

Help Note

Vacuum cleaner marketing



CAP Help Notes offer guidance for non-broadcast marketing communications under The UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing (the CAP Code). For advice on the rules for TV or radio commercials, contact Clearcast www.clearcast.co.uk for TV ads or the RACC www.racc.co.uk for radio ads.

1. Background

These guidelines, drawn up by the Copy Advice team after consultation with the vacuum cleaner manufacturers, are intended to help marketers and agencies interpret the rules in The UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing. The “key points” are intended to guide media ad departments. The Help Note does not constitute legal advice or new Code rules and does not bind the ASA Council in the event of a complaint about a marketing communication that follows it.

2. Key points for media ad departments

Substantiation Strong performance claims, whether comparative or not, should be backed up by tests. Ask marketers if their tests comply with the Help Note (section 3);

Qualification

If the marketed cleaner has both a brush and a hose element, check whether ‘best suction/suction power’ superiority claims are qualified to indicate whether tests were carried out at the hose or at the brush (section 6);

Asthma and allergy claims

Health benefit claims should be backed up by rigorous clinical trials on human subjects. Claims that relate only to the percentage of allergens that cleaners remove need not, although marketers should still be able to prove those claims (section 8); and

Market Leadership claims

For product-specific market leadership claims, ask marketers if they hold accurate, up to date comparative sales figures. For general market leadership claims, ask marketers if they hold both turnover and market share data (section 9). For detailed guidance, please read on.

3. General rules

3.1 The UK Code of Non-Broadcast Advertising, Sales Promotion and Direct Marketing states:

Rule 3.1

“Marketing communications must not materially mislead or be likely to do so.”;

Rule 3.3

Marketing communications must not mislead the consumer by omitting material information. They must not mislead by hiding material information or presenting it in an unclear, unintelligible, ambiguous or untimely manner.

Material information is information that the consumer needs to make informed decisions in relation to a product. Whether the omission or presentation of material information is likely to mislead the consumer depends on the context, the medium and, if the medium of the marketing communication is constrained by time or space, the measures that the marketer takes to make that information available to the consumer by other means.”;

Rule 3.7

“Before distributing or submitting a marketing communication for publication, marketers must hold documentary evidence to prove claims that consumers are likely to regard as objective and that are capable of objective substantiation. The ASA may regard claims as misleading in the absence of adequate substantiation.”; and

Rule 3.33

“Marketing communications that include a comparison with an identifiable competitor must not mislead, or be likely to mislead, the consumer about either the advertised product or the competing product.”

4. Legality

4.1 Marketers should also consider the provisions of the Control of Misleading Advertisements Regulations 1988 (as amended).

5. Substantiation

The International Electrotechnical Commission (IEC) is the global organisation that prepares and publishes international standards for electrical, electronic and related technologies. IEC Standard 60312 (1998-02)/60312–am1 (2000-04), ‘Vacuum Cleaners for Household Use – Methods of Measuring Performance’, states and defines the principal performance characteristics of vacuum cleaners and describes the standard methods for measuring those characteristics.

1. Marketers should ensure that they have carried out appropriate tests to support all objective claims, whether direct or implied, comparative or not, before marketing communications are published;
2. Marketers should ensure that they carry out tests that follow, or are of an equivalent standard to, the current version of IEC Standard 60312 (though see 6 and 7). Claims about a product’s performance should reflect, as far as possible, typical conditions of domestic use;

3. Some tests may not be covered within the IEC Standard. Other IEC Standards, e.g. IEC 60704 for noise levels, contain vacuum cleaner tests and marketers should, when appropriate, carry out tests to the appropriate Standard. Some other tests may not be covered within any IEC Standard, in which case, marketers may carry out non-standard tests but must ensure that they are sufficiently rigorous and technically sound to withstand scrutiny by independent experts;
4. Claims, whether direct or implied, visual or textual, must accurately reflect test findings; marketers should take care to avoid claims that exaggerate their product's capabilities;
5. Claims that compare the same class of vacuum cleaner, e.g. cylinder v cylinder or upright v upright, should usually be supported by tests comparing the marketers' products with competitors' latest and most comparable products. Comparisons must be clear and fair. The elements of any comparisons should not be selected in a way that gives the marketers an artificial advantage;
6. It is acceptable to compare different classes of vacuum cleaner providing claims are supported by comprehensive comparative tests (see other points in this guidance). Marketing communications should not imply that competitors do not offer a more comparable product when in fact they do; and
7. Claims referring to the results of subjective consumer testing must be supported by appropriate evidence, e.g. qualitative consumer research or details of awards issued or tests conducted by, for example, magazines or newspapers. Marketers should not base objective performance claims on those findings; such claims must be based only on tests in accordance with 5.2 and 5.3. Claims based on the results of consumer testing should not masquerade as objective performance claims. Marketers should qualify the source of the tests or awards where qualification is necessary to avoid consumers being misled, particularly as to the scope of the consumer testing.

6. Pick-up performance claims

The best measure of a vacuum cleaner's overall performance is its dust removal ability in cleaning carpets and hard floors. The dust removal ability of a vacuum cleaner is not determined only by its suction power; the action of rotating brushes in upright cleaners, for example, contributes to their dust removal ability.

Dust removal measurements when a product's receptacle is empty do not accurately reflect conditions of domestic use. It should be noted, however, that the IEC Standard does not currently contain a test for measuring dust removal as the receptacle fills with dust.

8. 'Pick-up performance' and cleaning ability claims should be supported by dust removal tests as specified in IEC 60312;

9. Claims about a product's pick-up performance should reflect typical conditions of domestic use. Marketers should carry out dust removal tests that follow, or are of an equivalent standard to, IEC Standard 60312 but that also measure a product's dust removal ability as the receptacle fills with dust. If marketers have not measured continuous performance, they should prominently qualify claims to refer to the condition of the receptacle when the tests were carried out, e.g. 'when empty'; and

10. Marketers should not imply that the dust removal ability of a bag vacuum cleaner declines solely because its suction power decreases unless they have conducted tests in accordance with 5.2 and 5.3 that prove this.

7. Unqualified performance claims

11. As there are a variety of performance-affecting factors, marketers are urged to avoid unqualified performance claims as these could be seen to refer to dust pick-up, suction, filter quality, energy efficiency etc.

8. Suction/suction power claims

'Suction' is a force and is measured in kilopascals (kPa). When the 'suction' of a vacuum cleaner is measured, the vacuum cleaner inlet is sealed and there is no airflow. NB: IEC Standard 60312 refers to 'vacuum' not 'suction'.

'Suction power' is defined in the IEC Standard as 'the product of the airflow and the vacuum' and is measured in airwatts. The IEC Standard states that, for upright cleaners with the option to operate with or without a hose, suction power shall be measured at both the hose and the brush. Suction power measurements when a product's receptacle is empty do not accurately reflect typical conditions of domestic use. It should be noted, however, that the IEC Standard does not currently contain a test for measuring suction power as the receptacle fills with dust.

12. 'Suction' and 'suction power' claims should be supported by tests showing the vacuum cleaner's suction power in airwatts. Tests measuring suction are not acceptable. To avoid ambiguity it may be advisable to refer only to 'suction power';

13. A vacuum cleaner with high 'suction' and/or a high input watt motor does not necessarily have high 'suction power'; the product with the highest input watt motor may not have the best suction power. 'Power' claims that refer to a product's motor size e.g. 'powerful 1500W suction', should not be based on input wattage, because consumers are unlikely to interpret such claims in terms of power input only. They should be based on suction power tests;

14. Unqualified claims about a product's suction power should reflect typical conditions of domestic use. Marketers should carry out suction power tests that follow, or are of an equivalent standard to, IEC Standard 60312 and measure a product's suction power over time i.e. its suction power as the receptacle fills with dust. If marketers have not measured continuous performance, they should prominently qualify claims to refer to the condition of the receptacle when the tests were carried out, e.g. 'when empty';

15. Prominent, unqualified 'best suction power' claims, or similar, are likely to imply that the product has the greatest suction power when measured at both the hose and at the brush (where relevant). Unless marketers hold comparative tests to show this, they should prominently qualify claims to state where the suction power was measured; and

16. The suction power of a vacuum cleaner with a bag usually decreases as the bag fills with dust. Marketers should not imply that any decrease in suction power is due solely to dust clogging the bag if it is also caused by dust clogging the filter. In such cases, marketers should avoid claims such as 'a bag kills a vacuum cleaner's suction' because those misleadingly exaggerate the effects of dust clogging on the performance of bag cleaners.

9. Unqualified 'power/powerful' claims

17. Because consumers are likely to infer that the most powerful vacuum cleaner has the best dust removal ability, 'power/powerful' claims should be supported by both suction power tests and dust removal tests.

10. Health benefit claims

18. Asthma attacks and allergic reactions are often triggered by different allergens but one sufferer might have a much higher tolerance of one allergen than another. It is therefore difficult to predict the benefit to consumers of reducing the number of allergens in their environment by using specially designed vacuum cleaners;

19. Marketers should hold relevant substantiation to prove claims that their products reduce the amount of allergens in the environment. Marketers who go a step further by claiming that reducing the amount of allergens in the environment can benefit the health of asthma or allergy sufferers should support those claims with satisfactory clinical trials on human subjects;

20. Exhaust air disturbance from vacuum cleaners causes settled dust to be released into the air and can adversely affect health. Marketers wishing to claim their product offers a health benefit, including to allergy and asthma sufferers, should also ensure that they hold independent tests showing that their product has passed the British Standard for exhaust air disturbance;

21. Marketers who have proved that their product can benefit the health of asthma or allergy sufferers should not imply that all asthmatics or allergy sufferers can benefit when that is not true. It may be necessary to qualify a claim to reflect, for example, that only those sufferers whose reactions are triggered by house dust mite faeces might benefit; and

22. Marketers should be careful not to exaggerate the overall impact on an asthma/allergy sufferer's life of using their products, e.g. 'Cut out the misery of asthma'.

11. Market Leadership Claims

23. Marketers should ensure that specific market leadership claims, such as 'Britain's number one upright', are supported by accurate, up-to-date comparative sales figures that prove the claim at the time of publication; and

24. General market leadership claims, such as 'Britain's number one vacuum cleaner manufacturer', should usually be supported by both turnover and market share data.

Advice on specific marketing communications is available from the Copy Advice team by telephone on 020 7492 2100, by fax on 020 7404 3404, or you can log a specific written enquiry via our online request form <http://www.copyadvice.org.uk/Ad-Advice/Bespoke-Copy-Advice.aspx>. The Copy Advice website at www.copyadvice.org.uk contains a full list of Help Notes as well as access to the AdviceOnline database, which has links through to relevant Code rules and ASA adjudications.

September 2001
Revised: March 2003
Revised: July 2010