

## PART 7 – Sales Advertisement

Advertisements of ‘sales of general consumer goods’ conducted by certain types of traders have given rise to complaints. The main grounds have been misrepresentations of the character of the sales and of the goods, anonymity of the promoters, and unsubstantiated price comparisons. Some of the advertisers impose an additional sales charge at the time of the sale, and the advertisements have not made either the existence or the effect of the charge sufficiently apparent.

### 1. Comparative Prices

- 1.1 Unless the advertiser is an established trader, i.e. one who has carried on business continuously for a period of at least six months at the place where the ‘sale’ is being held, his advertisements should not contain any price comparisons.

### 2. Descriptions of ‘Sales and Goods’

- 2.1 Claims or implications in an advertisement that goods are ‘bankrupt’, ‘liquidated’, ‘damaged’, or ‘salvaged stock’ or of similar description, should not be used to describe any ‘sale’ unless they may properly be applied to all the goods advertised.
- 2.2 If the sale is claimed to be ‘By Order’ – whose order is it? Expressions such as “By Order – must be sold” are not acceptable unless an order has been made by the Court, Official Receiver or Liquidator.
- 2.3 If ‘Liquidator’s Prices’ are mentioned, the name and address of the Liquidator should be provided. Expressions such as ‘3-day Liquidation Sale’ or ‘Liquidator’s Prices’ are not acceptable where there is no liquidation in the legal sense to support the claim.
- 2.4 If expressions such as ‘Bankrupt Stock’, ‘Bankrupt Sale’, ‘Bankrupt Prices’ are used, evidence of the bankruptcy should be provided. In the absence of such evidence the advertisement should not be accepted.
- 2.5 If expressions such as ‘Damaged by fire’, ‘Damaged by water’, ‘Salvage Stock’ are used, confirmatory evidence should be required to show the date and the place of the occurrence, and that the actual goods to which expressions are applied were involved. (Some traders, having once acquired salvage stock, have thereafter continued indefinitely to represent that all their goods come from that same single source).

### 3. Name and Address of Itinerant Advertisers

- 3.1 The name and permanent address of itinerant advertisers should be included in their advertisements.

**3.2** Their advertisements are not acceptable unless they have provided media owners with the following information:

- (i) In the case of a limited company, the registered address.
- (ii) When the advertiser is not a limited company or registered business, his own name and a verifiable permanent address.

## **PART 8 – Hair and Scalp Products**

Advertisers should be able to provide scientific evidence, where appropriate in the form of trials conducted on people, for any claim that their product or therapy can prevent baldness or slow it down; arrest or reverse hair loss; stimulate or improve hair growth; nourish hair roots; strengthen the hair or improve its health as distinct from its appearance.

## **PART 9 – Advertising For Vitamins and Minerals**

### **1. Introduction**

- 1.1** This Part applies to the following categories of advertisements:
  - (i) Those for medicinal products whether licensed or exempt from licensing.
  - (ii) Those for food products which claim or imply therapeutic or prophylactic qualities.
  - (iii) Those for cosmetic or toiletry products which claim or imply therapeutic or prophylactic qualities.
  - (iv) Those for any product which is advertised, whether wholly or in part, upon the basis that it may improve, restore or maintain the user's health or physical or mental condition.
- 1.2** This Part does not apply to those advertisements for medicinal products which have been licensed and where the advertisement is consistent with the terms of such a license.

### **2. Foods**

- 2.1** There are also restrictions and requirements affecting advertisements for food under the relevant legislation.
- 2.2** Vitamins and minerals are essential for all ages for the maintenance of physical and mental health and well-being. The daily requirements of normal healthy individuals are generally available from a full, properly prepared and well balanced daily diet.