

# Drink Maker Settles Over Misleading Ads

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Last week, the New York Attorney General announced a settlement with Abbott Laboratories over an advertising campaign for its Pediasure SideKicks drinks. The AG determined that the campaign conveyed the misleading impression that children who drink SideKicks are more energetic and perform better in sports than children who don't drink SideKicks.

In the ad, a young girl drinks SideKicks before heading to a soccer game. She is more energetic during the game and performs better than the other kids, some of whom wear costumes depicting them as other foods. The mother of one child wonders whether her child should have eaten something different, and mother who gave her girl SideKicks replies that "kids are what they eat."



[If you watch the ad](#), you'll see that it doesn't specifically state that kids who drink SideKicks will perform better than kids who don't. But the AG took the position that ad nevertheless conveyed that impression. That underscores an important principle of advertising law -- you can be held responsible for claims that consumers take away from your ads, even if you didn't intend to convey them.

Before you launch an advertising campaign, take a step back and look at it from the standpoint of a typical consumer. What claims are they likely to take away from the ad? If you can't substantiate those, you may need to rethink your ad.