

Question time

You're bombarded by 3,500 advertising messages every day. The Advertising Standards Authority is the industry's watchdog, but are its teeth sharp enough? We ask its boss Christopher Graham

Commercial breakdown?

Q Is it possible to be an independent regulator, given that you were set up – and are still funded – by the advertising industry?

A I never have to think about whether I can afford to upset this or that advertiser because 'oh dear, they might not pay the levy'. It is a voluntary levy but everyone pays it and the record shows that we pick fights with some of the biggest and most powerful advertisers in the land. There's no suggestion that we're in anyone's pocket.

Q Unlike other regulators in other industries, you don't have any powers to fine advertisers who break your rules. Why not?

A We have much more powerful sanctions. When we ruled against Ribena Tooth Kind, the following year sales of the Ribena brand fell by 1.6 per cent, so ASA adjudications can move share prices, they can affect sales and they can affect brand reputation. That's a very effective economic factor and I think if we introduced fines, I wouldn't want to get into a situation where people almost factored the fine into their marketing costs.

Q Do you actively monitor adverts for problems or do you simply wait for complaints to come in?

A We get about 26,000 complaints a year but we also do a lot of monitoring. At the moment some of our people spend a lot of time watching television shopping channels, looking for doubtful claims. We also do a lot of checking of magazines and newspapers – around 4,000 adverts a month.

Q What are your views on the problem of junk food being advertised to children?

A Where we find advertisers, food advertisers or whoever, making claims that breach our advertising codes, we get on with it. We published an adjudication in late March about Warburtons All-In-One Riddlers (*the ASA ruled an advertisement was misleading because it implied the Warburtons ready-filled bread rolls were a complete, healthy lunch*) and we've had a go against Tony the Tiger for a suggestion that Frosties was a healthy breakfast cereal in the context of a campaign about sport (*the ASA ruled the advertisement was misleading because Frosties has a high sugar content*).



ASA Director General Christopher Graham: 'not a taste regulator'

Q So it's a case of whether an advert is misleading rather than the ethics of targeting kids with junk food?

A We're not a taste regulator – we are here to make sure advertising doesn't overstep the mark and cause serious or widespread offence. There's a difference between the two. There's lots of tacky advertising which we wouldn't dream of banning. It's got to be quite a serious offence to justify a campaign being trashed by the ASA and I don't think people would want an organisation like the ASA imposing some view of the perfect society.

Q What are your views on the amount of sex that appears in advertising?

A Offensiveness is a big part of our work but it's not as big as you'd think from the newspaper headlines. We've got to be convinced that it's in the public interest to stop a campaign and that we are not denying the advertiser

the freedom to advertise its product within the rules. It's a question of applying a standard of what's acceptable, at a time when I think standards are changing and there are different attitudes between generations.

Q If you could change anything about the advertising industry, what would it be?

A I wish that people who join the advertising industry would realise successful advertising is about breaking rules – but the rules that you (*should*) break are rules of expectation, not the advertising codes. (*Breaking codes*) may give you a bit of notoriety but it isn't going to make you a star.

BRIEF CASES HAS MOVED! 'Brief cases', our regular look at the work of Which? Legal Service, has been expanded and moved inside the magazine – see p72 and p73.