

Advertising has good information for people trying to decide what to buy. To make a well-informed decision about a product or a service, you need accurate information, not information that's misleading. All advertising has to be truthful, and not mislead consumers by lying—or bending the truth—about the product. It's the law.

Congress gave the Federal Trade Commission (FTC) the power to enforce the appropriate law, which says:

- an ad must be truthful and not deceptive—that is, not fool consumers
- advertisers must have proof for anything they claim in an ad; and
- ads can't be unfair.

The FTC sees ads once they're public; they don't approve ads before they reach the public. Advertisers are supposed to follow the law in their ads. When they don't, the FTC enforces the law: attorneys and investigators look at advertising in all forms. Complaints from consumers, consumer advocates, industry groups and competitors alert the FTC to potential problems, and help the FTC decide which ads to review. If the FTC thinks an ad is misleading or not truthful, its lawyers talk to the company that paid for the ad to explain the problem. If the company agrees to change the ad, that may settle everything. But if it doesn't, the FTC may sue the advertiser.



### Wash Your Mouth Out

In an ad for a certain mouthwash, a company claimed its product helped prevent colds and sore throats. The company couldn't prove that claim, so the FTC went to court to get the company to stop making the claim. But consumers had already heard—and believed—that the mouthwash could do this. The judge told the company to do “corrective” advertising. Anytime the company advertised the mouthwash, they had to include a sentence that “this mouthwash will NOT help prevent colds and sore throats.”

### The Fundamental Rules for Advertising

Anyone who writes or produces an ad has to follow some very basic rules. They have to:

- **Tell the Truth.** Advertisers can't mislead consumers about the benefits of what they're selling. That's true for both what they *say* in the ad and what they *imply* in the ad. Imagine an ad showing a toy helicopter that flies. Even if the ad doesn't say in print, “This helicopter can fly,” it implies that it can by what it showed. For that ad to be true, the toy helicopter would need to actually fly.
- **Tell the Whole Truth.** Advertisers can't leave out information to create the impression that the claims are true, if including the missing information would make the claims false. This is really important for information that's critical to

your decision to buy the product. Take an ad that says “this ice cream is 93% fat free” and shows a picture of an ice cream sandwich. If only the ice cream is 93% fat free—not the cookie part of the sandwich—the advertiser left out some important information that could make a difference in your decision to buy.

- **Have Evidence that the Claim is True.** If an ad makes a claim—say, “This cream cures acne”—the company has to have scientific evidence that the claim is true, and the evidence has to be reliable.



### **Fudging the Truth**

*“If you don’t believe that something “light” could be so delicious, it’s because you haven’t tried the new Ice Cream Sandwich Lite. It’s 93% fat-free.”*

Along with those words, the ad showed a picture of the sandwich, a vanilla ice cream bar covered with chocolate. Based on this ad, would you think that the ice cream sandwich was 93% fat free?

If you said yes, you agree with most people who were asked that question. But it was only the vanilla ice cream *inside* the sandwich that was 93% fat-free, not the chocolate coating. The advertiser fooled customers into thinking that the ice cream sandwich was 93% fat free by leaving out information that they needed to know about this product. This sort of claim could land the advertiser in trouble with the FTC.

### **Things to Talk About and Do**

- Design an ad that breaks all the rules. You choose the product and find a way to break all three of the fundamental rules for advertising in your ad.
- Find examples of actual ads that break any of the fundamental rules for advertising. What rule do they break, and how? After talking with an adult, file a complaint with the FTC if you think the ad breaks the law. You can find the complaint form at [www.ftc.gov/complaint](http://www.ftc.gov/complaint).
- Find examples in ads, or think of some claims, that would require scientific proof.

### **Want to Find Out More?**

Federal Trade Commission  
[www.ftc.gov](http://www.ftc.gov)