

CARU NEWS

For Immediate Release

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ARBY'S SUPPORTS CARU BY AGREEING TO USE AFFIRMATIVE CLAIMS ONLY WHEN SUPPORTED BY SUBSTANTIATION

New York, NY – January 25, 2005 – The Children's Advertising Review Unit (CARU) of the Council of Better Business Bureaus, Inc., the children's advertising industry's self-regulatory forum, is pleased to announce that **Arby's LLC (Arby's)** has agreed to modify future advertising for its Arby's Adventure® Meal® (the Meal) to comply with CARU's *Self-Regulatory Guidelines for Children's Advertising (the Guidelines)*. The advertisement, which appeared in the May issue of *National Geographic Kids (NGK)*, came to CARU's attention through a complaint by the Center for Science in the Public Interest (CSPI), a nutrition advocacy group.

CSPI questioned whether the advertiser had substantiation for its claim that the Meal was "Trusted by moms." Although the advertiser argued that the claim was merely puffery, CARU found that it was one that needed substantiation. The advertiser stated that while "Trusted by moms" was not intended as an affirmative claim, it would use such a phrase in the future "only in connection with supporting survey results."

CSPI also criticized the Meal advertisement, which was placed on a colorful wrap mailing piece that appeared to be the cover of the May 2004 issue of *NGK*, for blurring the distinction between editorial content and advertising. (In actuality, the cover, which appeared when one turned the page, looked almost exactly like the wrap, but did not contain an advertisement for the Meal.) While agreeing that the wrap blurred that distinction, CARU found that its *Guidelines*, because they specify program personalities and editorial characters, leave a loophole and therefore do not specifically cover the situation regarding the wrap, and there was therefore no violation of the *Guidelines*.

CARU's inquiry was conducted under NAD/CARU/NARB Procedures for Voluntary Self-Regulation of National Advertising and resolved within 60 business days. Details of the inquiry, CARU's decision and the advertiser's response will be included in the next NAD/CARU Case Report. Members of the press who wish to see a copy of the decision now should email CARU at elascoutx@caru.bbb.org

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The National Advertising Review Council (NARC) was formed in 1971 by the Association of National Advertisers, Inc. (ANA), the American Association of Advertising Agencies, Inc. (AAAA), the American Advertising Federation, Inc. (AAF), and the Council of Better Business Bureaus, Inc. (CBBB). Its purpose is to foster truth and accuracy in national advertising through voluntary self-regulation. NARC is the body that establishes the policies and procedures for the CBBB's National Advertising Division (NAD), the Children's Advertising Review Unit (CARU), and the National Advertising Review Board (NARB).

NAD and CARU are the investigative arms of the advertising industry's voluntary self-regulation program. Their casework results from competitive challenges from other advertisers, and also from self-monitoring traditional and new media, including the Internet. The National Advertising Review Board (NARB), the appeals body, is a peer group from which ad-hoc panels are selected to adjudicate those cases that are not resolved at the NAD/CARU level. This unique, self-regulatory system is funded entirely by the business community; CARU is financed by the children's advertising industry, while NAD/NARB's sole source of funding is derived from membership fees paid to the Council of Better Business Bureaus.