

After taking expert advice, the ASA concluded that this poster, and in particular the image of Ribena Tooth Kind instead of tooth brush bristles, without a qualifying statement, wrongly implied Ribena Tooth Kind actively benefited oral health. (Clause 7.1)

There are basically four reasons why people advertise which can be summarised by the acronym “DRIP”:

**Differentiate** a company’s products from those of their competitors.

**Reassure** and remind consumers of the benefits of the products or services.

**Inform** people about an advertiser’s products, services or cause.

**Persuade** people that they should believe what they see in the advertisement and to take action in light of it.

## What happens when advertisers break the rules?

ASA research and statistics show that the vast majority of advertisers produce honest and decent advertisements. If the ASA receives complaints about an advertisement it is usually amended or withdrawn. Those that do not may be subject to sanctions. For example, adverse publicity may result from the ASA's rulings, which are published each week on its website <http://www.asa.org.uk>. The media may deny space in their publications, poster sites or cinemas. It is never in a publisher's interest to have their readers misled or offended by something in their publications.

But the Consumers Association in Britain, in their December 2004 magazine Which? (<http://www.which.co.uk/>) complained that the ASA were not powerful enough to ban false advertisements or to impose fines on advertisers who broke the rules.

## Check your understanding

*Are these statements true or false? Find evidence in the text.*

1.	The ASA is part of the British Government.
2.	Advertisers pay for the work of the ASA.
3.	The Consumers Association publish a magazine called Which?
4.	People would stop trusting advertisements if they told lies.
5.	The Carbolic Smoke Ball Company said it could cure influenza.
6.	Mrs Carhill got £100 after her court case.
7.	Ribena said their product was good for your teeth.
8.	The ASA objected more to the picture than the words in the Ribena advertisement.
9.	Advertisements should show that a product is different from other products.
10.	The Consumers Association thinks that the ASA is too powerful.

## Activity

Look at the advertisement below and answer the questions.

- :: From the design and clothes when do you think this advertisement was published?
- :: Which claims does the advertisement make?
- :: What further ideas does the advertisement suggest?
- :: Do you think the ASA objected to this advertisement?
- :: Would this advertisement be allowed in your country?

## Discussion

- :: Does anyone control advertising in your country?
- :: If so, who?
- :: Who pays for these controls?
- :: Who sets the standards?
- :: What happens to advertisers who break the rules?
- :: How well does the system work in your country?

