

For Immediate Release

CARU RECOMMENDS WHAM-O ASSURE THAT DISCLOSURES IN FUTURE ADVERTISING ARE ADEQUATE

New York, NY – Dec. 4, 2008 – The Children’s Advertising Review Unit of the Council of Better Business Bureaus has recommended that Wham-O, Inc. take care in future advertising to assure that disclosures in child-directed advertising, including disclosures related to safety, are clear and conspicuous.

CARU, the children’s advertising industry’s self-regulatory forum, questioned whether broadcast advertising for Wham-O’s “Slip ‘N’ Slide Mega Shark” water-play product, which aired during children’s programming, adequately disclosed that adult supervision is required for safe play and that the product should not be used by children who are over five feet tall or weigh more than 110 pounds. Specifically, the company did not include an audio voice-over stating that parental supervision is required.

Following its review of the advertising at issue, CARU determined that the small graphic disclosure placed at the bottom of the commercial’s closing shot stating, “Not for use by anyone over 5 feet tall or weighing over 110 pounds...” failed to adequately warn children about the proper use of the product. CARU further found that children could potentially be misled about how to use the product because of the inadequacy of this disclosure.

Finally, CARU was concerned that the portrayal of children engaging in potentially hazardous activities involving a waterslide, required the clear depiction of parental supervision. While the referenced commercial did include a brief appearance of a woman watching the children, after reviewing the advertisement for its net impression, CARU determined the adult’s presence did not sufficiently convey the message that adult supervision was required. Additionally, in this case, CARU determined that an audio disclosure stating that “adult supervision is required” was also necessary.

In its advertiser’s statement, Wham-O said it “takes all complaints” about the company’s products seriously, “including any that deal with our ad campaigns. Wham-O has taken note of CARU’s Guidelines and will forward these to our advertising agency.”

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CARU’s inquiry was conducted under NAD/CARU/NARB Procedures for the Voluntary Self-Regulation of National Advertising. Details of the initial inquiry, CARU’s decision, and the advertiser’s response will be included in the next NAD/CARU Case Report.

About Advertising Industry Self-Regulation: 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) and Children’s Advertising Review Unit (CARU), as well as for the National Advertising Review Board (NARB) and Electronic Retailing Self-Regulation Program (ERSP).

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. 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/NARC/NARB’s sole source of funding is derived from membership fees paid to the CBBB. Funding for ERSP is derived from membership fees paid to the Electronic Retailing Association. For more information about advertising self regulation, please visit www.narcpartners.org.