

# CORRECTING MISTAKES IN RETAIL ADVERTISING

## HOW TO CORRECT MISTAKES AND INACCURACIES IN RETAIL ADVERTISING

When a Consumer Response Council (Council), upon hearing a consumer complaint, finds that a retail advertisement contains an erroneous or misleading claim, the *Canadian Code of Advertising Standards* (Code) requires the retail advertiser to “provide a correction advertisement that appears in consumer-oriented media addressed to the same consumers to whom the misleading advertisement was originally directed”.

The following guidelines will help retail advertisers understand what constitutes appropriate corrective advertising under the Code.

## CORRECTING MISTAKES IN RETAIL PRINT ADVERTISING

Upon learning of a mistake in their advertising, retail advertisers should:

- immediately withdraw the advertisement containing the error from further publication or exposure, and
- correct the error and, without delay, publish a correction advertisement in the same medium as the original advertisement (i.e., flyer, newspaper, etc.).

The correction advertisement must draw the mistake to attention of consumers.

Council also recommends that a similar kind of correction notice, with similar content, be prominently posted at retail outlets.

## CORRECTING MISTAKES IN RETAIL WEBSITE ADVERTISING

The same principles apply to errors in advertising on retailers’ own websites. The only difference is that the advertisement to correct the erroneous website advertising should be posted in close proximity to

where the original website advertisement appeared. The correction advertisement on the website should say that the original information was wrong, how it was wrong, and that the error has subsequently been corrected.

An in-store corrective advertisement should also be prominently displayed to bring the error and its correction to the attention of in-store customers.

Councils have repeatedly said that when retail advertising on the web or other media violates the Code, in addition to correcting the mistake on their websites, retail advertisers should both inform the public that an error occurred and explain what the error was.

For retail advertisers to limit their corrective action to fixing an advertising error but not informing the public that an error occurred would be to presume that no member of the public saw and was affected by the misrepresentation in the first place. But based on Council’s considerable experience in handling such complaints, this is not a correct assumption.

The only certain way to avoid the negative effects on the public caused by an advertising error is to correct the error before the advertising is released to public. Otherwise the above-described procedure should be honoured. If followed, these guidelines should help to minimize the possibility of consumer dissatisfaction and complaints to ASC about misleading retail advertising, wherever it appears.

Advertisers that comply with the requirement under the Code to run advertisements in a timely fashion to correct misinformation and misimpressions conveyed in the retailer’s earlier advertisements will not be identified by name in the summaries of upheld complaints published in ASC’s quarterly *Ad Complaints Reports*.