

Happy Chickens in a Line (Claim)

Gonzalo E. Mon

May 14, 2018

The NAD recently announced a decision in which it analyzed whether consumers would interpret claims in two commercials about Perdue's happy chickens and organic practices to apply to all of the company's chickens or only some of them. Even if you aren't trying to measure the satisfaction of your own poultry, the decision includes some valuable insights into the NAD's views on "line claims."

One commercial shows Jim Perdue and his sons, each wearing a shirt with a Perdue logo, going about their daily tasks. They talk about "organic free-range chickens" that are "non-GMO, 100% vegetarian-fed, raised with no antibiotics," as they drive up to a barn with the Perdue Harvestland Organic logo. The general Perdue brand logo appears on screen before flipping to the Perdue Harvestland Organic logo, as a voiceover states: "Perdue. Raising more organic chickens than anyone in America."



One key question for the NAD was whether the commercial communicated that all Perdue chickens are raised organically (which is not true) or only that Harvestland Organic chickens are raised organically (which is true). Although the advertiser provided a survey demonstrating that consumers only took away the latter, narrower, claim from the commercial, the NAD found flaws in the survey and ultimately determined that consumers could interpret the commercial more broadly.

The NAD noted that the commercial featured numerous "visual and verbal general brand references to Perdue, while presenting only momentary visual references to Harvestland Organic, the sub-brand to which Perdue's organic claim pertains." In addition, although "Perdue" was mentioned in the audio, the sub-brand was not. Because of this, "consumers may understand all of Perdue's chickens to be organic, rather than only the ones it offers through its Harvestland Organic sub-brand."

If you make a claim that applies only to some of your products, you need to be careful not to suggest it applies to your whole line products. Whether or not your ad will be read to present a "line claim" will depend on various factors, including whether you make general brand references and what products you show. This case demonstrates that the line – no pun intended – between line claims

and narrower claims isn't always very clear, so it pays to be careful.