[GB] Co-Regulator Requires Withdrawal of Advertisement for iPhone

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In the UK regulation of content of broadcast advertising is delegated by the regulator, Ofcom, to the Advertising Standards Authority set up by the industry itself. The Authority received complaints from two viewers that a television advertisement by Apple for the iPhone was misleading and in breach of three provisions of the Advertising Standards Code requiring that advertisements should not mislead, should not make claims without objective evidence on which to base them and that there should be no implications of capabilities of products beyond those that can be achieved in normal use.

The advertisement showed a finger using the iPhone to access a range of internet sites; a voice-over included statements that “You never know which part of the internet you’ll need” and “all the parts of the internet are on the iPhone”. The complainants pointed out that the iPhone did not support Flash or Java, both integral to many web pages.

According to Apple, the benefit of the iPhone was that it offered availability of all internet sites, rather than only those selected by service providers or simplified WAP-enabled sites. The reference to “all parts of the internet” referred to internet site availability, not to every aspect of functionality available on every website. The decision not to enable Flash or Java would not affect the ability of the iPhone user to access any part of the internet, only their ability to access particular content that used third party technology.

The Authority considered that the claims in the advertisement implied that users would be able to access all websites and see them in their entirety. Because the advertisement had not explained the limitations, viewers were likely to expect to see all the content on a website normally accessible through a PC, rather than just having the ability to reach the website. Thus the advertisement gave a misleading impression of the internet capabilities of the iPhone, and breached the three provisions in the code. The advertisement must not be broadcast again in its current form.

Advertising Standards Authority, “ASA Adjudications – Apple (UK) Limited”, 27 August 2008

http://www.asa.org.uk/asa/adjudications/Public/TF_ADJ_44891.htm

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