[SE] Complaint Lodged Against Council on Market Ethics for Claiming TV Commercial was Poor Advertising

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Marknadsetiska Rådet (The Council on Market Ethics - MER) is a self-regulatory board composed of several Swedish associations and companies.

MER, whose statements are not legally binding, rules on good business practice. Recently it delivered a statement regarding a TV commercial that has caused debate within the advertising business.

The issue concerns a TV commercial for the OLW Sverige AB company. In the commercial, a one-legged person asks a three-legged person if the latter wants to share. Bringing forward a packet of crisps the three-legged person then responds, "*Av det här goda?*" (approx. "Of this good?").

MER stated that Article 1 of the ICC (International Chamber of Commerce) Code of Advertising and Marketing Communication Practice applied to the commercial. Article 1 provides that, among other things, all marketing communication should be inoffensive, should be prepared with a due sense of social and professional responsibility and should conform with the principles of fair competition, as generally accepted in business. Moreover, the article provides that no communication should be such as to impair public confidence in marketing.

According to MER, it was obvious that the one-legged person's question related to the third leg of the other person.

MER's previous rulings show that there may, in some cases, exist acceptable grounds for illustrating a disability, but such illustration may never amount to humour based on disabilities. Therefore, in such cases, caution is required.

MER concluded that the commercial was demeaning towards disabled people. However, it did not rest there, but went on to hold that the commercial constituted an example of such bad taste and poor advertising that it impairs public confidence in advertising and marketing in general.

This last statement caused an advertising professional to lodge a quite amusing complaint with MER against the council itself. The professional contended that it is not MER's role to determine what constitutes good or poor advertising. MER eventually responded that its statements do not constitute a marketing activity. Therefore, MER held that, assuming the complaint was in earnest, it had no

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competence to try the issue.

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http://www.marknadsetiskaradet.org/olw

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