

Decision of the ADVERTISING REGULATORY BOARD

Complainant	Reckitt Benckiser Pharmaceuticals (Pty) Ltd
Advertiser	Adcock Ingram Healthcare (Pty) Ltd
Consumer/Competitor	Competitor
File reference	497 – Adcock Ingram – Reckitt Benckiser
Outcome	Undertaking
Date	18 October 2019

The Directorate of the Advertising Regulatory Board has been called upon to consider a competitor complaint lodged by Reckitt Benckiser against Adcock Ingram’s on-shelf advertising for its Cepacol throat lozenge.

Description of the advertising

The Advertisement includes:

- A large medical cross;
- The word CEPACOL in bold letters;
- The phrase “SORE THROAT DOCTOR”, in which the word SORE is highlighted in red; and
- The phrase “FEEL THE RELIEF”.

Complaint

In essence, the Complainant submits that the Cepacol product provides symptomatic relief for sore throats, but the advertising, which is found in pharmacies, implies that it has curative properties. This, it submits, is dishonest, misleading and unsubstantiated.

Response

The Advertiser addressed the merits in detail, but also submitted that the campaign has run its course, and all the new material, which is now being rolled out, does not refer to “the sore throat doctor”. It confirmed that it does not intend to use this campaign again.

Application of the Code of Advertising Practice

The following clauses were considered in this matter:

Honesty – Clause 2 of Section II

Substantiation – Clause 4.1 of Section II

Misleading claims – Clause 4.2.1 of Section II

Decision

Having considered all the material before it, the Directorate of the ARB issues the following finding.

The main objective of the Advertising Regulatory Board is to protect consumers from advertising that contravenes the Code of Advertising Practice. In the vast majority of instances where advertising is found to contravene the Code, the ARB will require the advertising to be withdrawn or amended.

In this matter, the Advertiser has already started removal of the advertising in question, and has confirmed that the new material is materially different in a manner that appears to address the complaint at hand.

The ARB Directorate is satisfied that the undertaking by the Advertiser is unequivocal and addresses the complaint before it, and therefore accepts this undertaking in resolution of the matter.