



A service of the advertising industry and Council of Better Business Bureaus

Natural Claims
IACM Global Color Conference
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ASRC and NAD

- Voluntary industry self-regulation.
- Formed in 1971 by advertising industry, supported by the FTC.
- Mission: To protect the integrity and credibility of advertising by ensuring that claims are truthful and accurate, and to preserve “fair play” between competitors.
- Cost effective alternative to litigation.

NAD Review Process

- Challenger files complaint regarding competitor's advertising claims.
- Two rounds of submissions, then separate meetings with NAD. Advertiser may submit certain evidence confidentially.
- NAD makes recommendations about advertising, it **does not** make findings of wrongdoing or provide compensation or restitution.
- Monitoring Program

NAD's Approach To Claim Review

- What are the messages that are reasonably conveyed? Is there a “reasonable basis” for those claims?
- Initial burden on the advertiser.
- Harmonize decisions with regulatory authorities whenever possible.

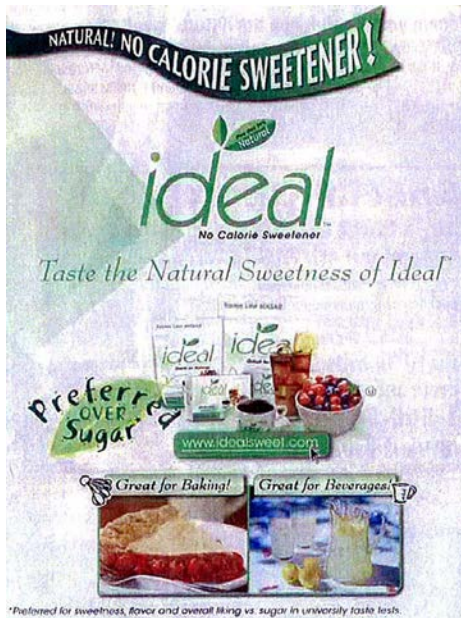
Some Background.....

“Natural” claims must be reviewed in context and be truthful, accurate and not misleading.

Tom’s of Maine Natural Mouthwash, Report #3470 (1998)

Ideal Sweetener, Report #5125 (2009)

Past cases have focused on the naturalness of the active ingredient (is the breath freshening ingredient or sweetening ingredient natural) versus secondary ingredients like emulsifiers, stabilizers, etc.



Saputo Cheese, Report #5909 (2015)



“Naturally Nutritious”

Based on the basis of added phosphates and fillers, the challenger disputed the advertiser's characterization of natural. Phosphorous is naturally occurring in cheese.

FDA policy regarding the use of natural as meaning that nothing artificial has been included or added to a food that would not normally be expected to in the food.

NAD: No perception evidence submitted to indicate that consumers have expectation regarding levels of phosphorous. The nutrition in the product comes form milk content. NAD cautioned however that advertiser should refrain from calling product entirely or 100% natural.

Alive! Multivitamins, Report #5739 (2014)



**Get More from
Your Multi-Vitamin.
A Lot More!**

Alive!
WOMEN'S ENERGY
MULTI-VITAMIN - MULTI-MINERAL
ONE DAILY
50 TABLETS

Alive!
WOMEN'S 50+
MULTI-VITAMIN - MULTI-MINERAL
ONE DAILY
50 TABLETS

Boost your daily nutrition with Alive!® Women's multi-vitamins.
Made with 26 fruits and vegetables plus a high potency of [†]
B-vitamins for energy.* Alive! is nutrition you can feel.™

ALSO AVAILABLE IN MEN'S FORMULAS

†Alive! Women's multi-vitamins provide 100% or greater of the recommended daily value of 18+ vitamins and minerals.
*This statement has not been evaluated by the Food & Drug Administration. This product is not intended to diagnose, treat, cure or prevent any disease.

Implied claims that a product is natural, or made with fruits and vegetables must be truthful and accurate.

NATURAL
SPORTS DRINKS
ELECTROLYTES
VITAMINS AND MINERALS
NO ARTIFICIAL
COLORS, FLAVORS OR PRESERVATIVES
LOW SUGAR
GLUTEN FREE AND CAFFEINE FREE
AWESOMENESS

Performance Claims

Aspire Sports Drink, Report #5861 (2015)

Implied Claim: Gatorade and other sports contain too much sugar, artificial dyes ... that are harmful to human health.

Advertiser claimed that it relied upon its use of “natural color and flavors” as support for its health and performance claims.

NAD: Discontinue claims such as Aspire is the “clear choice for health and performance” but free to tout that it contains no artificial colors.

An Opportunity for an Industry...

Be part of creating advertising standards for your industry, especially where there are regulatory gaps. You would be in good company:

Infant Formula

Personal Care Products (diapers, tampons)

Vacuum Cleaners

Low Carb Food

Internet/Cable

Thank you! Cheers!

BOMPAS & PARR/WARNER LEISURE HOTELS (Anti-AGin Gin), Report #5957

The first of its kind, Anti-AGin is a marvellous gin that actually rejuvenates the skin while you drink! It's the next best thing for people who want stay young, but don't want to give up alcohol. By including a host of age defying botanicals and combining them with drinkable collagen, this is the alcoholic equivalent of a facial. I'll drink to that.

[SHOP NOW](#)

