



National Programs

Independent Advertising Self-Regulation Selected Case Materials

**National Advertising Division
& National Advertising Review Board**

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September 2026

About BBB National Programs

BBB National Programs

- Independent, non-profit organization
- Home to more than 20 independent industry self-regulation, accountability, and dispute resolution programs

**Creating a fairer
playing field for
business.**

**Creating a better
experience for
consumers.**



Independent Industry Self-Regulation

Various models, elements include some of the following:

- + Agreed-upon Standards
- + Independent Marketplace Monitoring
- + Dispute Resolution and Enforcement Mechanisms
- + Built-in Independent Appeals Structure
- + Regulation Back-stop and/or Regulatory Referrals

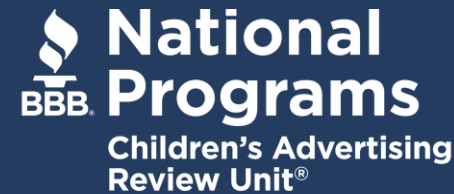
Often aligns with government regulations/government agency engagement:



State Attorneys General

Accountability in Advertising

- Developed by the industry
- Successful since 1971 (50+ years)
- Voluntary compliance by advertisers
- Agile development of new programs, keeping pace with industry need
- Various models including co-regulation, watchdog, independent monitoring, and pledge programs



National Advertising Division



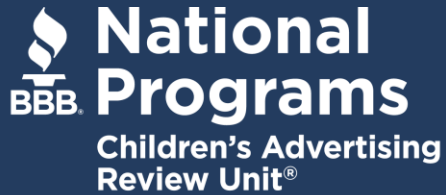
- Founded in 1971, the longest running independent, industry self-regulation program in the U.S.
- Removing misleading advertisements from the marketplace promotes fair competition for businesses and protects consumers
- Program considers challenges filed by some of the world's largest brands on intricate cases involving topics such as 5G (AT&T, Verizon, T-Mobile, and others), health-related claims (including claims to prevent or treat COVID-19), and sustainability (claims such as green, all-natural)

National Advertising Review Board



- Also founded in 1971, serves as the appellate body for the U.S. system of industry self-regulation
- Provides independent industry peer review for National Advertising Division and Children's Advertising Review Unit cases, ensuring truthfulness and accuracy in national advertising
- Promotes voluntary compliance with decisions—a key pillar of industry self-regulation
- Pool of individuals selected for their stature and experience in their fields, consists of distinguished members from varied professional backgrounds: National Advertisers, Advertising Agencies, and the Public Sector, including academics

Children's Advertising Review Unit



- Founded in 1974, helps protect children from deceptive or inappropriate advertising to ensure that, in an online environment, children's data is collected and handled responsibly
- The first FTC-approved Children's Online Privacy Protection Act (COPPA) Safe Harbor in the U.S.
- Monitors the marketplace for compliance with CARU's Advertising Guidelines and CARU's Privacy Guidelines, which set industry standards for responsible advertising to children
- CARU recently released The Generative AI & Kids Risk Matrix, a set of realistic, actionable considerations and best practices to help companies identify and mitigate AI-related risks specific to children, while also equipping parents and consumers with tools to understand potential harms and take informed, protective actions

Children's Food & Beverage Advertising Initiative



- Pledge program founded in 2007, in response to widespread concern around childhood obesity
- Created to improve the landscape of food advertising to children under age 13
- CFBAI participants include the largest food, beverage, and quick serve restaurant companies in the world with sister program for confection companies
- Participating companies voluntarily commit that, in advertising primarily directed to children, they will either not advertise foods or beverages to children at all or advertise only products that meet CFBAI's strict Uniform Nutrition Criteria

Digital Advertising Accountability Program



- Enforces industry self-regulation principles for data privacy in web and mobile advertising
- Builds trust in the marketplace by providing consumers transparency and choice about the collection and use of their data for interest-based ads
- A third-party watchdog for the Digital Advertising Alliance (DAA), holding companies accountable to the DAA's Self-Regulatory Principles for online privacy

Direct Selling Self-Regulatory Council

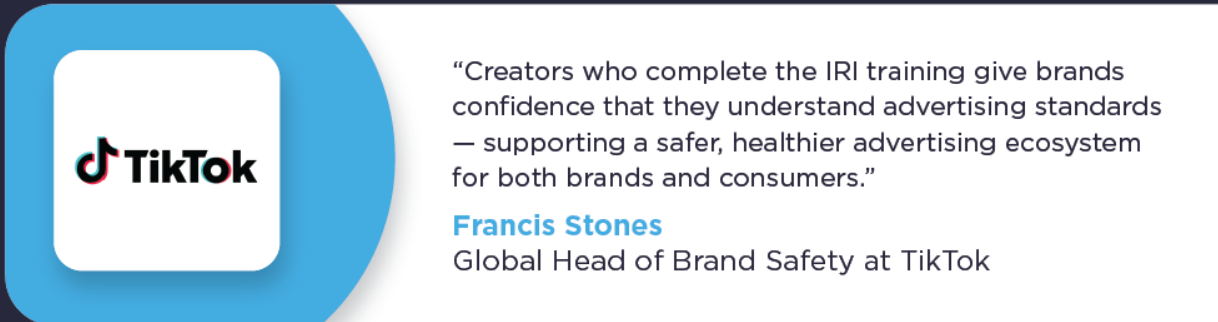


- Launched in 2019 as the third-party watchdog for the Direct Selling Association (DSA)
- Impartial monitoring, enforcement, and dispute resolution regarding product or income representation claims disseminated by direct selling companies or their salesforce members
- Relies on third-party monitoring technology to monitor the full online presence of the direct selling industry
- Recognized with 2021 Best Sectoral Initiative Award from the International Council for Advertising Self-Regulation

Institute for Responsible Influence



- Designed to help brands, agencies, and creators build safer, more transparent partnerships through training, certification, and accountability
- Practical training on the FTC Endorsement Guides, disclosures, responsible use of AI and others' IP, FDA/SEC standards, and more



- Training is followed by an exam, a best practices pledge, ongoing monitoring, and the Certified Creator Seal

Advertising Self-Regulation Cases

Claims & Products from Emojis to Prescription Drugs

BBB National Programs' National Advertising Division & National Advertising Review Board Case Index (A-K)

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BBB National Programs' National Advertising Division & National Advertising Review Board Case Index (M-Z)

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1

Body Armor Sports Nutrition, LLC

National Advertising Division

NAD Case #7047

October 2021

Relevant Media



drinkbodyarmor

Your Content Has Been Removed

We removed your content because a third party reported that it infringes their intellectual property rights.

 Report #540505900619849

What was removed

 Post removed for IP violation

Posted Aug 6 at 12:04 PM



Why you were reported

The following party reported that your content infringes their trademark:

- Rights owner: Stokely-Van Camp
- Email: [redacted]@pepsico.com
- Trademark: Gatorade/G Bolt



31,399 likes

drinkbodyarmor Hey @Gatorade did you really call the IG police on us for THIS!?!? 🤔😂😂



drinkbodyarmor





31,395 likes

drinkbodyarmor Hey @Gatorade did you really call the IG police on us for THIS!?!? 🤔😂😂



BODYARMOR
@DrinkBODYARMOR

C'mon @BakerMayfield, please return our calls! We're very sorry!!! 😂😂😂
#TeamBODYARMOR



12:06 PM · Aug 6, 2021 · Twitter for iPhone



bakermayfield
bakermayfield · Original Audio





Liked by insta.single and 107,708 others

bakermayfield I'm not sure I'll ever forgive you for this @drinkBODYARMOR #TeamBODYARMOR

 **National Programs**

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Summary

In a Fast-Track SWIFT matter, Stokely-Van Camp, Inc. challenged claims made on social media posts regarding a blind “taste test,” appearing on the social media accounts of BodyArmor endorser Baker Mayfield (Cleveland Browns quarterback and former Heisman Trophy winner) and BodyArmor’s social media accounts.

The National Advertising Division (NAD) recommended that BA Sports Nutrition discontinue the four express claims in the Baker Mayfield taste test video where Mr. Mayfield samples three flavors of BodyArmor sports drinks, which he is familiar with, and proudly identifies

them. After being handed a fourth bottle, which unbeknownst to him contains Gatorade, Mr. Mayfield sips it and immediately exclaims, “Yo, that is not cool. That’s awful,” while removing his blindfold, spitting out the Gatorade, and shaking his head. As this occurs, the Nauseated Face Emoji and the Face with Tears of Joy Emoji appear together prominently on the screen.

NAD noted that emojis frequently substitute for the written word in contemporary communications and some emojis more clearly communicate feelings or emotions than others. The Nauseated Face Emoji, for example, communicates a clear message that something is gross.

2

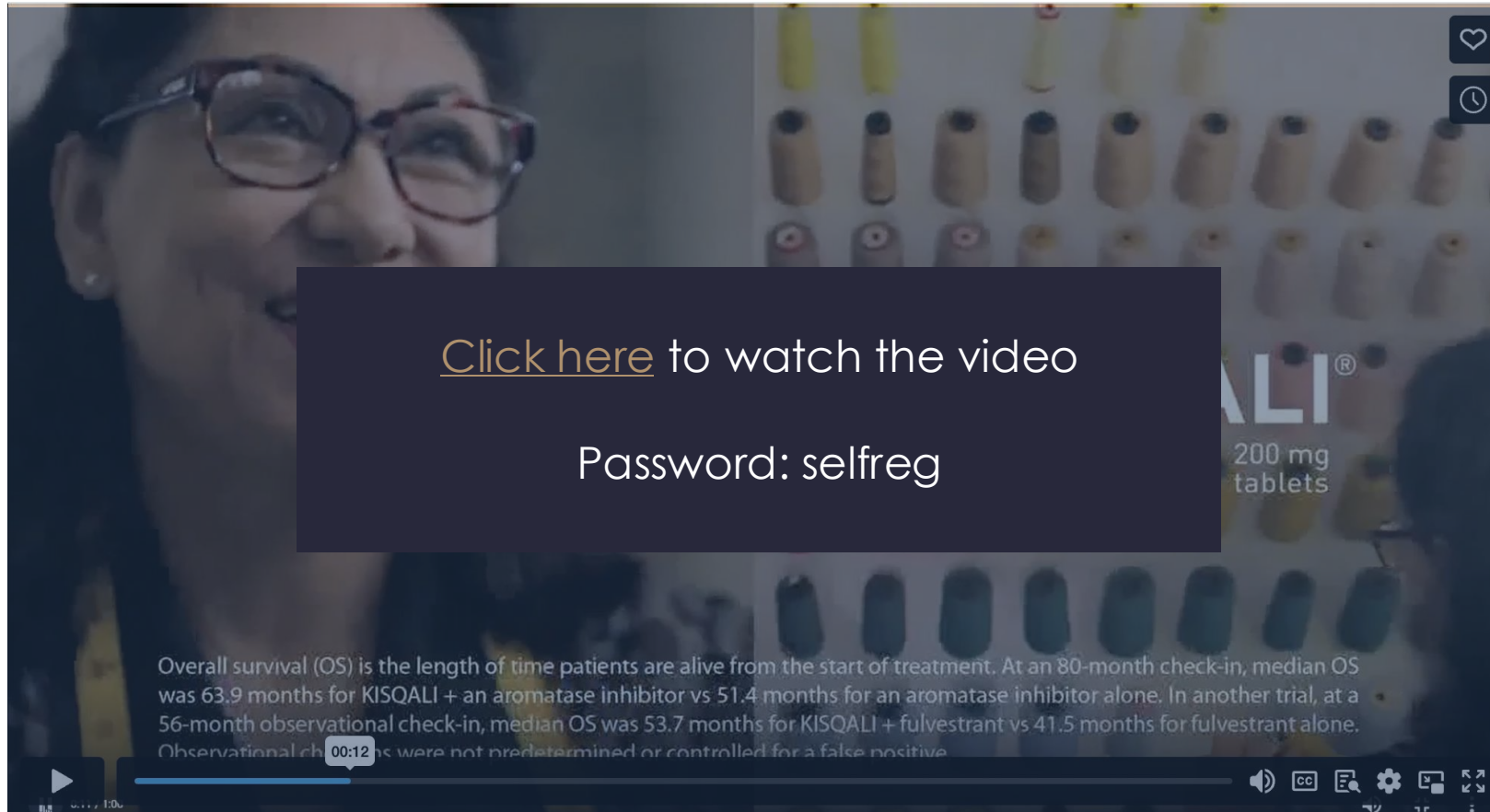
Novartis Pharmaceutical Corporation

National Advertising Division

NAD Case #7137

December 2022

Relevant Media



Summary

Eli Lilly and Company challenged express and implied claims made by Novartis Pharmaceutical in physician- and patient-directed advertising for its breast cancer treatment drug, Kisqali. The National Advertising Division (NAD) found that the claim “Only drug in class with consistently proven survival benefit in HR+/HER2-metastatic breast cancer*” “*across three Phase III trials,” was inherently comparative.

NAD concluded that one message reasonably conveyed to consumers, whom NAD determined lack the medical knowledge or experience to understand nuances in clinical trial design or outcomes, is that Kisqali is more effective and provides superior survival benefits. NAD found that a similar claim directed to healthcare professionals was supported because of the more sophisticated understanding of the target audience.

Objective Claims or Puffery?

3

Molson Coors Beverage Company

National Advertising Division

NAD Case #7183

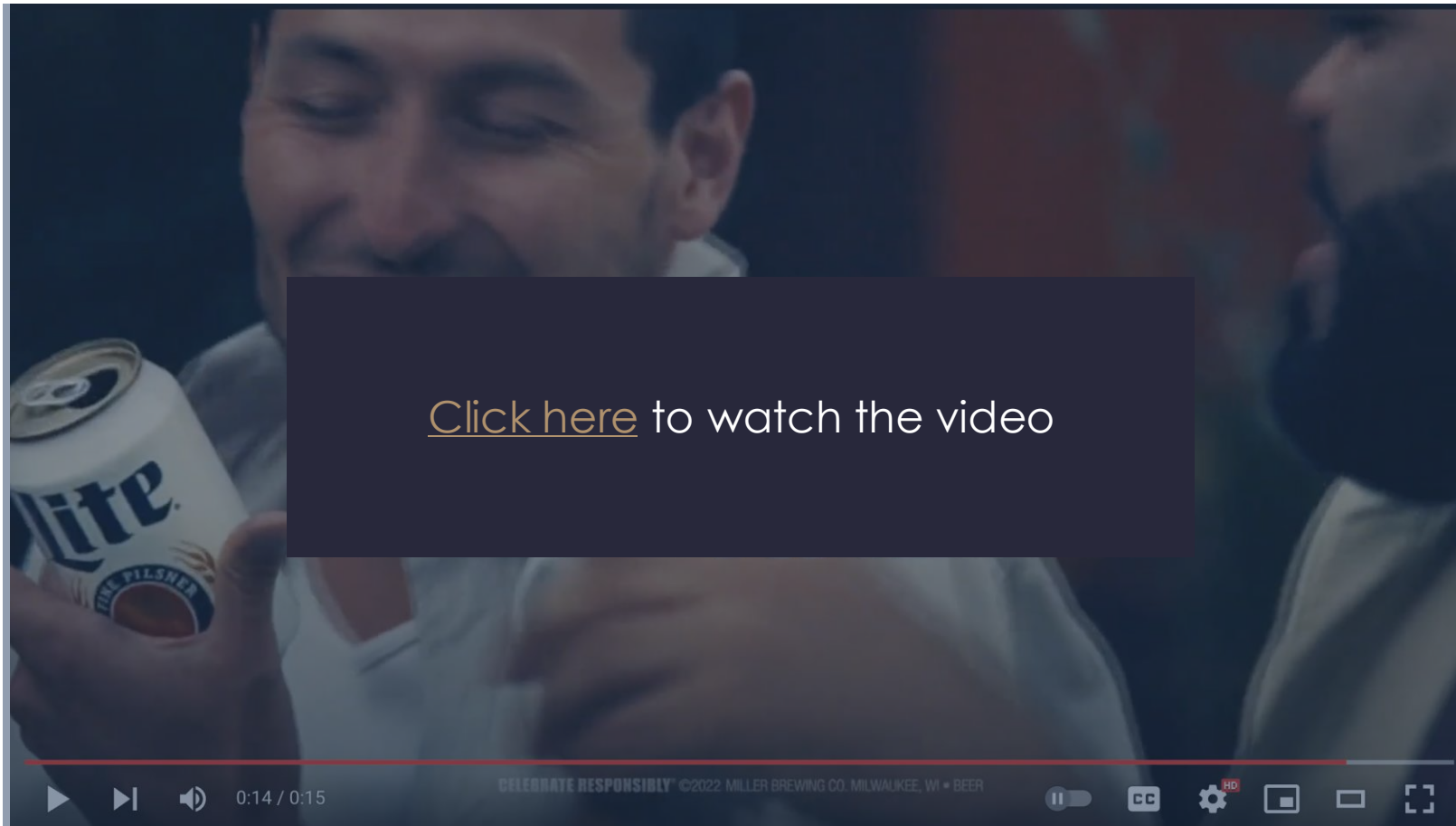
February 2023

National Advertising Review Board

NARB Panel Report #315

March 2023

Relevant Media



Summary

In a Fast-Track SWIFT challenge, Anheuser-Busch Companies challenged claims made by Molson Coors that appeared in videos with words “light beer shouldn’t taste like water. It should taste like beer” and included imagery of tired athletes pouring beers on themselves to cool off after a workout. The National Advertising Division (NAD) found that the challenged claim was not puffery or a mere opinion and that tasting “like water” is a measurable attribute that requires substantiation, which Molson Coors did not provide. Therefore, NAD recommended that the claim be discontinued.

A National Advertising Review Board (NARB) panel agreed with NAD that in the context in which the claim appears it is not puffery but a comparative claim requiring substantiation in the form of a well-conducted consumer taste test and recommended that Molson Coors discontinue the claim “light beer shouldn’t taste like water. It should taste like beer.”

4

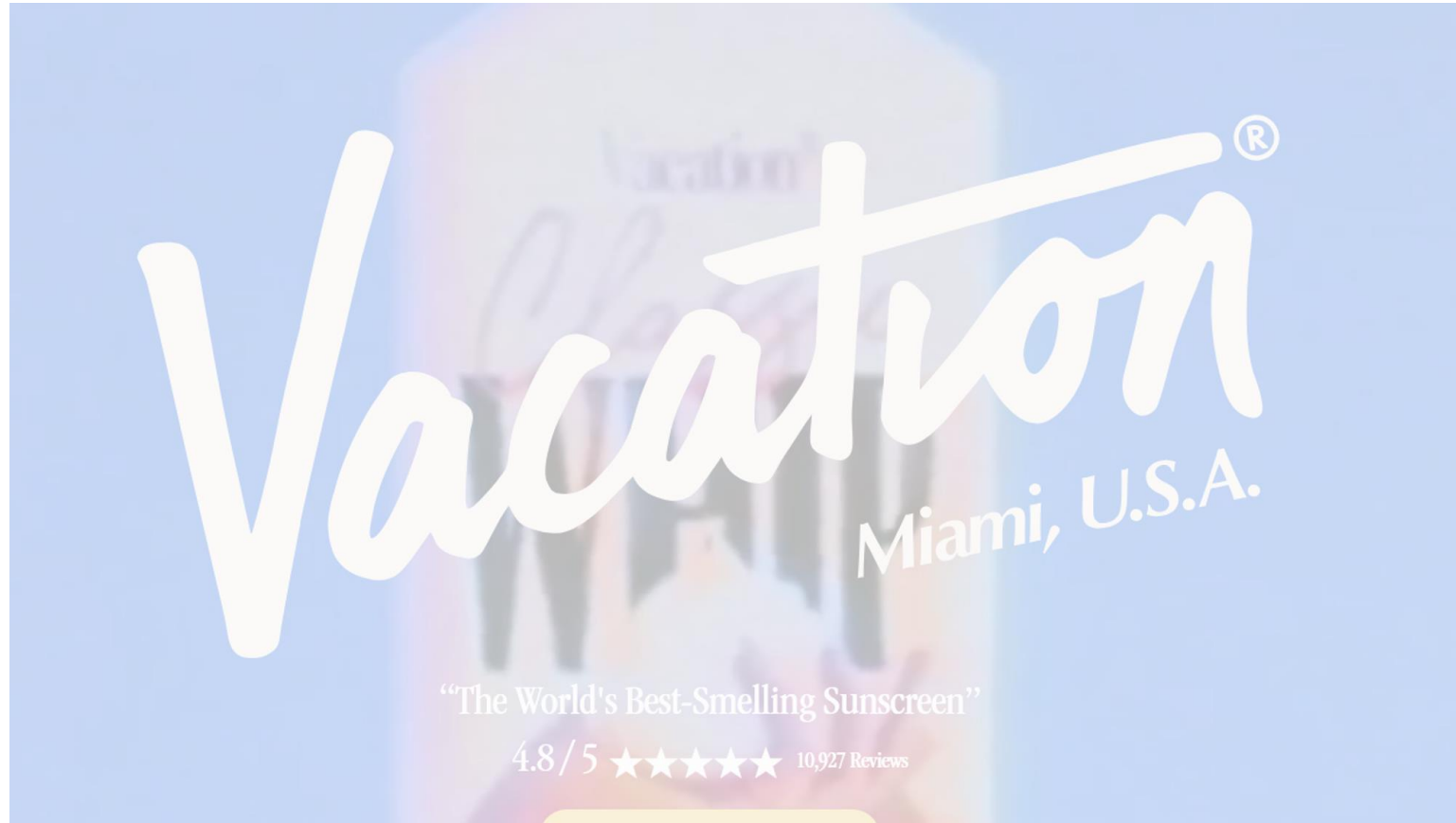
Vacation, Inc.

National Advertising Division

NAD Case #7590

July 2026

Relevant Media



Summary

Beiersdorf, Inc. challenged Vacation's claim that its sunscreen product is the "World's Best-Smelling Sunscreen." NAD found that the claim, when presented by itself, such as on retail signage and the product label, was puffery because smell preference is inherently subjective, the claim is a grossly exaggerated characterization of the product's smell, and reasonable consumers are unlikely to view it as an objective claim. NAD found, however, that when the claim appeared on Vacation's website surrounded by quotation marks and immediately above five stars, a "4.8/5.0" rating, and "13,457 Reviews," consumers may take away the message that the claim is more than puffery and relies on the reviews to support the claim.

Accordingly, NAD recommended that Vacation modify its advertising to avoid conveying the message that the "World's Best-Smelling Sunscreen" claim is substantiated.

Comparative Claims

5

Merck Animal Health

National Advertising Division

NAD Case #7029

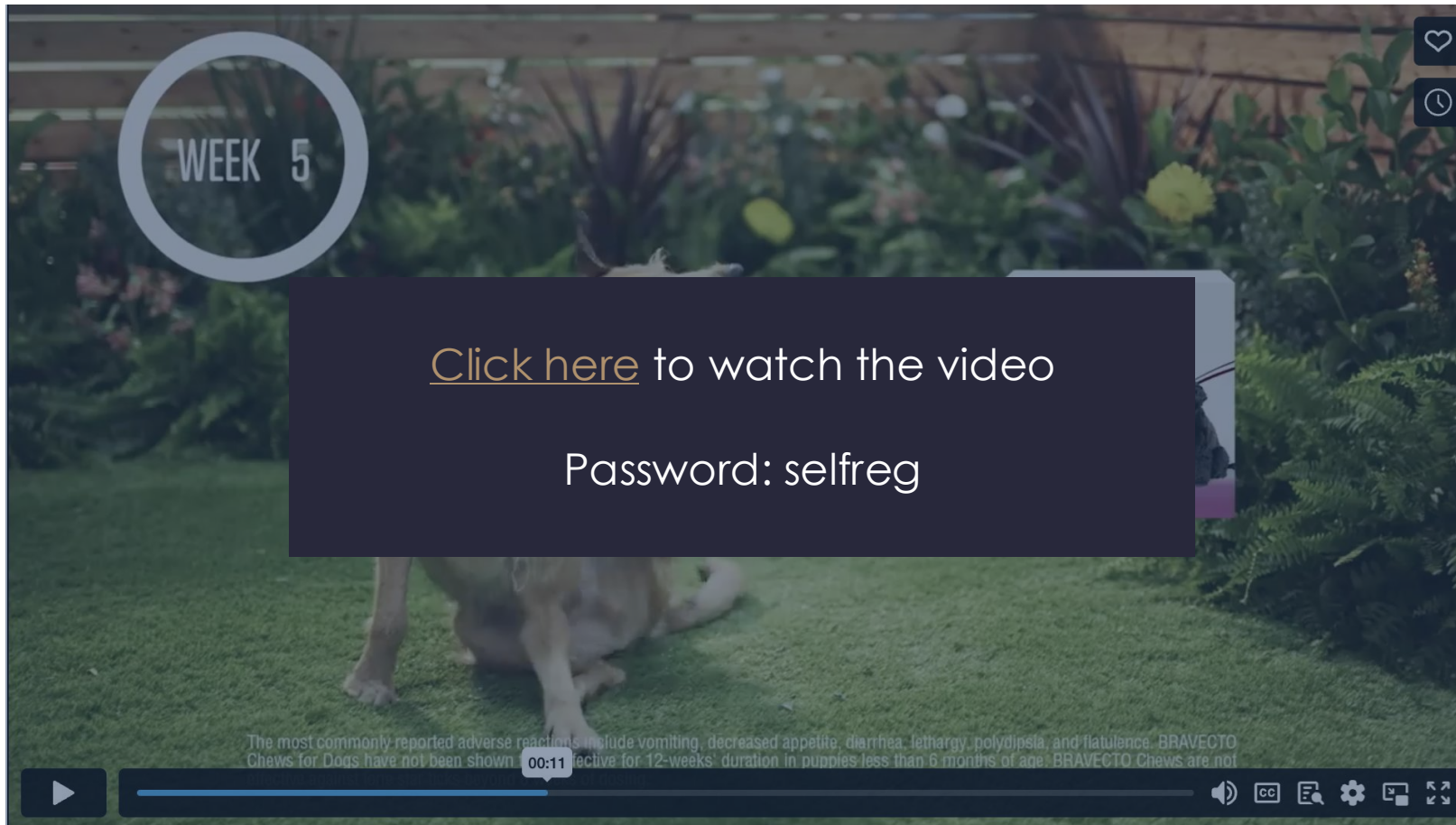
January 2022

National Advertising Review Board

NARB Panel Report #301

April 2022

Relevant Media



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 (NAD) 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.

A National Advertising Review Board (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.

6

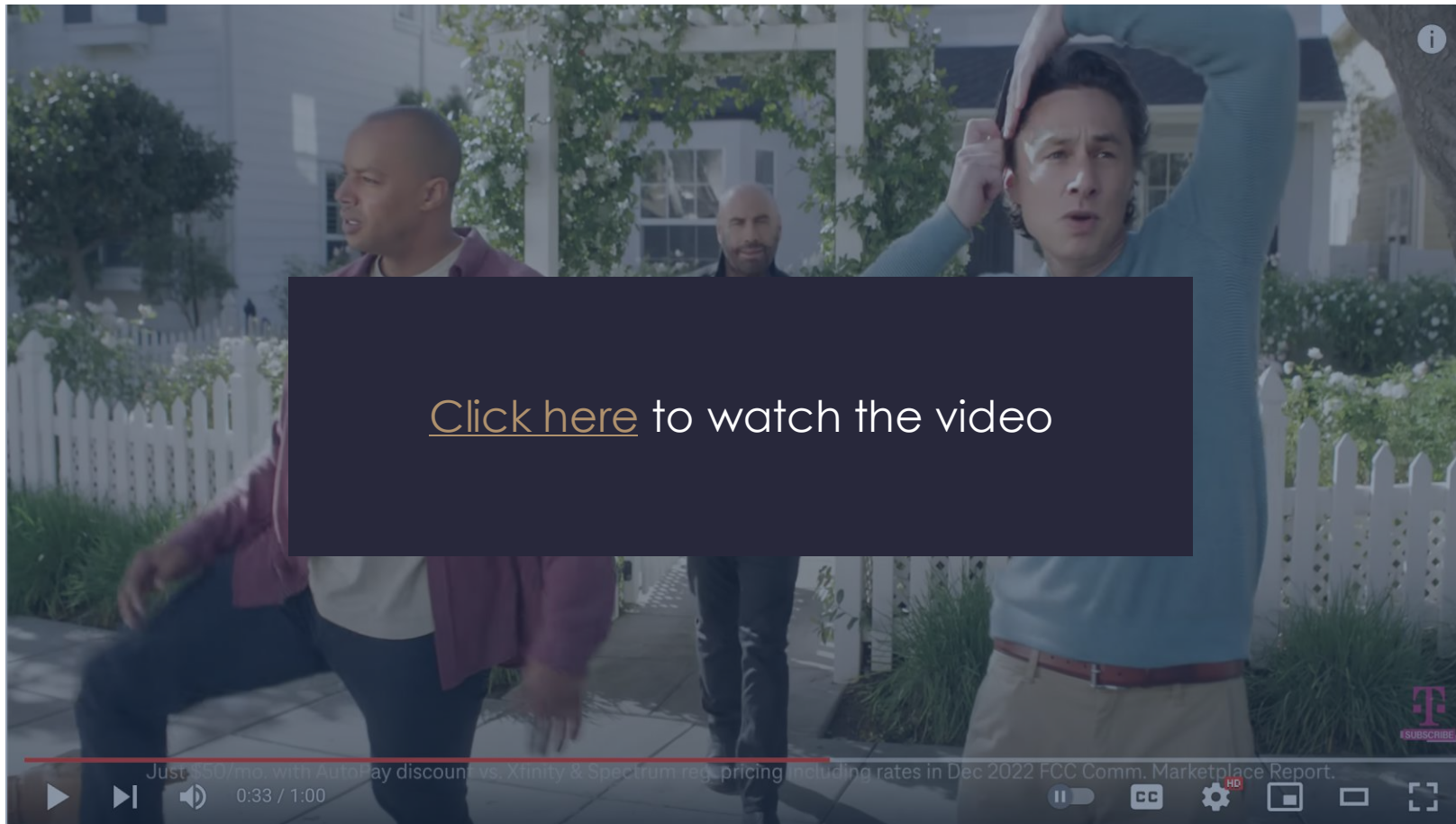
T-Mobile US, Inc.

National Advertising Division

NAD Case #7201

April 2023

Relevant Media



Summary

Comcast Cable Communications Management challenged T-Mobile's claim, "Don't you worry 'bout speed" in a television commercial featuring John Travolta, Zach Braff, and Donald Faison for T-Mobile's Home Internet (T-HINT). T-HINT operates on the same wireless network as T-Mobile mobile devices.

The National Advertising Division determined that the commercial communicates the unsupported message that T-HINT will allow users to perform nearly all typical activities on the internet, including intensive uses like gaming or streaming, on multiple devices at any time of day, and recommended that the challenged claim be discontinued.

Substantiation for Claims

7

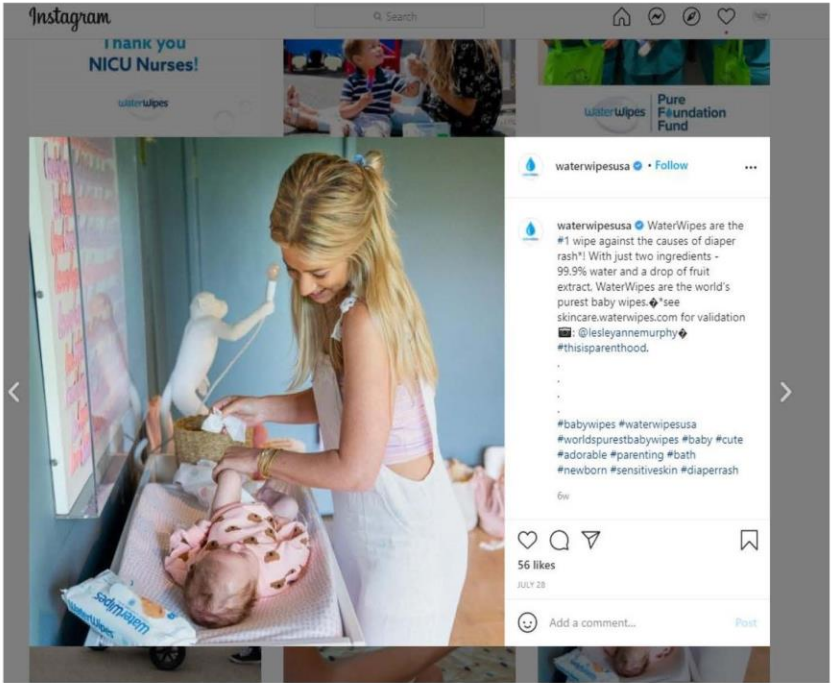
Water Wipes

National Advertising Division

NAD Case #7064

February 2022

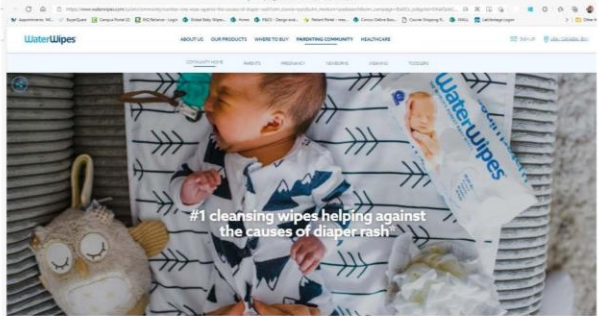
Relevant Media



National Association of Neonatal Nurses (NANN) Conference 2021 link to video:
[Baby Wipes Product R&E - Waterwipes - All Documents \(sharepoint.com\)](#)



We're proud to say that a recent clinical study put WaterWipes to the test against two leading brands and we came out on top as the #1 wipe against the causes of diaper rash. Not only did the babies taking part



* WaterWipes are a cosmetic product and do not treat, cure or prevent diaper rash. No.1 in a clinical test of three brands. Price AD et al., The BaSICS (Baby Skin Integrity Comparison Survey) study. 2020 <https://doi.org/10.1016/j.pedneo.2020.10.003>

• WaterWipes are clinically tested against the causes of diaper rash

WaterWipes, the world's purest baby wipes are not only purer than cotton wool and water but also clinically tested to be the no.1 cleansing wipes helping against the causes of nappy rash*

* WaterWipes are a cosmetic product and do not treat, cure or prevent diaper rash. No.1 in a clinical test of three brands. Price AD et al., The BaSICS (Baby Skin Integrity Comparison Survey) study. 2020 [Click here for study](#)

Summary

Kimberly-Clark Corporation challenged claims made by WaterWipes on its website and social media channels that their cleansing wipe product is the “#1” wipe against the causes of diaper rash and that it is “clinically proven as the #1 wipe against the causes of diaper rash.” WaterWipes relied on the results of its “Baby Skin Integrity Comparison Survey” to support its claims. A total of 698 mother-and-infant pairs completed the eight-week study under the supervision of professionals. The National Advertising Division (NAD) reviewed the study to assess whether it was sufficiently reliable to support the challenged claims.

NAD determined that the study did not provide adequate substantiation for the broad “#1” or “clinically proven”

claims and expressed several concerns with the study’s methodology, including that the study universe was too narrow to support the broad “#1” claims, that it failed to attempt to control for the use of skin creams and lotions to treat infants with diaper rash, and that it did not attempt to blind the branding and marketing on the packaging itself which could have biased the results. Broad superiority claims such as “#1” claims require strong support while a “clinically proven” claim requires reliable and well-controlled clinical testing on the advertised product.

NAD recommended that the challenged claims be discontinued.

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Apartments.com

National Advertising Division

NAD Case #7045

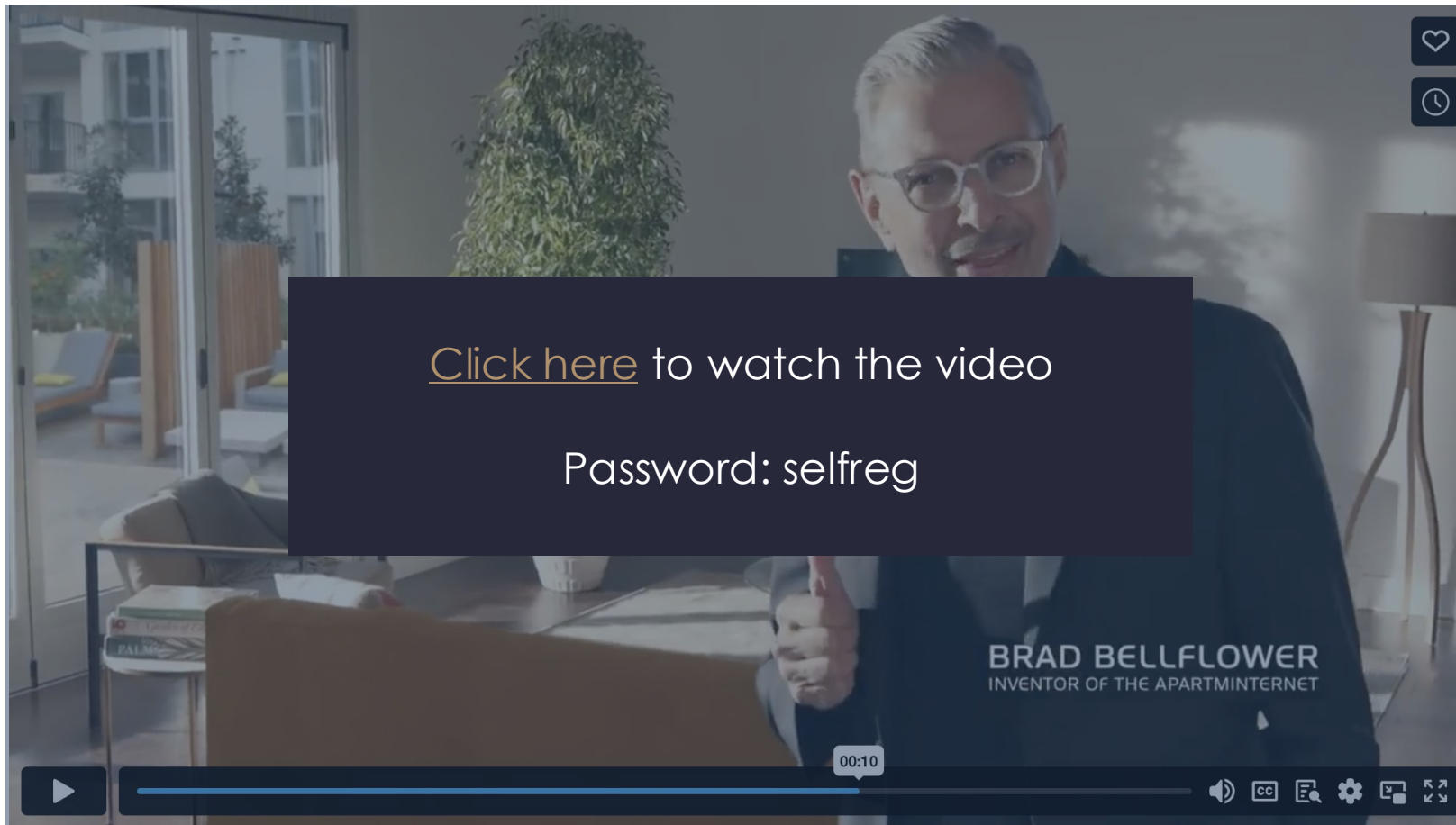
April 2022

National Advertising Review Board

NARB Panel Report #302

July 2022

Relevant Media



Summary

Zillow, Inc. challenged express and implied claims made by CoStar Group, Inc. for its Apartments.com website network. The challenged claims related to popularity, conversion, website prevalence, and website/service features that appeared on videos and through direct mail solicitations. The National Advertising Division (NAD) found that ‘most popular’ claims send a powerful message that the brand is preferred over all others and weigh heavily in consumer buying decisions. Evidence supporting a website popularity claim should match the message that consumers take away from such a claim.

NAD recommended that CoStar modify its advertising to clearly and conspicuously disclose that the “The Most Popular Place to Find a Place” claims are limited to the

rental market. NAD concluded that the data relied on by CoStar to support conversion claims provides information on only a subset of property owners, not the entire rental market and recommended that CoStar discontinue its conversion claims including “The Most Popular Place to Find a Place.” NAD recommended that several website prevalence and website/service features claims be discontinued because the evidence provided did not support the specific claims.

A National Advertising Review Board (NARB) panel recommended that CoStar discontinue the claim “The Most Popular Place to Find a Place” and that it modify certain advertising to make clear that the advertising is directed only to the rental market.

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Genexa, Inc.

National Advertising Division

NAD Case #7108

October 2022

National Advertising Review Board

NARB Panel Report #307

January 2023

Relevant Media

Health & Household • Vitamins, Minerals & Supplements • Herbal Supplements • Fruit Extracts • Elderberry

Pediatricians prefer Genexa's Kids' Pain & Fever over Children's Tylenol Pain + Fever liquid products for their own children based upon a comparison of their ingredients.



Genexa Children's Acetaminophen Oral Suspension, for Children 2 - 11 Years Old, Temporarily relieves Pain and Fever Symptoms, 160 mg per 5 mL- Organic Blueberry Flavor 4oz

Visit the Genexa Store

★★★★★ 585 ratings | 7 answered questions

Price: \$7.19 (\$1.80 / FL OZ)

Get \$80 off instantly. Pay \$0.00 \$7.99 upon approval for the Amazon Prime Store Card. No annual fee.

Brand	Genexa
Active Ingredients	Acetaminophen
Specific Uses For Product	Cold, Fever
Item Form	Liquid
Age Range (Description)	Kid

About this item

- Temporarily reduces fever and provides temporary relief from a range of cold and flu symptoms, including minor aches and pains, headache and sore throat. For children ages 2-11 years old.
- Made with organic blueberry flavor
- Each 5mL dose of this oral suspension medicine contains 160 milligrams of Acetaminophen to provide effective pain and fever symptom relief.
- No artificial sweeteners or preservatives, no artificial dyes, no parabens, and no common allergens. Certified gluten-free, vegan, and non-GMO
- Free of alcohol and gentle on little tummies.
- Pediatricians prefer Genexa Children's Acetaminophen Oral Suspension over Children's Tylenol Pain + Fever liquid products for their own children based upon a comparison of their ingredients.

Compare with similar items

Similar item to consider



Amazon Basic Care Children's Ibuprofen Oral Suspension 100 mg per 5 mL, Pain Reliever and Fever Reducer, Grape Flavor, 8 Fluid Ounces

\$5.92

★★★★★ (585)

12,415

One-time purchase: \$7.99 (\$2.00 / FL OZ)

FREE delivery: Tuesday, March 22 on orders over \$25.00 shipped by Amazon. Ships from: Amazon. Sold by: Genexa

Subscribe & Save:

15% off \$7.19 (\$1.80 / FL OZ)

Save 15% now and up to 14% on repeat deliveries.

- No fee
- Cancel anytime

Learn more

Get it Tuesday, Mar 22

In Stock

Qty: 1

Deliver every: 2 months (Most common)

Set Up Now

Auto-deliveries sold by Genexa and fulfilled by Amazon

Add to List

Share

Have one to sell? Sell on Amazon

2,830



Clean Medicine Without the Junk
Organic Beet Root Extract vs FD&C
Red Dye No. 40

Which do you prefer?

#genexa #cleanermedicine
#choosecleaner #readyourlabels



Summary

Johnson & Johnson Consumer, Inc. McNeil Healthcare Division (JJCI) challenged express and implied claims made by Genexa Inc. for its over-the-counter children's pain and fever medicine. Specifically, JJCI challenged several express and implied pediatrician preference claims about the inactive ingredients in traditional OTC children's pain and fever medicine. The National Advertising Division (NAD) found that one reasonable message conveyed by the challenged advertising is that pediatricians surveyed prefer Genexa's product to JJCI's products, although the surveyed pediatricians expressed a preference solely based upon the ingredients contained in the products. NAD recommended that the pediatrician preferred claims be discontinued.

JJCI also argued that the Genexa advertising made false and disparaging claims about traditional children's pain and fever medicine, including claims such as "PARABENS is stuff you'll find in ALL PURPOSE CLEANER. And, for some reason, in kids' fever

medicine." NAD concluded that the challenged claims conveyed the message that other products are unsafe or potential risks or dangers, a message that was not supported, and recommended that the claims be discontinued.

A National Advertising Review Board (NARB) panel found that Genexa had no support for the challenged claims and recommended that the claims be discontinued or modified to make clear that the pediatrician's preference was limited to the ingredients. The panel also affirmed NAD's finding related to the challenged ingredient claims that the advertising conveyed a message that the inactive ingredients in other products are generally unsafe, harmful, or dangerous, and that such a message was unsupported. The NARB panel recommended that such claims be discontinued or modified to avoid conveying the message that competing products with other inactive ingredients are harmful.

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The Procter & Gamble Company (Febreze)

National Advertising Division

NAD Case #6977

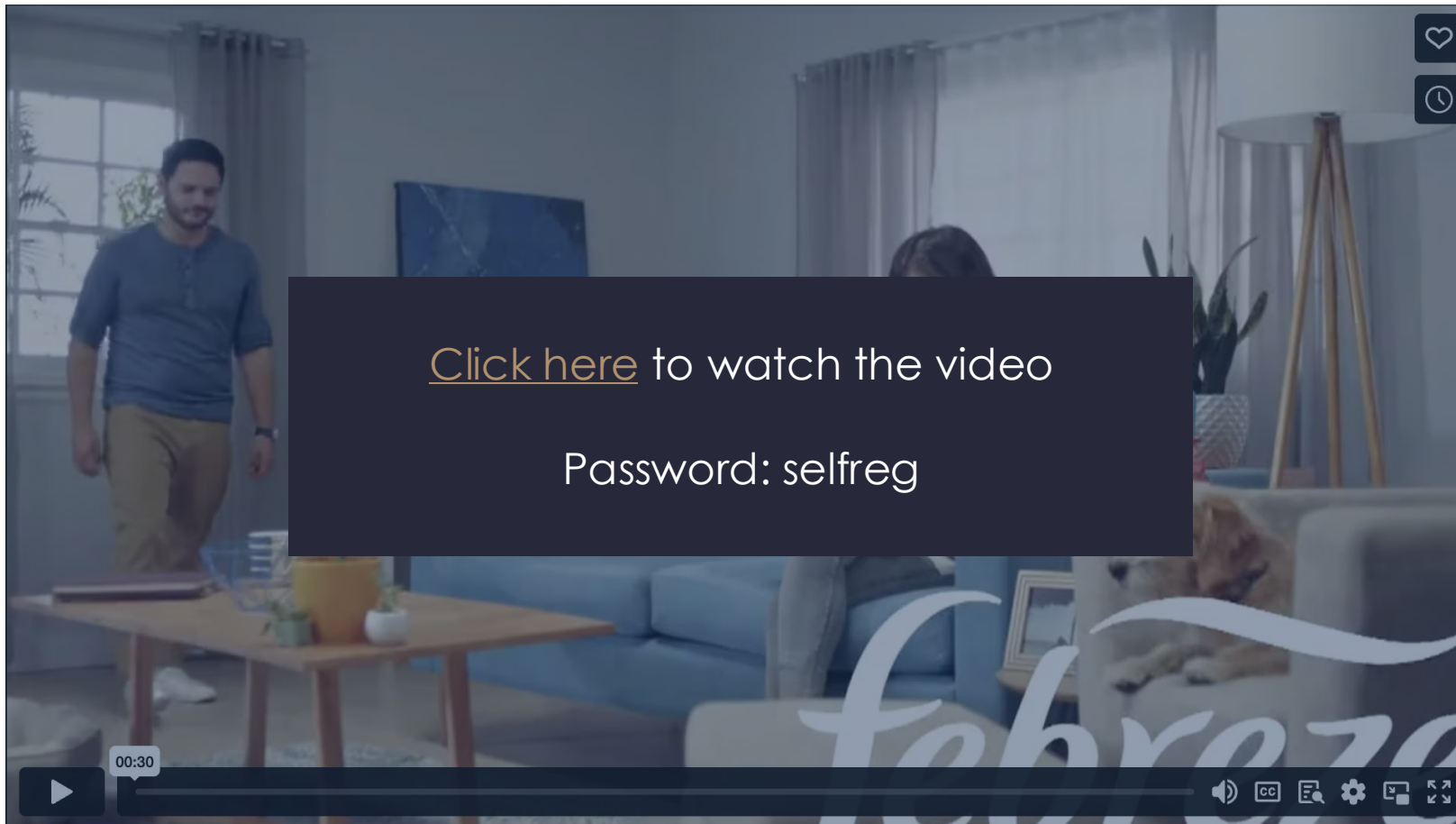
May 2022

National Advertising Review Board

NARB Panel Report #303

August 2022

Relevant Media



Summary

S. C. Johnson & Son, Inc. challenged express and implied claims made by The Procter & Gamble Company (P&G) for its Febreze line of products. The challenged “odor elimination” claims appeared in online advertisements, commercials and on the Febreze website. The National Advertising Division (NAD) determined that certain advertisements reasonably conveyed the message that Febreze products physically and chemically eliminate odors on a molecular level, whereas other challenged advertisements reasonably conveyed a message limited to the perception of malodor.

NAD concluded that the extensive testing and reports submitted by P&G were not a good fit for claims of physically or chemically eliminating malodor on a

molecular level. A purely sensory test, which is intended to test only perception of odors, is not sufficient to support a claim of physical or chemical odor elimination because such a test evaluates only the perception of malodors, and not whether the odors have been physically or chemically eliminated. In addition, NAD found that P&G's sensory testing was not a good fit for claims of sensory elimination (including instant and continuous elimination) due to the lack of evidence bridging the laboratory testing to real world conditions.

A National Advertising Review Board (NARB) panel affirmed NAD's decision and recommended that P&G discontinue certain “odor elimination” claims that P&G makes across its Febreze line of home fragrance products.

11

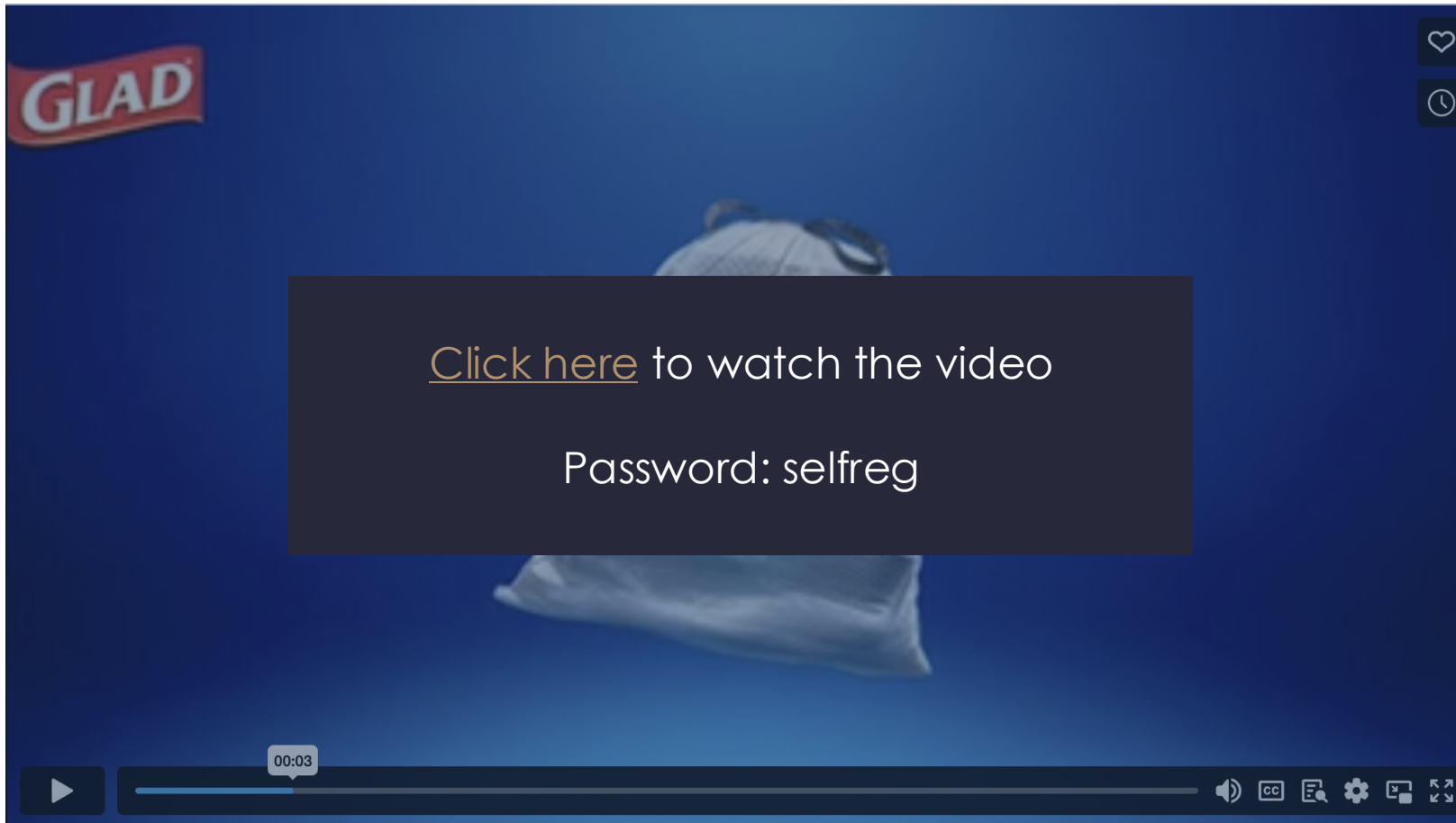
Glad Products Company

National Advertising Division

NAD Case #6992

January 2022

Relevant Media



Summary

Reynolds Consumer Products LLC challenged express and implied claims for Glad Products Company's trash bags. While the National Advertising Division (NAD) determined that product packaging for Glad Products Company's ForceFlex Plus with Clorox Tall Kitchen Drawstring Bags appropriately ties the Clorox brand to its odor elimination role, and that product packaging for Glad's Quick-Tie Tall Kitchen CloroxPro Trash Bags does not have the potential to confuse consumers, it recommends that certain claims be modified or discontinued:

- Glad ForceFlex Plus with Clorox bags help consumers "maintain a clean and healthy home" and "keep

your home feeling clean & healthy" to avoid conveying the message that ForceFlex Plus with Clorox trash bags contain disinfecting attributes that contribute to a clean and healthy home.

- The depiction of the "germ-fighting" style imagery and use of the term "with Clorox protection" in its Amazon video to make clear that the benefit being promoted is odor elimination benefit and not a disinfecting one.

NAD recommended the "Cleaning Commercial" be discontinued. When companies co-brand their products, it is important that the advertising make clear each brand's role in the co-branded product.

12

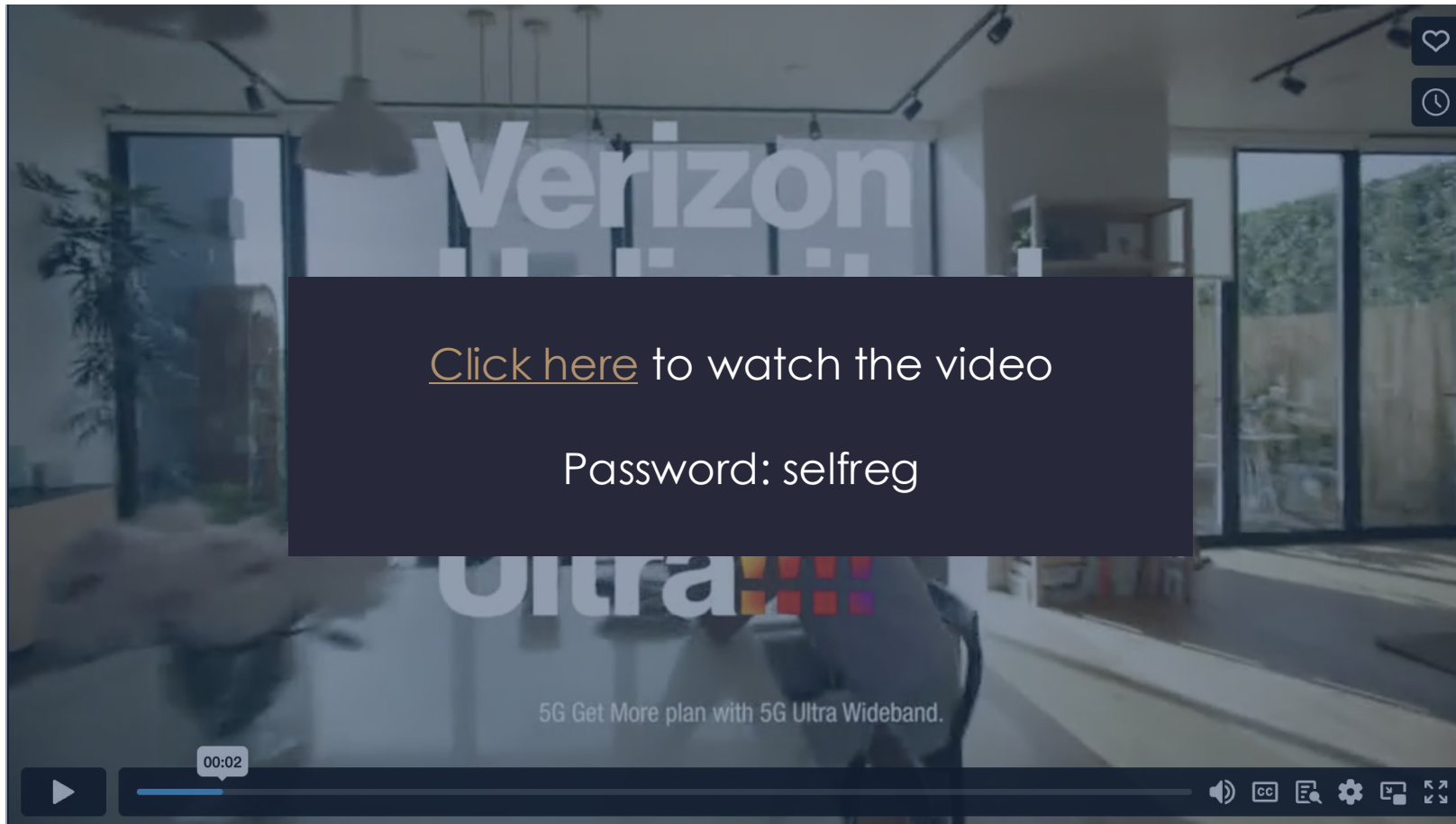
Verizon (Ultra Wideband)

National Advertising Division

NAD Case #7106

August 2022

Relevant Media



Summary

In early 2022, Verizon Communications, Inc. expanded its 5G Ultra Wideband brand to include 5G connections on its mid-band or “c-band” network, which provides slower but broader coverage than connections on its high band network. AT&T Services, Inc. challenged express and implied claims that Verizon’s advertising conveyed the message that its 5G Ultra Wideband connectivity and associated performance benefits are available nationwide and are more available than unavailable. The National Advertising Division (NAD) disagreed that Verizon’s advertising conveyed a message of widespread availability but conveyed the message that Verizon is expanding its network in cities, not broadly in all geographic locations.

NAD concluded that Verizon provided a reasonable basis for its claims that 5G Ultra Wideband is available in over 50% of all cities. However, NAD recommended that when

using a disclosure that states the number of “cities” where 5G Ultra Wideband is available, Verizon modify its advertising to explain how it defines “cities” for consumers. AT&T also challenged Verizon’s “Most Reliable” claim.

NAD concluded that consumers could reasonably understand the “Most Reliable” message to apply to 5G Ultra Wideband. NAD recommended that the “Most Reliable” claim be discontinued because the RootMetrics report relied on by Verizon evaluated Verizon’s 5G Ultra Wideband network before it included c-band spectrum. While there are situations where older data can be used to substantiate a claim, especially in the fast-paced 5G industry where reports often lag behind innovations, this is not the case when there are major changes to a product or services that would directly render the older data stale.

13

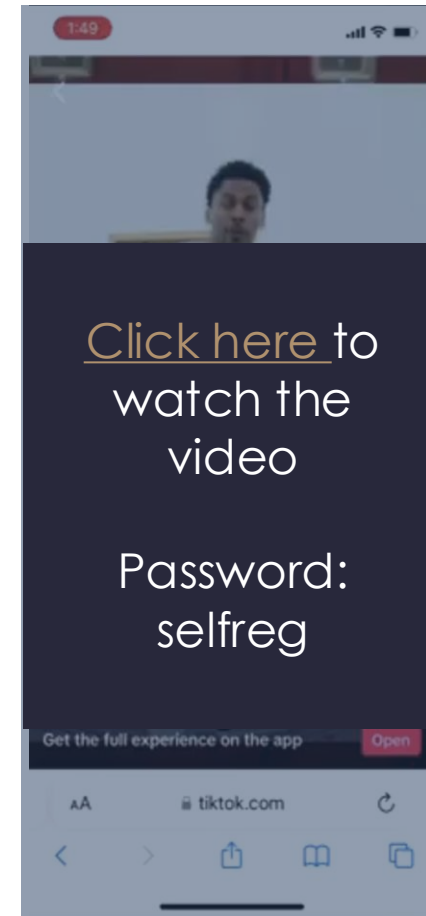
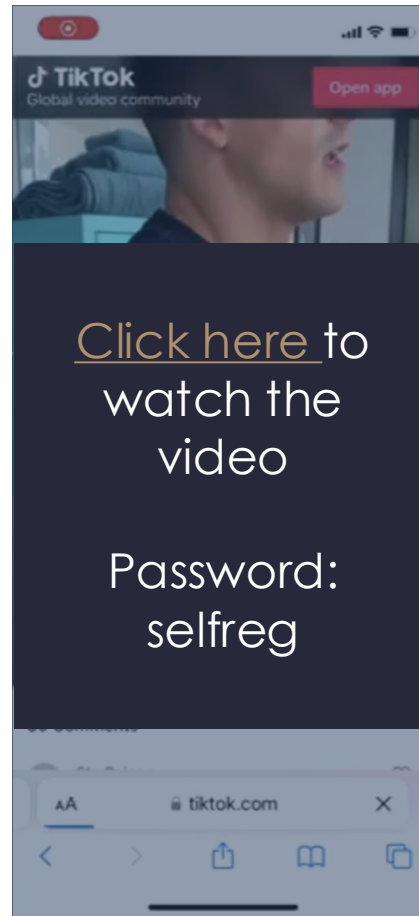
Unilever United States, Inc.

National Advertising Division

NAD Case #7273

May 2024

Relevant Media



Summary

The Procter & Gamble Company challenged express and implied claims made by Unilever for its Degree Advanced antiperspirant in connection with its Gray T-Shirt Challenge campaign. The National Advertising Division (NAD) concluded that the evidence in the record demonstrated Degree Advanced antiperspirant's effectiveness at reducing underarm sweat, but the product demonstrations in the videos and commercials go beyond sweat reduction and show the absence of sweat marks on user's underarms.

Accordingly, NAD recommended that Unilever discontinue express and implied claims that Degree Advanced antiperspirant completely prevents underarm sweat and sweat marks during intense exercise sessions. In addition, NAD determined that comparisons between Degree Advanced and Old Spice antiperspirants should be limited to the products compared and avoid conveying the message that all Degree Advanced antiperspirant products provide superior wetness prevention and reduction compared to all Old Spice antiperspirant products.

14

Comcast Cable Communications, LLC.

National Advertising Division

NAD Case #7212

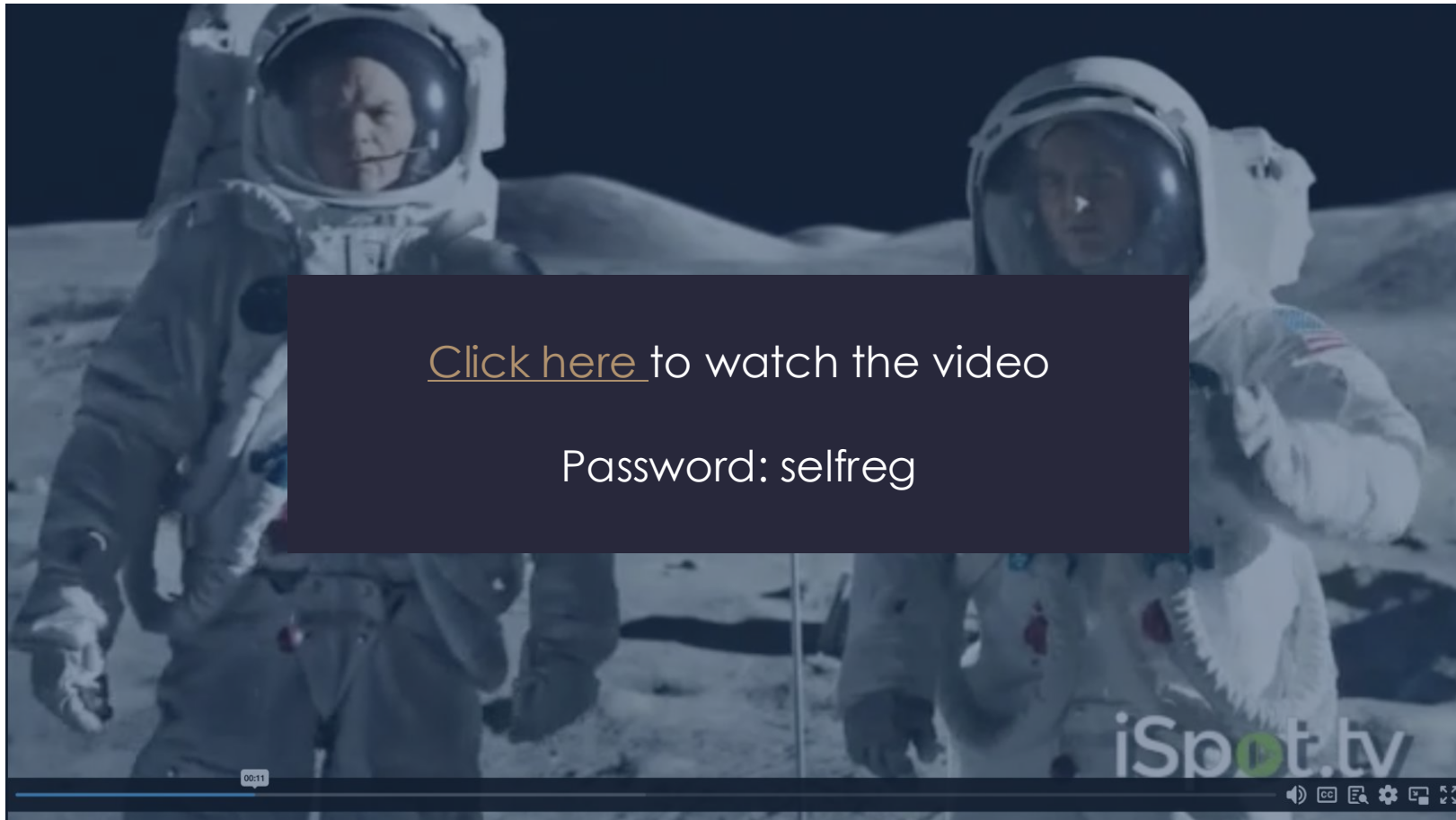
October 2023

National Advertising Review Board

NARB Case #325

January 2024

Relevant Media



Summary

T-Mobile US, Inc. challenged express and implied claims made by Comcast for its Xfinity 10G network and provided a consumer survey as evidence that consumers are misled by the “10G” name. Relying in part on T-Mobile’s consumer survey, which the National Advertising Division (NAD) found persuasive, NAD concluded that “10G” as used in the name “Xfinity 10G” conveys both an express and implied message that 10G means 10 Gbps (10 gigabits per second) as well as 10th Generation.

NAD determined that the evidence did not support the broad unqualified message that all consumers on the network will receive a significant increase in speed up to 10Gbps. NAD recommended that Comcast discontinue the following claims: “10G,” “Xfinity 10G,” and “Xfinity 10G Network” or modify its advertising to make clear that it is implementing improvements

that will enable it to achieve 10G and that 10G is an aspiration. NAD found that Comcast provided a reasonable basis for its “Next Generation” claims that appeared in several commercials, and that Comcast has implemented several substantial upgrades and improvements supporting the claim.

A National Advertising Review Board (NARB) panel affirmed NAD’s decision and recommended that Comcast discontinue the term 10G, both when used in the name of the network itself as well as when used to describe the Xfinity network. NARB concluded that 10G expressly communicates that the Xfinity network provides subscribers with 10 Gbps speeds, a claim not supported by the evidence.

Emerging Issues

15

JBS USA Holdings, Inc.

National Advertising Division

NAD Case #7135

February 2023

National Advertising Review Board

NARB Panel Report #313

May 2023

Relevant Media

6/24/22, 5:20 PM

JBS Makes Global Commitment to Achieve Net-Zero Greenhouse Gas Emissions by 2040 — JBS Foods

JBS

FOODS®

Q

≡

JBS Makes Global Commitment to Achieve Net-Zero Greenhouse Gas Emissions by 2040

Press Release

Mar 23, 2021

JBS

NET ZERO | 2040



Commitment is a First for the Global Meat and Poultry Sector

<https://jbsfoodsgroup.com/articles/jbs-makes-global-commitment-to-achieve-net-zero-greenhouse-gas-emissions-by-2040>

1/5

National Programs

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63

Summary

The Institute for Agriculture and Trade Policy (IATP), a not-for-profit organization with the mission of working for fair and sustainable food and farm systems, challenged “net zero” claims made by JBS, the second-largest food company and the largest animal protein producer in the world. The National Advertising Division (NAD) determined that certain “net zero” claims such as “JBS is committing to be net zero by 2040” reasonably created consumer expectations that JBS has a plan in place to achieve its advertised “net zero” emissions by 2040.

NAD concluded that while JBS provided evidence of a significant preliminary investment toward reducing emissions by 2040, the record did not support the broad message conveyed that JBS has a plan that it is implementing today to achieve net zero environmental impact by 2040. NAD recommended that JBS discontinue the challenged “net zero” claims.

A National Advertising Review Board (NARB) panel affirmed NAD’s decision and recommended that JBS discontinued the challenged “net zero” claims.

16

PerSe Beauty Inc.
d/b/a Prose

National Advertising Division

NAD Case #6992

May 2021

Relevant Media

4/9/2021

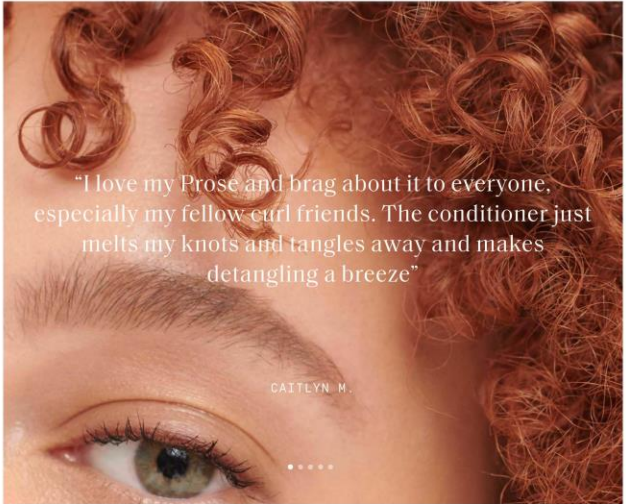
Prose's website displaying cherry-picked 5-star reviews, April 9, 2021 - <https://www.prose.com/reviews>
Prose reviews | Prose Hair

Over 192,000 5-star product reviews!

Menu

prose

Get Started



"I love my Prose and brag about it to everyone, especially my fellow curl friends. The conditioner just melts my knots and tangles away and makes detangling a breeze"

CAITLYN M.

★★★★★

Prose by the numbers

85+

factors examined to create our custom formulas

<https://prose.com/reviews>

1/9

4/9/2021

Prose's website displaying cherry-picked 5-star reviews, April 9, 2021 - <https://www.prose.com/reviews>
Prose reviews | Prose Hair

Over 192,000 5-star product reviews!

Menu

prose

Get Started

products one could find at the grocery stores, and finally decided to take the leap and try out Prose. I typically have flat hair that gets oily quickly, and Prose was an amazing solution. I do not regret it AT ALL! I have been recommending Prose to all of my friends. From the amazing scent to the way it makes my hair feel to the knowledge that I am finally taking good care of my hair and scalp, Prose is amazing. 10/10 would recommend!

Laurie D.

IN THE PRESS

"I tried a customized hair-care regimen and was blown away by the results."

allure

"Prose is the custom haircare you need to try."

—MANE ADDICTS—

"Prose is one of the biggest and most successful entrants in ... customizable hair care."

<https://prose.com/reviews>

5/9

4/9/2021

Prose's website displaying cherry-picked 5-star reviews, April 9, 2021 - <https://www.prose.com/reviews>
Prose reviews | Prose Hair

Over 192,000 5-star product reviews!

Menu

prose

Get Started

to be. I was dubious about whether it would be worth it to spend this much money on my hair products, but there's no way I'm going back.

Rebecca R.

★★★★★

I'm in love with the Prose scalp treatment and shampoo. I've been trying to deal with my flaky scalp, oily and thin hair for too long with just about every drugstore and fancy salon product and nothing worked. I even tried not shampooing, but then something would come up and I would have to reset. The Prose products are working where so many have failed! I can't recommend this enough to my friends and family.

Moon M.

★★★★★

I was excited when a friend mentioned Prose to me. I love that they create the products to fit my needs based on what I'm looking for and even the state I live in. The smell of the shampoo/conditioner is amazing too! My hair feels great and the smell lasts all day. The products have helped my scalp and I hope with more continued use that it keeps helping. I highly recommend giving it a try. Totally worth it!

Alicia R.

★★★★★

I was on the hunt for a new shampoo and conditioner and I stumbled upon Prose. I have had an amazing experience with Prose. I enjoyed the questionnaire to determine what worked best for my hair and choose my own fragrance was great. I have seen a change with my hair, it seems healthier and happy. I like that I can go back and customize at any point as well as the subscribe and save.

Shayline R.

<https://prose.com/reviews>

4/9

Summary

Function Inc. challenged claims made by PerSe Beauty Inc. about its use of product reviews on its website. Product reviews may be considered reliable when they are matched to a bona fide purchaser; the solicitation gathers all opinions (for example, "tell us what you think" versus "tell us why you loved it"); counted reliably and in-line with consumers' expectations (for example, the same review across multiple platforms is only counted once); and any incentives are disclosed.

The National Advertising Division was unable to assess the reliability of the advertiser's evidence and how reviews were collected and maintained so recommended that the advertiser discontinue the claims.

17

The Procter & Gamble Company (Native)

National Advertising Division

NAD Case #7277

June 2024

Relevant Media



Summary

SC Johnson & Son Inc., maker of the Method® brand products, challenged express and implied claims made by P&G for its Native Brand Personal Care Products. The National Advertising Division (NAD) determined that P&G's use of "simple" in its tagline "Clean. Simple. Effective." was supported with respect to the message that the products contain few or minimal ingredients. NAD found, however, that the description of Native ingredients as "simple" was not supported for its deodorants, body washes, body lotion, conditioners, and shampoos due to the complex manufacturing processes of ingredients found in Native products.

NAD recommended that P&G discontinue or modify its use of the claim "simple ingredients" when describing these products.

In addition, NAD found P&G's monadic "safe" claims such as "safe & simple products made without harsh ingredients" to be supported. NAD also determined that one message conveyed by P&G's "Born in the USA" claim is that Native products are made in the USA, a claim that was not supported. NAD recommended that the "Born in the USA" claim be discontinued.

18

BestCompany.com, LLC

National Advertising Division

NAD Case #6999

January 2022

Relevant Media

[Home](#) / [Health & Lifestyle](#) / [Invisible Braces](#)

Best Invisible Braces

16 Companies | 7,949 Real Customer Reviews



#1 Overall

byte

- Patented HyperByte® Device Included
- Ranked #1 Overall in Customer Service
- Offering Lifetime Guarantee

[View Profile](#) | [Visit Site](#)

VERIFIED

9.6

Overall Score

★★★★★

4,168 User Reviews

17 hours ago



#2

SmileDirectClub

- Network with Many Insurance Providers, See if You're Covered
- See Results in as Little as 60 Days with No Office Visits
- Treatments Prescribed and Managed by Licensed Dentists and Orthodontists

[View Profile](#) | [Visit Site](#)

VERIFIED

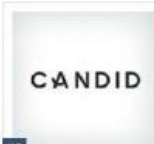
8.9

Overall Score

★★★★★

2,230 User Reviews

17 hours ago



#3

Candid

- Works Exclusively with Orthodontists, Not Dentists
- Industry-Leading Oversight with CandidMonitoring
- Financing Available at \$79 per Month

[View Profile](#) | [Visit Site](#)

VERIFIED

8.5

Overall Score

★★★★★

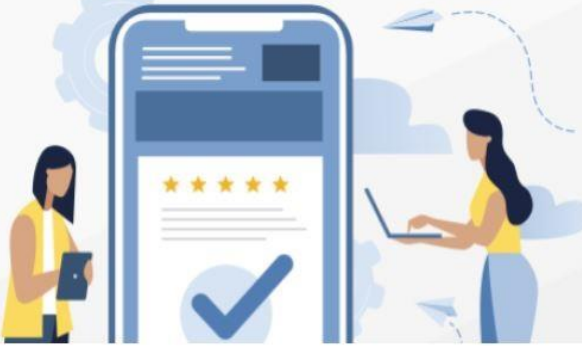
1,143 User Reviews

17 hours ago

BestCompany

Search

[About](#) [Categories](#) [Write a Review](#) [For Business](#)



OUR PROMISE

We Promise Accurate Rankings and Honest Reviews

Rankings cannot be bought. We have been offered seven figures—multiple times—to alter our rankings to unfairly favor one company over another, not based on merit, but to “buy” a top spot. We love when this happens because we have an opportunity to share our vision with that company. We explain what the company will need to improve in order to earn a higher ranking.



Trusted Rankings

We rank companies based on a simple and transparent ranking algorithm that weights user reviews and industry data. Companies cannot buy their rank, period.

 **National Programs**

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72

Summary

SmileDirectClub, LLC, a provider of clear aligner “invisible braces,” challenged express and implied claims made by BestCompany.com, LLC on its BestCompany.com website, which provides general information, reviews, and recommendations for a variety of products and services. At issue was whether Best Company operated as an impartial independent review site. Product rankings that appear on independent, third-party websites have a powerful effect on purchasing decisions, and consumers often rely on and trust these sites that appear to offer accurate, unbiased information favoring one product or brand over another. Product recommendations should be independent and based on reviews that are

representative of the universe of consumer reviews for all companies reviewed and ranked.

The National Advertising Division (NAD) determined that Best Company was not able to support the express and implied messages that its website is independent because its ranking criteria results in a higher score for businesses that have partnerships with Best Company and recommended that such claims be discontinued. However, NAD determined that Best Company had a reasonable basis for the claim that all reviews posted on the site are “moderated through a tech-enabled proprietary 7-point moderation process to ensure they are real and authentic.”

19

HoldOn Bags Inc.

National Advertising Division

NAD Case #7286

May 2024

Relevant Media

FROM THE EARTH,
FOR THE EARTH

We use nontoxic ingredients like PBAT, PLA and cornstarch to produce our strong and sustainable material. Our plant-based renewables come from the earth and degrade cleanly back into the earth, without producing microplastics or toxic residue.

SUSTAINABLE
WITHOUT SACRIFICE

Our heavy duty bags are made with a unique mix of cornstarch, plant-based renewables and nontoxic materials, so you don't have to compromise convenience to care for the earth.

SHOP ALL



A BETTER WAY.
A BETTER BAG.

Heavy duty, plant-based, 100% home compostable trash and storage bags that break down in weeks, not centuries.

SHOP NOW



HOME
COMPOSTABLE

PLANT-
BASED

HEAVY
DUTY

BPI
CERTIFIED

NON
TOXIC

HOME
COMPOSTABLE

PLANT-
BASED

HEAVY
DUTY

BPI
CERTIFIED

NON
TOXIC

A Better Way, A Better Bag.

BETTER BAGS FOR
PEOPLE AND THE
PLANET

Plastic bags create an enormous amount of pollution, piling up in landfills and oceans long after we've thrown them away. We knew there had to be a better way - so we created HoldOn. Our home compostable bags are made from nontoxic, plant-based material. Now, you don't have to compromise to care for the planet.



Summary

The Glad Products Company challenged express and implied claims made by HoldOn Bags for its trash bags used for trash and composting. The National Advertising Division (NAD) determined that HoldOn Bags has a reasonable basis to claim that its trash bags break down in compost environments, but recommended

that its claims be modified to clearly and conspicuously disclose the circumstances in which the bag will degrade, compost, or break down. In addition, NAD recommended that HoldOn Bags modify its advertising to avoid conveying messages of general environmental benefits or that HoldOn bags are not plastic.

20

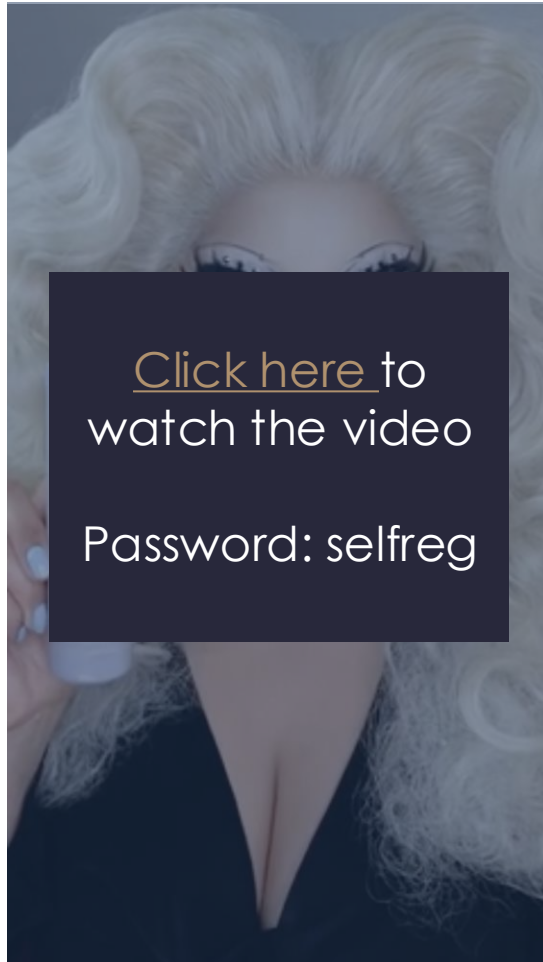
Fenty Skin LLC

National Advertising Division

NAD Case #7224

April 2024

Relevant Media



Summary

The National Advertising Division (NAD) inquired into express and implied claims, including influencer product demonstrations, made by Fenty about its Melt AWF Jelly Oil Makeup-Melting Cleanser's ability to remove makeup, dirt, and impurities that appeared on Instagram. NAD concluded that Fenty had reliable support for its product performance claims based on

independent clinical testing of the product along with a consumer use survey. NAD recommended that Fenty modify influencer posts that did not clearly and conspicuously disclose a material connection to Fenty in a video demonstration and recommended it include its material connection disclosure in the video itself.

21

Fabletics, Inc
JPMorgan Chase Bank, NA
Kevin Hart

National Advertising Division

NAD Cases #7371, #7372, #7373

February 2025

Relevant Media



Summary

In three related matters, NAD inquired about the relationship between celebrity influencer Kevin Hart, Fabletics, and JPMorgan Chase. Specifically, NAD examined whether Hart's social media posts adequately disclosed his financial relationship and material connection with Fabletics and JPMC.

Fabletics informed NAD that the Instagram posts had been updated to clearly disclose Hart's material connection with Fabletics and that it will require Hart to include appropriate disclosures in all future posts. JPMC informed NAD that Hart would use a clear disclosure and that JPMC would move the material connection

disclosure to appear above the fold so that consumers would not have to click "more" to see the disclosure. Hart informed NAD that he and his social media team are committed to ensuring that his social media posts include clear and conspicuous material connection disclosures.

22

Skims Body, Inc.

National Advertising Division

NAD Case #7365

March 2025

Relevant Media



Summary

NAD inquired into the nature of the relationship between Skims and its paid influencers, Brittany Mahomes and Lana Del Rey, as well as the steps Skims has taken to ensure that its influencers adequately disclose their material connections with Skims in social media posts. NAD recommended that Del Rey discontinue or modify her posts to include a clear and conspicuous material connection disclosure.

Although the posts by Mahomes did not mention Skims in the caption, the brand was tagged in the images, making them endorsements under the FTC Endorsement Guides requiring a material connection disclosure.

23

Samsung Electronics North America

National Advertising Division

NAD Case #7369

June 2025

Relevant Media

← → ↻

samsung.com/us/home-appliances/refrigerators/bespoke/bespoke-counter-depth-4-door-flex-refrigerator-23-cu-ft-with-ai-family-hub-and-ai-vision-inside... ☆

Bespoke Counter Depth 4-Door Flex™ Refrigerator (23 cu. ft.) with AI Family Hub™+ and AI Vision Inside™ in White Glass

Total \$3,499.00 ~~\$5,344.00~~

Samsung Financing starting from \$145.79/mo ~~\$249.66/mo~~ for 24 months¹

ADD TO CART

Benefits Specs Reviews Related Support

Get exclusive, extra savings with Samsung Offer Programs ▾

Chat with an Expert



Family Hub™+, it's more than a fridge

Samsung's Family Hub™+ keeps your family connected anytime, anywhere. You can share pictures, videos and drawings with Google photos,* control your smart appliances and devices, get all the benefits of Alexa built-in and quickly buy items with Amazon Your Essentials right from your fridge.**

*Google and Google Photos are trademarks of Google LLC.
**A Wi-Fi connection and Samsung account required.

Get smart energy[‡] savings of up to 10%[†]

SmartThings Energy lets you monitor and manage your refrigerator's power usage. Reduce your energy use by up to 10%[†] with AI Energy mode[‡], all from your phone.

[†] Comparing factory setting temperature without AI Energy mode and with AI Energy, which optimizes the compressor speed and defrost cycle based on usage pattern and conditions. Results may vary depending on the usage pattern and conditions.
[‡] Available on compatible models from June 2023 through a Wi-Fi

← → ↻

samsung.com/us/home-appliances/refrigerators/bespoke/bespoke-counter-depth-4-door-flex-refrigerator-23-cu-ft-with-ai-family-hub-and-ai-vision-inside... ☆

Bespoke Counter Depth 4-Door Flex™ Refrigerator (23 cu. ft.) with AI Family Hub™+ and AI Vision Inside™ in White Glass

Total \$3,499.00 ~~\$5,344.00~~

Samsung Financing starting from \$145.79/mo ~~\$249.66/mo~~ for 24 months¹

ADD TO CART

Benefits Specs Reviews Related Support

Get exclusive, extra savings with Samsung Offer Programs ▾

Chat with an Expert

360°

Key Features



Family Hub™+ Auto Open™ Beverage Center™ Dual Auto Ice Maker

- AI Family Hub™+: Bespoke 4-Door Flex™ 23 cu. ft. Refrigerator features AI Family Hub™+ with the industry's largest screen¹ and changeable door panels.²
- AI Vision Inside™: Automatically recognizes what's in your fridge, so you always know what's inside.
- Beverage Center™: Provides quick and easy access to refreshingly cold water two ways: an internal dispenser or a built-in AutoFill Water Pitcher.

1. Based on 2022 data.

Relevant Media

samsung.com/us/home-appliances/refrigerators/bspoke/bspoke-counter-depth-4-door-flex-refrigerator-23-cu-ft-with-ai-family-hub-and-ai-vision-insid...

Bespoke Counter Depth 4-Door Flex™ Refrigerator (23 cu. ft.) with AI Family Hub™+ and AI Vision Inside™ in White Glass

Total **\$3,499.00** ~~\$5,114.00~~ Samsung Financing starting from **\$145.79/mo** ~~\$213.00/mo~~ for 24 months¹ [ADD TO CART](#)

[Benefits](#) [Specs](#) [Reviews](#) [Related](#) [Support](#)

Get exclusive, **extra savings** with [Samsung Offer Programs](#) [Chat with an Expert](#)

The industry's smartest fridge

AI Family Hub™+ with the industry's largest screen¹ lets you share pictures, stream music and videos, access recipes, and more, all from your fridge.²



Summary

The National Advertising Division inquired about certain express and implied claims Samsung made on its website for its Bespoke line of refrigerators, which included both Family Hub and AI Family Hub+ refrigerators. The AI Family Hub+ line has advanced AI features, including AI Energy Mode and AI Vision Inside.

While NAD's inquiry was pending, Samsung voluntarily agreed to permanently modify its express claims about AI Vision Inside to discontinue claims that AI Vision Inside can "always" and "automatically" recognize all food items inside the refrigerator. Samsung also voluntarily agreed to permanently modify these claims to more clearly disclose the functionality of the feature,

including more prominent language identifying the number and type of food recognized.

Samsung also voluntarily agreed to permanently modify its claims for its View Inside feature to more clearly disclose the functionality of the feature and to avoid conveying the message that all of the Family Hub subline of refrigerators use AI. NAD did not review the "AI Vision Inside" and "View Inside" claims on the merits and will treat the claims, for compliance purposes, as though NAD recommended they be modified or discontinued and the Advertiser agreed to comply.

24

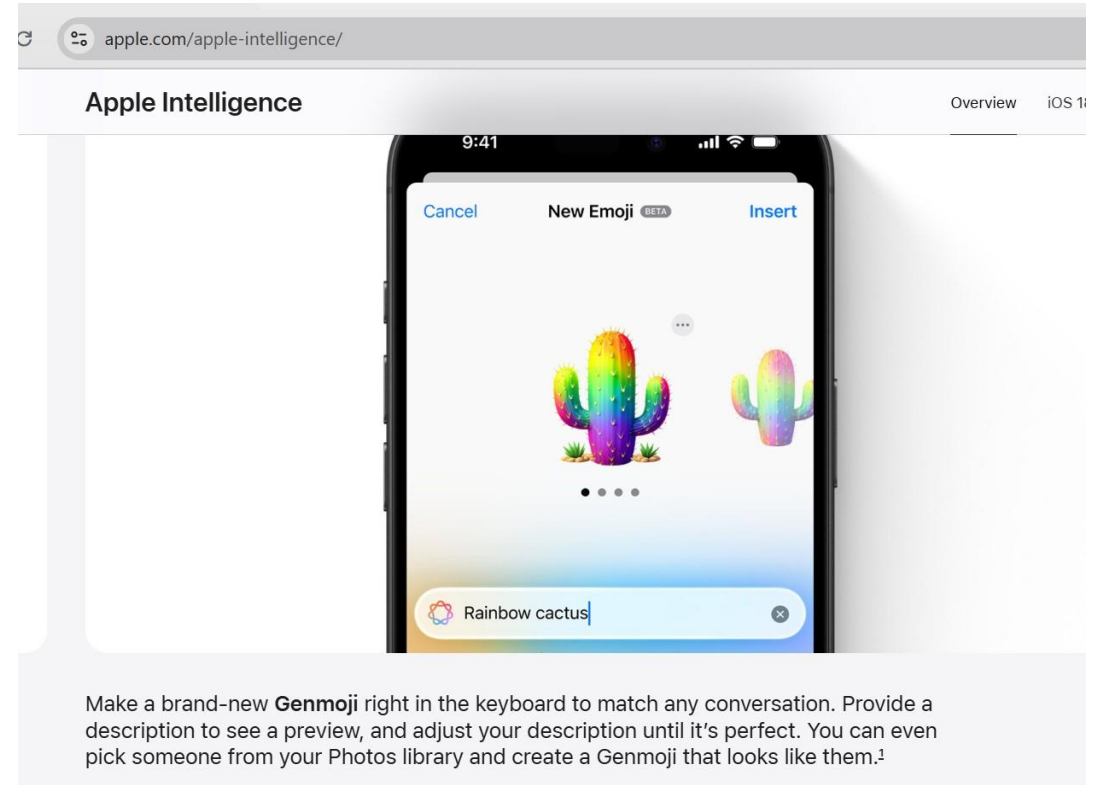
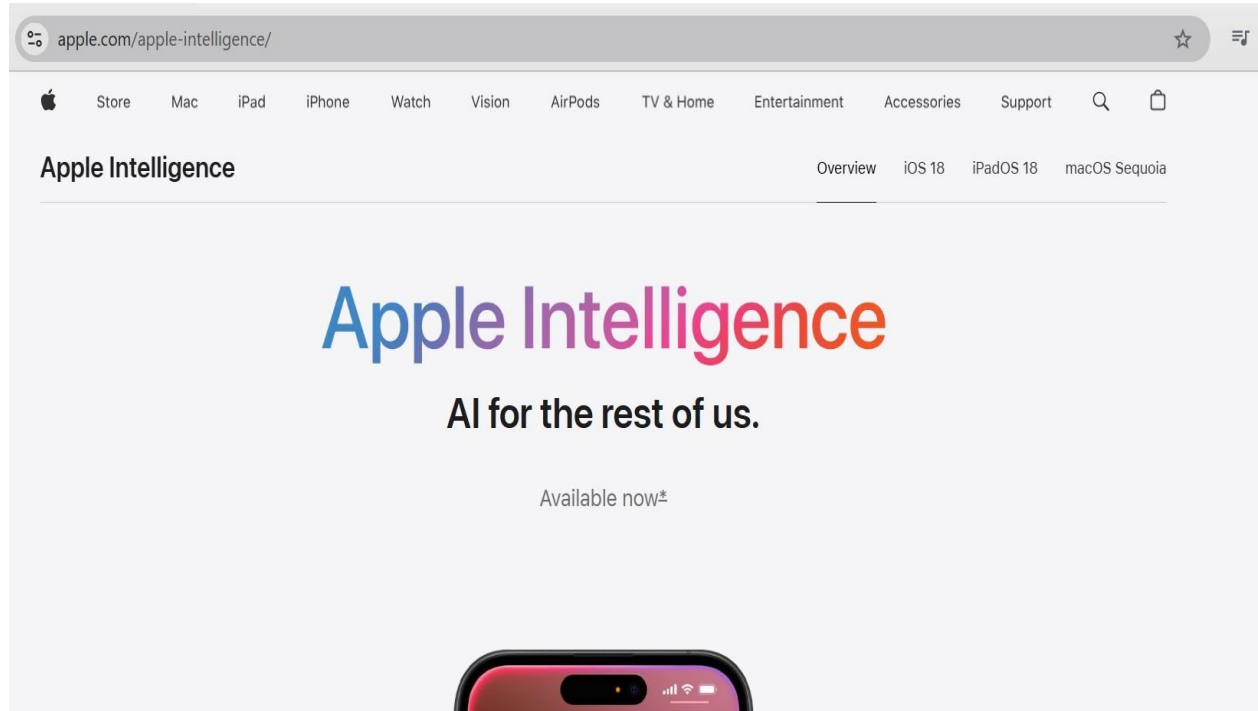
Apple Inc.

National Advertising Division

NAD Case #7410

April 2025

Relevant Media



Summary

NAD inquired into express claims made by Apple related to its Apple Intelligence launch. NAD's inquiry focused on claims made on the Apple Intelligence webpage and on promotional materials for the iPhone 16 and iPhone 16 Pro that conveyed the availability of certain Apple Intelligence features, including Priority Notifications, Image Generation tools, ChatGPT integration into Siri, as well as Writing Tools and new Siri capabilities. NAD found that Apple's unqualified "Available Now" claim positioned at the top of its Apple Intelligence webpage and above detailed feature descriptions conveyed the message that the features were available at the launch of the iPhone 16 and iPhone 16 Pro.

Although Apple launched these features in staggered software updates, NAD found that the claims were not supported at the time they were made and that the small print disclosures were not clear and conspicuous. During the inquiry, Apple informed NAD that certain Siri features would not be available on the original timeline and updated its promotional materials accordingly and modified claims and disclosures to adequately communicate their status.

25

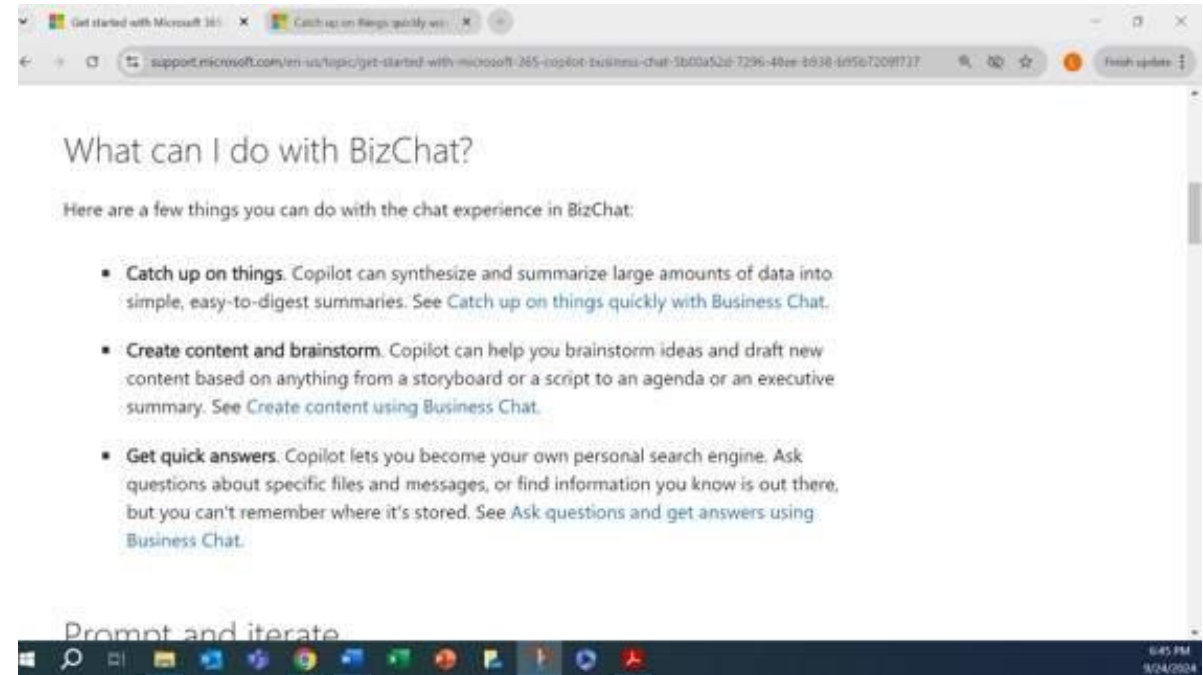
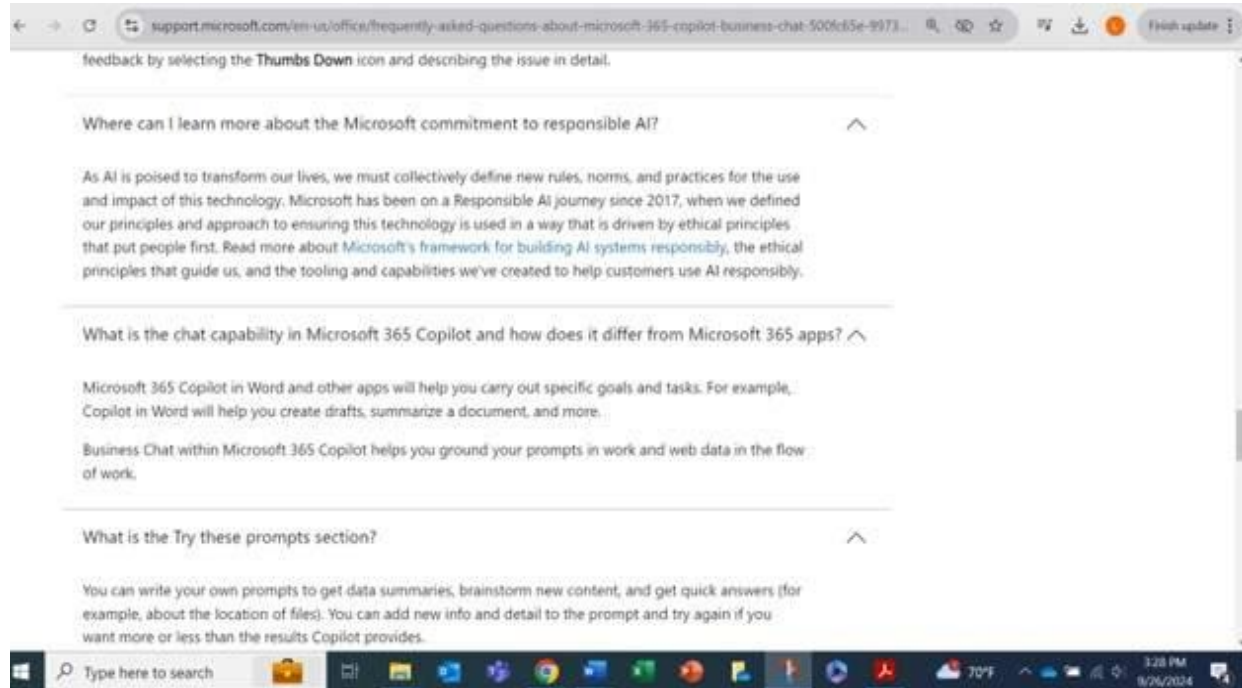
Microsoft Corporation

National Advertising Division

NAD Case #7390

May 2025

Relevant Media



Summary

NAD inquired about certain express and implied claims made by Microsoft that its 365 Copilot can assist users with “Get[ting] up to speed in less time” by “working seamlessly across all your data” and that Business Chat “helps you ground your prompts in work and web data in the flow of work.” NAD examined whether the claims of “seamlessly” and “in the flow of work” – along with the universal product description of “Copilot” – adequately communicated the differences in functionality between Copilot and Business Chat in Microsoft Office apps.

NAD recommended that Microsoft modify these broad claims and disclose any material limitations related to how Business Chat assists consumers. NAD found that the study relied on for the claim “Over the course of 6, 10, and more than 10 weeks, 67%, 70%, and 75% of users say they are more productive” demonstrated a perception of productivity, but did not provide a good fit for an objective claim. NAD recommended that Microsoft discontinue the claim or modify its advertising to provide a clear basis for the claim.

26

Kinzie Advanced Polymers, LLC d/b/a Grove Bags

National Advertising Division

NAD Case #7527

May 2026

Relevant Media



Relevant Media



Summary

Calyx Containers, LLC challenged express and implied claims made by Grove Bags related to humidity, weight retention, and terpene preservation for its cannabis curing and storage products. While the National Advertising Division (NAD) found that Grove Bags had a reasonable basis for certain of the weight, moisture, retention, and terpene preservation claims, NAD recommended that certain other claims be modified or discontinued to avoid conveying the unsupported

message that the bags “ensure” or consistently achieve a specific humidity range or that the bags create the perfect cannabis climate. In addition, NAD recommended that Grove Bags clearly and conspicuously disclose all material conditions of use in close proximity to the challenged claims to avoid conveying an unqualified performance message.

27

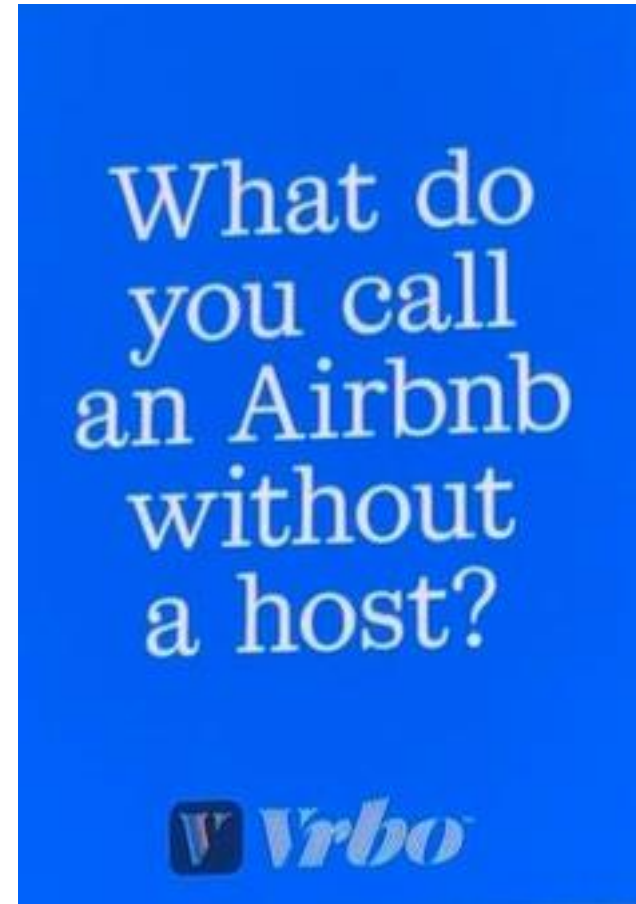
VRBO

National Advertising Division

NAD Case #7448

April 2025

Relevant Media



Summary

Airbnb, Inc. challenged claims made by Vrbo that its short-term rental services are “host-free.” NAD evaluated whether Vrbo’s “host free” campaign conveys the message that Vrbo does not have hosts that cohabit with guests and that Airbnb always has hosts that cohabit with guests during their stay. NAD determined that one message conveyed to reasonable consumers by a commercial featuring sportscaster Nick Saban is that Airbnb always requires cohabitation with hosts, a claim not supported by the record.

NAD recommended that Vrbo discontinue or modify its advertising to avoid conveying the unsupported message that Airbnb properties always have hosts that cohabit with guests during their stay.

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McLean, VA 22102

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