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Committee of Advertising Practice (Non-broadcast)

Help Note on Front Page Flashes

CAP Help Notes offer guidance for non-broadcast marketing communications under the British Code of Advertising, Sales Promotions 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.

Background

These guidelines, drawn up by CAP, are intended to help marketers, agencies and media interpret the rules in the British Code of Advertising, Sales Promotion and Direct Marketing as far as they relate to the matter discussed. They are not intended to be a substitute for the full Code.

General

Newspapers and magazines regularly announce their promotions on the front page or front cover, with the intention of both drawing attention to the promotion and attracting new readers. These can range from free product offers to discounts on holidays.

The British Code of Advertising, Sales Promotion and Direct Marketing requires that consumers should know from a front page flash whether further purchase of the publication will be necessary to participate in a promotion. In addition, major qualifications that might reasonably influence consumers significantly in their decision to purchase the publication should appear on the front page or cover (**clause 36.1**).

There are various types of promotion which are announced on front pages, all of which can raise problems under the terms of the Code. Outlined below are ways of avoiding breaches.

Token collection promotions

Many promotions require that a series of tokens from the publication be collected over a period of days or weeks. Front page flashes for such offers should avoid the implication that the promotion can be entered by means of purchase of one edition. When multiple purchases are required for participation, statements such as "starts today", "first token inside" or "token 1 page 4" should be used within the flash.

Where token collection schemes continue to be announced on the front page throughout the promotion, it should again be clear that purchase of one newspaper or magazine is not sufficient to participate. Statements such as "continues today" or "this month's/week's/day's token inside" can be used to ensure compliance in these circumstances.

These principles apply to all serial schemes including competitions spread over more than one issue.

Conditional single purchase promotions

Some promotions require the purchase of only one issue but are dependent upon redemption of the offer from a specific source, i.e. a free burger from a fast food chain, free beer from a specific supermarket or booking a holiday through a named travel agent. If promotional offers can only be redeemed through specific outlets which are not readily accessible to the majority of consumers, this should be made clear on the front page or cover with a statement such as "available from specific outlets", although it is preferable to state the name of the outlet.

If an offer is dependent on the purchase of another product, this should be made clear i.e. "free drink when you purchase a meal.....".

Geographical restrictions

If readers in some areas cannot participate in a promotion, this fact should, unless otherwise obvious, be made clear on the front page. For example, if

Northern Ireland is not included, a statement such as "Free for every reader in Great Britain" should be used. Clearly some outlets may be widely available in the majority of newspapers' distribution areas but be known to be absent from specific geographical locations. In these circumstances, the Copy Advice team can help enquirers agree a concise form of words.

Personal restrictions

Some front page flashes imply that offers are available "for every reader". If offers are restricted to one per household, that restriction should be stated clearly on the front page.

"Free inside" promotions

Occasionally, front page flashes imply that free goods offered are actually included inside the publication, e.g. "Stamps free inside". If, however, the promotion is a mail-in offer, then an indication of this should appear on the front page. Wording such as "Send away offer" or "Free inside - Stamp offer for readers" will clarify the terms of the offer and avoid breaches of the Code. Where it is obvious that the free item could not be contained within the newspaper e.g. "free hanging flower basket", no further clarification is necessary on the front cover.

Premium rate telephone entry

Competitions or offers promoted inside newspapers can sometimes require participation by means of a telephone call. Where such calls are premium rate, the necessity of making the call should be made clear on any front page advertising (except in the case of free offers, see below). Wherever the telephone number is displayed, the appropriate call cost information should accompany it.

Where an offer described as free requires a premium rate call to participate, the promoter's income from the call should not exceed the delivery costs and the maximum cost of the call should be stated. Promoters should not make any profit from consumer participation in promotions described as free.

Promotions involving premium rate numbers may also be subject to the Code administered by the Independent Committee for the Supervision of Standards of Telephone Information Services (ICSTIS).

Front page teasers

Some front page flashes imply that the promotion starts in that edition, but inside the reader finds only details of when it will commence. This impression should be avoided by use of claims such as "Starts later this week.....Details inside".

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 by email on copyadvice@cap.org.uk. The CAP website at www.cap.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.

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