

NAD Decision Addresses Torture Tests

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Rascals advertises that the Hydrolock Core in its diapers “holds up to 25 x its weight” and “absorbs 15 x its weight.” P&G thought that claim was full of crap and filed a challenge before the NAD, arguing that Rascals supported its claims with tests that didn’t mirror real-world use. NAD’s decision holds valuable lessons for advertisers across industries.

Rascals explained that a third-party lab immersed the company’s diapers in saline solution for ten minutes. “After draining the test aid for excess fluid, the absorbent capacity was calculated by subtracting the dry mass of the urine absorbing aid from its wet weight.” Rascals argued that the test results provided adequate substantiation for both claims.

NAD noted that reasonable consumers will read the claims “as conveying messages about the absorption performance they can expect from Rascals diapers in real life.” For example, one of the ads showed a colored liquid being poured onto a diaper, something that is closer to how diapers are used. This reinforced the message that the “claims are touting real-world absorption performance benefits.”

NAD was concerned that even if Rascal’s tests support the math in the claims, the lab test doesn’t mirror how diapers are normally used. “The diaper of a newborn infant, indeed even of a larger infant, is not entirely soaked with urine in normal use.” (If your experience is different, you may want to consult a pediatrician or another parent because you may be doing something wrong.)

In other contexts, NAD has noted that “an advertiser must demonstrate that even statistically significant product improvements or differences translate to consumer meaningful benefits. Torture tests can be used to support product claims but only if they represent conditions that have real world relevance.” No matter what you’re testing, you should generally try to ensure your tests mirror how consumers use your products.