

Puffery in Advertising

January 1, 2005

The concept of puffery generally allows an advertiser to state, without any substantiation, that, for example, its mints give you “ultimate fresh breath” (Breath Savers), or that its beverage is “made from the best stuff on earth” (Snapple). As the NAD has repeatedly articulated, the line between puffery and a substantiable claim is heavily dependent on the total context of the advertising.