

# Summary

Boehringer Ingelheim Animal Health USA Inc., maker of NexGard, a monthly flea and tick product, challenged claims made by a competitor, Merck Animal Health, maker of BRAVECTO, a flea and tick product administered every 12 weeks. Boehringer argued that Merck's "Best in Show" TV commercial conveys misleading and disparaging messages that BRAVECTO is more efficacious at killing fleas and ticks than NexGard or that NexGard fails to provide long lasting protection against fleas and ticks.

The National Advertising Division determined that, when viewed in its entirety, the commercial blends duration of action claims with a comparative superiority message and that one message reasonably conveyed is that BRAVECTO is superior to NexGard in protecting dogs from flea

infestations, not merely that BRAVECTO is dosed for 12 weeks as compared to 30 days for NexGard. When making "apples-to-oranges" comparisons to highlight features or attributes of their products, the advertiser should disclose the material differences between the products. NAD found that the challenged commercial did not clearly communicate the basis of comparison and recommended that the "Best in Show" commercial be discontinued.

An NARB panel agreed with NAD that Merck's commercial did not clearly convey the message that BRAVECTO's longer lasting performance in preventing fleas as compared to NexGard is due solely to the fact that BRAVECTO is a chew designed to last 12 weeks, while NexGard is a chew designed to last for one month.