

Advertising Compliance Overview



What is a claim?

- A statement about a product that relates to its benefits, performance, efficacy, safety, price, or other characteristic that is used to encourage a customer to purchase it.
- Claims can be explicit or implied.
 - Explicit claim: *This cream will protect your skin from the sun.*
 - Implied claim: *I stayed on the beach all day and didn't worry about a thing after putting this cream on.*

Why are accurate claims important?

- Everything on QVC is an ad: our TV channel content, the website, the apps and the blogs.
- Advertising Standards Authority – enforces the Advertising Codes.
- Ofcom – issues our broadcast licence.
- Trading Standards – investigates product or customer service issues.
- Customer Trust – if we exaggerate the capabilities of a product customer will return it and doubt the veracity of claims in future.

Which products and claims require approval?

- Claims for ‘Special Interest’ product categories (i.e. Personal Care, Sport & Fitness, Cosmetics, Skincare)
- Health claims (e.g. claims for foods, books and kitchenware; pet health or welfare; any reference to allergies or health improvements)
- Biocidal or anti-microbial claims (e.g. claims to kill or deter bacteria, fungus, dust mites)
- Weight loss (e.g. footwear & clothing that contributes to shedding weight, books on slimming)
- Product performance claims (e.g. for vacuum cleaners, air-purifiers, utility devices, plant fertilisers, security gadgets, health monitors)
- Measured results - specific statements that involve percentages, long-term effects, savings on utilities or research and scientific evidence
- Absolute claims, which viewers can reasonably expect will not be subject to exception (e.g. “never”, “always”, “proof”, “we guarantee”)

Which products and claims require approval contd?

- Superiority or comparative claims (e.g. “fastest”, “number one”)
- Environmental claims (e.g. “green”, “more eco-friendly”)
- Statements relating to the nature of ingredients (e.g. “organic”, “natural”, “free-range”, “vegan”, “kosher”)
- Content that may cause viewers harm or offence (e.g. demos involving chemicals or power tools, descriptions of alcohol consumption)
- Endorsements from organisations or celebrities
- Any price comparison or value statement to be made on-air
- Charity support or donation claims

Key points regarding claims submission process

- Work with your QVC Merchandising contact to determine if claims should be submitted to Ad Compliance
- All objective claims on an Ad Claims Substantiation form in good time before a show (eight weeks before a TSV and five weeks before a normal show).
- Include supporting evidence relating to the specific product you will be selling. Be organised with your documentation to allow Ad Compliance to review more easily and quickly
- Once assessed you will be sent the final list of approved claims.
- All assets (e.g. slides, VTs, celebrity endorsements) to be used should be submitted to Ad Compliance for approval.
- Price statements also require approval by Ad Compliance and need to be submitted on a Price Comparison form five working days before a show.

Related links

ADVERTISING STANDARDS AUTHORITY

www.asa.org.uk

The ASA's website contains previous adjudications made on advertising by the ASA Council. It also explains how the ASA works and gives updates of advertising issues. We recommend that you sign up to the weekly email to receive new adjudications, as these could affect your advertising.

COMMITTEE OF ADVERTISING PRACTICE

www.cap.org.uk

You can find a wealth of resources on CAP's website, including a copy of the Advertising Codes, numerous Help Notes and the AdviceOnline Database – a searchable guide to various product areas. As you'll note, a great deal of the advice is for non-broadcasting advertising, however, our website (including videos of live shows) fits into this category and many of the same principles apply to QVC's broadcast output.

HEALTH AND SAFETY COMMISSION

www.hse.gov.uk

The Health and Safety Commission is responsible for health and safety regulation in Great Britain. They can advise vendors as to whether their products meet legally required safety levels.

CLEARCAST

www.clearcast.co.uk

Clearcast provide pre-clearance for pre-recorded advertising before submission to commercial broadcasters. Their website contains the "Revised Notes of Guidance", a useful document that offers advice on the current interpretation of The UK Code of Broadcast Advertising.

Related links

COSMETIC, TOILETRY AND PERFUMERY ASSOCIATION

www.ctpa.org.uk

The CTPA is an industry body that can advise members with regards to cosmetics legislation and other matters.

EUROPEAN COMMISSION

www.ec.europa.eu/nuhclaims/

Health and nutrition claims for foods, including all dietary supplements, are governed by European legislation. See the above URL for the requirements for nutrition claims and a database of authorised health claims.

FOOD STANDARDS AGENCY (FSA)

www.food.gov.uk

The FSA is a government body who provide advice and information on food safety from farm to fork, nutrition and diet. They will be able to advise vendors who offer food products whether they adhere to the relevant legislation.

MEDICINES AND HEALTHCARE PRODUCTS REGULATORY AGENCY

www.mhra.gov.uk

The MHRA is the Government Agency responsible for ensuring that medicines and medical device work and are safe. The MHRA Borderline team will be able to advise if your products, or any claims you make, are medicinal and hence are not able to be sold on QVC.