

NAD Recommends Changes to a Price-Matching Claim

March 4, 2013

The NAD recommended that Toys “R” Us modify or discontinue its price-matching claim: “Price Match Guarantee — Spot a lower advertised price? We’ll match it.” The claim was accompanied by a disclosure informing consumers to “see a Team Member for details.” A consumer complained after store employees informed him of limitations to the guarantee. Toys “R” Us explained that it matches prices on its competitor’s print ads, but that (with limited exceptions) it doesn’t match online prices.

The NAD observed that although consumers may understand that certain limitations may apply to a price-matching offer, most consumers would not expect the Guarantee to exclude online pricing for competitive toys. The disclosure informing consumers to “see a Team Member for details” didn’t help because the limitations conveyed by the Team Members directly contradicted the main message conveyed by the Guarantee.

This decision serves as a reminder of two important points: (1) it’s not always possible to point consumers to a disclosure in a different medium; and (2) a disclosure isn’t sufficient to cure an overly-broad claim.