

Notes and overlays

Preamble

The Advertising and Marketing Communication Practice ICC Code (International Chamber of Commerce) sets general rules, recognized by the entire advertising industry. One of those rules is that « all marketing communication should be (...) honest and truthful ». (Article 1 on Basic Principles)

According to the ethical rules of the advertising industry¹ and the national laws, every advertisement, no matter the form, for a product or a service, has to be clear, honest and truthful.

In order to encourage the respect of those principles, the industry decided to establish rules of readability and understandability of notes and overlays in advertising:

- Scope
 - The notes and overlays written in the advertisement, linked to its content and intended to the consumer.
 - In this document, the word “Notes” means the notes simply informative, as well as legal notes which are imposed by a law and the corrective notes, which limit the sense or the impact of an offer, a claim or an allegation.

- These rules of readability and understandability are meant for a consumer paying average attention.

However, for notes linked to one or several prices, the ICC Code sets that: “Marketing communication should not contain any statement, or audio or visual treatment which, directly or by implication, omission, ambiguity or exaggeration, is likely to mislead the consumer, in particular (...) with regard to the value of the product and the total price to be paid by the consumer”. (Article 5 on Truthfulness)

The advertising industry therefore set specific rules to supervise the presentation of notes linked to a price, in order to insure the clearness of advertisements announcing one or several prices (announced by a literary formulation or a number).

¹ advertisers, advertising agencies and media companies

I. General principle

Advertisements, no matter the form, which contain written notes such as defined before, must respect the following ethical rules:

1/1 Notes and overlays readability

1/1.1 General rules

- No matter the media, corrective and informative notes have to be readable in normal reading conditions.
- These rules also apply to legal notes, except when the law requires specific conditions of presentation.
- The notes have to appear:
 - in a horizontal position,
 - in a sufficient size,
 - in fonts which permit an easy reading. The font doesn't have to be the same in all the advertisement,
 - in a color which contrasts with the one used for the background,
 - with fonts normally gaped.
- When a sign² is used to refer to the overlay (cross reference), its size has to be sufficiently important in order to be readable in normal reading conditions. The sign must appear near the offer, the claim and/or the allegation.

1/1.2 Readability of notes according to the media

1/1.2 1 Concerning television and cinema

- When the note is fixed on screen (not scrolling), it must appear long enough for the consumer to be able to read it entirely, without having to wait for a new broadcast of the advert.
- When the note scrolls, the speed of the scrolling must be slow enough for the consumer to be able to read it entirely, without having to wait for a new broadcast.

1/1.2 2 Concerning paper press

The size of the notes has to be chosen according to the size of the paper press and of the advertisement.

² The sign can be an asterisk (a star), a number, a letter...

1/1.2 3 Concerning outdoor advertising

The size of the notes has to be chosen according to the size of the public board and its location.

1/1.2 4 Concerning the Internet

- The time on screen and the size of the notes must be chosen according to the advertisement format.
- When the notes do not appear directly in the advertisement, they must be directly accessible by a hyperlink affixed on this advertisement.

1/1.2 5 Concerning other media

When a cross reference towards another page (in the case of catalogs, email ...) is done, the cross reference towards the notes and its position on the document, have to be perfectly readable and clear.

1/2 Notes and overlays understandability

- The notes must be intelligible in order for the advertisement to be clear.
Therefore, the notes have to be expressed in a clear language, easy to understand by all without any ambiguity.
The professional will notably be attentive to the respect of the following principles:
 - A simple language, direct, precise and non ambiguous,
 - A clear and simple pattern.
- The excessive superimposition of notes, which could harm the clarity and the understandability of the advertisement, must be avoided.
- When an advertisement announces several offers to which corrective notes are linked, the use of a clear and visible sign is necessary in order to link each one of the offers to the corresponding note.
- The different notes appearing in a same advertisement must not be contradictory. As well, a note must not be opposite to another note present in another advertisement composing the same campaign.

II. Specific rules concerning notes linked to a price

These specific rules apply to notes linked to a price and add up to the other rules listed above.

2/1 General rules

2/1.1 Readability and Understandability

- No matter the media, the general principles of readability and understandability listed above also apply to the notes linked to a price.
- The same rules apply to advertisement comparing prices.

2/1.2 Transparency

The presentation of one or several prices in an advertisement must not be ambiguous. The consumer must clearly understand the connection between the prices and the products and services that correspond.

2/2 Specific rules applicable to the corrective notes

- The corrective notes linked to a price, especially when they are linked to a base price (generally introduced by the expression “*starting from...*”), have to:
 - a. Either appear close to the offer in which appears the price.
 - b. Either clearly linked to the offer by a sign. When they add to other notes, the consumer has to be able to easily distinguish them.
- In the case of advertisement introducing several prices, the use of a single and visible sign is necessary for each of these prices.

The representation of the different signs, in order to be coherent, has to be realized by numbers or letters, and has to be clear enough in order to allow the reader to understand which notes correspond to which sign and price.
- The size of the sign has to be sufficiently important in order to be readable in normal reading conditions. It must appear near the offer and permit to link it to the corresponding notes.
- For advertisement comparing prices, no matter the media, the professionals, in order to protect the clarity, the veracity and the objectivity of their advertisement, should, by any means, make the corrective notes linked to the prices stand out from the other notes.