

Index

Note: All references are to paragraph numbers.

A

alcohol marketing communications
 children 8.4, 18.14–18.15
 content, strength and comparisons 18.9
 excessive consumption 18.10
 handling and serving 18.11
 health, nutrition and weight control claims 18.17
 illicit drugs 18.8
 implying solution to problems 18.6
 improved performance 18.7
 inappropriate behaviour 18.4
 machinery, driving and safety 4.6, 18.12
 personal claims 18.2
 portrayal as taking priority 18.6
 sexual activity 18.5
 social occasions 18.3
 social responsibility 18.1
 sporting activities 18.12
 working environment 18.13
 young adults 18.16

B

beauty products and treatments
 advice given by marketers 12.2
 claims
 addictions and habits 12.8
 backed by evidence 12.1
 for cures 12.6–12.7
 hair and scalp 12.23
 leading to mistaken diagnosis 12.5
 medicinal 12.1
 relief of symptoms and signs of ageing 12.7, 12.22.1
 safety 12.9–12.10
 skin 12.22
 excessive use of product 12.9
 significant treatments 12.3
 use of terminology 12.4, 12.10
 see also health; medicines and medical devices
business opportunities see employment, homework schemes and business opportunities

C

charities
 children 5.3.2, 8.33.9
 linked promotions 8.33–8.34
children
 adult permission 5.2.4, 5.6.1

- alcohol 8.4, 18.14–18.15
- charity-linked promotions 5.3.2, 8.33.9
- credulity and unfair pressure 5.2–5.3
 - charitable appeals 5.3.2
 - exaggeration 5.3.1
- database practice 10.15–10.16
- direct exhortation and parental authority 5.4–5.5
 - direct response mechanism 5.5
 - promotions 5.7
- distance selling 5.1.5
 - safe packaging 9.7
- food and soft drinks
 - diet and lifestyle 15.11–15.12
 - infant and follow-on formula 15.10
 - licensed characters and celebrities 15.15
 - nutrition and health claims 15.17
 - pre-school and primary 15.14
 - pressure to purchase 15.16
 - promotional offers 15.13–15.14
- gambling 16.1, 16.3.2, 16.3.12, 16.4
- lottery 17.12–17.16
- medicines and medical devices 12.16
- oral health care 15.5
- price statements 15.16.3
- sales promotions 8.8
- targeted promotions 5.6–5.7
- tobacco, rolling papers and filters 21.5
- unsafe practices 4.5, 5.1.1, 5.1.2–5.1.4
- weight control 13.3
- compliance
 - bringing advertising into disrepute 1.5
 - dealing fairly with consumers 1.9
 - delay in response to enquiries 1.7
 - identity and contact details of marketer 1.7.1
 - fair competition principles 1.6
 - with general and sector-specific rules 1.4
 - legality 1.10
 - and product selling 1.10.1
 - nature of marketing communications 1.1
 - reflecting spirit of Code 1.2
 - responsibility to comply 1.8
 - social responsibility 1.3

D

- database practice
 - children 10.15–10.16
 - consent of consumers
 - other uses of information 10.12
 - processing sensitive data 10.13.1

- e-mail and SMS message requirements 10.6, 10.13.3, 10.14
- fax and non-live-sound automated-call requirements 10.7, 10.13.2, 10.13.4, 10.14
- obligation to inform consumers of
 - collector of information 10.9.1
 - opportunity to prevent disclosure to third parties 10.9.3
 - purpose of collecting information 10.9.2
- opt-out requests 10.6, 10.7, 10.13.3
- persistent and unwanted marketing communications 10.4
- personal information 10.1
 - consent for other uses of information 10.12
 - extent and detail 10.10
 - retention 10.11
 - suppression 10.5
- published information 10.8
- response to requests for information 10.3
- transfer to outside European Economic Area 10.2
- distance selling
 - children 5.1.5
 - marketer requirements
 - ability to fulfil orders 9.4
 - identity and contact details 9.1
 - inclusions in marketing communication 9.2
 - invoice for unsolicited goods 9.8
 - necessary written information 9.3
 - payment for unsolicited goods 9.9
 - refunds 9.5–9.6
 - safe packaging 9.7

E

- employment, homework schemes and business opportunities marketing communications
 - business opportunities
 - exaggeration of support 20.7
 - forecast of earnings 20.7
 - information required 20.8
 - directories 20.10
 - employment 20.1–20.2
 - employment agencies 20.3
 - homework schemes
 - exaggeration of support 20.4
 - forecast of earnings 20.4
 - information required 20.5–20.6
 - vocational training and instruction courses 20.9
- endorsements 3.45–3.52, 12.18, 13.1
- environmental claims
 - absolute and comparative 11.3
 - based on full life cycle of product 11.4
 - clarity of terms used 11.2
 - clear basis for 11.1
 - environmental benefit 11.7

product improvement 11.6
universal acceptance 11.5

F

financial products marketing communications
basis of calculations immediately apparent 14.3
easily understood 14.1
information required 14.2
past performance of product 14.5
value of investments 14.4

food and soft drinks
children
diet and lifestyle 15.11–15.12
infant and follow-on formula 15.10
licensed characters and celebrities 15.15
nutrition and health claims 15.17
pre-school and primary 15.14
pressure to purchase 15.16
promotional offers 15.13–15.14

excessive consumption 15.4

health claims
casting doubt on other products 15.6.5
cures 15.6.2
documentary evidence 15.1
leading to fear in audience 15.6.4
non-consumption of a food 15.6.1
recommendations of individuals and associations 15.6.3
reduction-of-disease-risk 15.6.2
weight loss 15.6.6

nutrition claims
alcohol 18.17
Annex of EC Regulation 1924/2006 15.1.1
casting doubt on other products 15.6.5
children 15.17
comparative 15.3
documentary evidence 15.1
supplements 15.7

oral health care 15.5

supplements
Annex of EC Regulation 1924/2006 15.7
nutrients 15.8
vitamins and minerals 15.8–15.9
see also weight control

G

gambling marketing communications
access to other facilities within premises 16.5
children 16.1, 16.3.2, 16.3.12, 16.4

- disparagement of abstinence 16.3.7
- distance selling refunds 9.6.6
- encouraging criminal or anti-social behaviour 16.3.16
- exploitation of cultural beliefs and traditions 16.3.15
- implying escape from problems 16.3.3
- implying improved sexual activity 16.3.8
- implying improvement of self 16.3.6
- implying solution to financial concerns 16.3.4
- implying toughness or resilience 16.3.9
- portrayal as rite of passage 16.3.10
- portrayal as taking priority 16.3.5
- reflecting spirit of rules 16.2
- social responsibility 16.1, 16.3.1
- solitary versus social 16.3.11
- working environment 16.3.17
- young adults 16.3.14
- see also* lottery marketing communications

Government (central and local) 7.2

H

harmful and offensive marketing communications

- causing audience distress 4.2
- children 4.5, 5.1
- drinking and driving 4.6
- harmful behaviour 4.4
- offensive marketing communications 4.1, 6.1, 8.7
- photosensitive epilepsy 4.7
- reference to deceased people 4.3
- unsafe practices 4.5

health

- advice given by marketers 12.2
- claims
 - addictions and habits 12.8
 - alcohol 18.17
 - backed by evidence 12.1
 - children 15.17
 - for cures 12.6–12.7
 - food and soft drinks 15.1–15.2, 15.6.1–15.6.5
 - leading to mistaken diagnosis 12.5
 - relief of symptoms and signs of ageing 12.7
 - safety 12.9–12.10
 - supplements 15.7
 - weight control 13.10.1, 15.6.6
- excessive use of product 12.9
- oral care 15.5
- significant treatments 12.3
- tobacco, rolling papers and filters 21.3.6
- use of terminology 12.4, 12.10
- see also* medicines and medical devices

homeworking schemes *see* employment, homework schemes and business opportunities

L

- lottery marketing communications
 - children 17.12–17.16
 - disparagement of abstention 17.5
 - encouraging criminal or anti-social behaviour 17.18
 - exploitation of cultural beliefs and traditions 17.17
 - gambling premises 17.11
 - implying escape from problems 17.2
 - implying improved sexual activity 17.7
 - implying improvement of self 17.6
 - implying solution to financial concerns 17.3
 - implying toughness or resilience 17.8
 - portrayal as rite of passage 17.9
 - portrayal as taking priority 17.4
 - social responsibility 17.1
 - solitary versus social 17.10
 - working environment 17.19
 - young adults 17.15
 - see also gambling marketing communications

M

- marketing communications recognition
 - clarity of commercial intent 2.3
 - identifiable 2.1
 - advertorials 2.4
 - unsolicited e-mails 2.2
 - marketer as consumer claims 2.3
- medicines and medical devices
 - accurate illustrations 12.15
 - advice given by marketers 12.2
 - children 12.16
 - claims
 - addictions and habits 12.8
 - for cures 12.6–12.7
 - leading to mistaken diagnosis 12.5
 - relief of symptoms and signs of ageing 12.7
 - safety 12.9–12.10
 - excessive use of product 12.9
 - health professional and celebrity endorsement 12.18
 - herbal medicinal products 12.13, 12.21
 - homeopathic medicinal products 12.13, 12.20
 - inaccurate representation 12.17, 12.19
 - information required 12.13
 - medicinal claims
 - backed by evidence 12.1
 - cosmetic products 12.1
 - definition 12.1
 - licensed products 12.1
 - MHRA licence 12.11, 12.20

- prescription-only products and treatments 12.12
- significant treatments 12.3
- use of terminology 12.4, 12.10
- using anxiety to promote 12.14
- minerals *see* food and soft drinks: supplements
- misleading marketing communications
 - availability of product 3.27–3.32
 - comparisons
 - price comparisons 3.39–3.40
 - with identifiable competitors 3.33–3.37
 - with unidentifiable competitors 3.38
 - endorsements and testimonials 3.45–3.52
 - exaggeration
 - permissible 3.2
 - impermissible 3.11–3.13
 - “free” claims 3.23–3.26
 - guarantees and after-sales service 3.53–3.57
 - identity of marketer 3.5
 - imitation and denigration 3.41–3.44
 - material information 3.3–3.4
 - materially misleading 3.1
 - price statements 3.17–3.22
 - prohibited claims
 - advertiser’s financial security 3.15
 - pyramid promotional schemes 3.16
 - winning in games of chance 3.14
 - qualification 3.9–3.10
 - subjectivity 3.6
 - substantiation
 - documentary evidence 3.7
 - non-fiction publications 3.8
- motoring marketing communications
 - alcohol 4.6, 18.12
 - anti-social behaviour 19.1
 - safety claims 19.5
 - speed and acceleration 19.3–19.4
 - unsafe and irresponsible driving 19.2

O

- offensive marketing communications *see* harmful and offensive marketing communications

P

- political marketing communications
 - central and local Government 7.2
 - election claims 7.1
- price statements
 - additional charges and VAT 3.18–3.19
 - availability of product 3.28

- charity-linked promotions 8.34
- children 15.16.3
- delivery charges 3.20
- distance selling 9.2.2
- exaggeration 3.22
- “free” claims 3.23–3.26
- information required 3.4
- omission, undue emphasis and distortion 3.17
- price comparisons 3.39–3.40
- price dependency 3.21
- privacy
 - Royal Family members 6.2
 - written permission for portrayal 6.1
- prize promotions
 - additional specifications 8.28
 - availability of forms and requisite goods 8.13
 - claims of luckiness and progression 8.21
 - cost and existence of prize 8.21.1
 - complexity of rules 8.23
 - conditions 8.17.6
 - distinction between prizes and gifts 8.19–8.20
 - exaggeration of chances of winning 8.20
 - independent judges 8.26
 - instant-win promotions 8.25
 - prize draws 8.24
 - time and date of consumer response 8.22
 - withholding prizes 8.27
- prohibited categories
 - infant formula 15.10
 - prohibited claims
 - disease risk 15.1.1
 - marketer’s financial security 3.15
 - pyramid promotional schemes 3.16
 - winning in games of chance 3.14

R

- Royal Family members 6.2

S

- sales promotions
 - administration 8.14–8.16
 - availability of product 8.9–8.13
 - charity-linked promotions 8.33–8.34
 - children 8.8
 - conditions for promotions
 - availability of promotional packs 8.17.8
 - closing date 5.6.2, 8.17.4
 - free-entry route explanation 8.17.2

- how to participate 8.17.1
- information on conditions 8.17.6
- prizes and gifts 8.17.6
- promoter's name and address 8.17.9
- proof of purchase 8.17.5
- restrictions 8.17.7
- start date 8.17.3
- front-page flashes 8.29
- prize promotions 8.19–8.28
- promoters' general responsibilities 8.1–8.2
- protection of consumers, safety and suitability 8.3–8.7
- trade incentives 8.30–8.32
- slimming see weight control

T

- testimonials 3.45–3.52, 12.18, 13.1
- tobacco, rolling papers and filters marketing communications
 - children 21.5
 - encouraging smoking 21.2
 - illicit drugs 21.6
 - prohibited portrayals 21.3–21.4
 - sexual connotations 21.7
 - tobacco products 21.1
 - young adults 21.5
- trade marks and trade names 3.42–3.44

V

- vitamins see food and soft drinks: supplements

W

- weight control
 - alcohol 18.17
 - children 13.3
 - diet aids 13.8
 - establishments offering treatment 13.9
 - evidence backed by trials 13.1
 - exercise programmes 13.11
 - health claims 13.10.1, 15.6.6
 - nutritionally well-balanced diet plan 13.5
 - obesity 13.2, 13.7
 - proven weight-reduction method 13.4
 - rates of weight loss 13.9–13.10
 - underweight people 13.3
 - use of tight-fitting clothes 13.12
 - very low calorie diets (VLCDs) 13.7
 - vitamins and minerals 13.6