[GB] Regulator Fines Channel for Misleading Advertisements and for Presenting Advertisements as Programmes

IRIS 2003-5:1/15

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The Independent Television Commission has fined a "lifestyle channel", You TV, GBP 20,000 for broadcasting misleading advertisements and passing off what were, essentially, advertisements for produced programmes. This had resulted in breaches of the Commission's Programme Code and Code of Advertising Standards.

You TV is a satellite channel, launched in June 2002, School of Law University of Bristol and sister channel to Shop America. It covers issues mainly concerning health, beauty and the mind and maintains that it is not a teleshopping channel but a programme service, and wishes to remain such a service. The Commission had warned it in the past about blurring the boundaries between programmes and advertising but was still concerned that programmes were not independent and editorially free of commercial considerations. A programme featuring the owner and marketer of a weight loss product had been repeated on at least three occasions, despite being found to breach the Programme Code as it was used to market and promote the product. A further programme was used to market and promote self-help tapes and material.

In addition, three teleshopping advertisements were misleading; two had already been transmitted on "Shop America" and found to be in breach of the Code of Advertising Standards. They concerned a memory improvement system (the advertisement was misleading and contained inaccurate pricing), an inflatable mattress (the advertisement made unsubstantiated claims) and a golf improvement system (the advertisement made unqualified guarantees and breached the rules on price comparisons).

The fines were considered justified in view of the number and seriousness of the breaches and their repeated nature, and in addition because a company within You TV's group had profited as a result of the code breaches.

"ITC Imposes £20K Financial Penalty on You TV", Independent Television Commission, News Release 20/03, 24 March 2003

http://www.itc.org.uk/latest_news/press_releases/release.asp?release_id=691

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ITC Advertising Standards Code, available at:

http://www.itc.org.uk/itc_publications/codes_guidance/advertising_standards_practice2/index.asp

ITC Programme Code, January 2002

http://www.itc.org.uk/itc_publications/codes_guidance/programme_code/index.asp

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