

# NAD Decision Shows “Simple” Claims Can be Complicated

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In the spring, we posted about a [case](#) involving a heavy dose of makeup. As the summer heat sets in, you may be thinking about a more minimalist approach to your personal care products. If so, Native has you in mind with a line of products it claims has “simple” ingredients and is “Clean. Simple. Effective.” SC Johnson filed an NAD action challenging the “simple” claims (among other things) and much of the dispute centered around what that word conveys to consumers.

SC Johnson argued that consumers will understand “simple” in the tagline to mean that the ingredients in the products are not complex and that they are minimally processed. Native countered that the word just conveys the message that Native products use fewer ingredients. NAD sided with Native and determined that because the tagline is visually separate from the ingredient list, reasonable consumers would understand that “simple,” in this context, refers to the product as a whole and not to the individual ingredients.

Native provided evidence that minimalist formulations for skincare products use 10 or fewer ingredients, as opposed to other formulations which can have more than 30 ingredients. The Native products fall on the lower side of that range with somewhere between 9 to 11 ingredients. Accordingly, NAD found that Native could support the reasonable interpretation of “simple” that appeared in the tagline. The decision is simple enough, so far, but things get more complicated when it comes to the ingredients.

Native argued that the term “simple ingredients” was meant to convey a message about the basic function performed by the highlighted ingredients and that the message is reinforced by a plain-language description of that function. SC Johnson and NAD both disagreed. NAD concluded that that one reasonable message that consumers may take away from the term “simple ingredients” in the context in which the term appeared is that the ingredients are not complex and that they are minimally processed.

NAD relied on the opinion of an SC Johnson expert who explained that some of the ingredients in the Native products “go through complex manufacturing and processing to refine them so that they no longer resemble the original simple ingredient at the start of the manufacturing process, or the simple ingredient stated on the label.” Native did not disagree with the explanation of the process. Accordingly, NAD determined that Native could not support the description of certain ingredients as “simple.”

Companies that make personal care products may be drawn to using words like “simple” to appeal to customers looking for minimalist products, but those words can be difficult to substantiate, in part, because they don’t have clear meanings. (The same goes for “clean” claims, which we discussed [here](#) and [here](#).) It’s important to take a close look at the context in which you use those words to

figure out how consumers (or NAD) may interpret them and to make sure you have the evidence to support that interpretation.