

DECISION

FIRST INSTANCE JURY

Our Reference	A-091
Complaint by	United Brains, for EYPHKA LIMITED
Advertisement	TVC, Fairy Max Power
Advertiser	P&G
Decision issued	Monday 23 December 2024

Issue / Complaint

- The claim «Για 4 φορές λιγότερο τρίψιμο σε σύγκριση με το επόμενο σε πωλήσεις προϊόν», is a comparative claim, asserting that consumers using Fairy Max Power need to do 4 times less scrubbing when washing the dishes, compared to the scrubbing they would need to do if using the next product in terms of sales.
- Less scrubbing is a core product attribute for detergents, which is obviously important to consumers. Moreover, the claim is prominent in the ad, with both verbal and visual references throughout.
- The claim, as presented, is vague. The products to which Fairy Max Power is compared to are unclear. Is the ad referring to the next best-selling product of a different brand, of a variant, is the comparison with products available in Cyprus or another country/countries, does it refer to volume or value sales, of which time period etc.
- Furthermore, the ad does not reference any data to support the claim. Is there a laboratory study, and if so, what are the parameters of the study, is it an independent study, etc.
- In conclusion, Fairy Max Power is making a claim of superiority, of the product being more efficient and effective than competitive products, which is undermined by lack of both specificity, as to the products being compared, and transparency, given that there is no mention of supporting information in the advertisement.
- Therefore, the claim is vague, misleading and exploits consumers' lack of knowledge.

Advertiser's Response

- The complaint under discussion relates to P&G's TV advertisement for the product Fairy Max Power and is specifically confined to the following statement therein: «Έως και 4X λιγότερο τρίψιμο στα ξεραμένα λίπη* από το επόμενο σε πωλήσεις προϊόν».
- Max-Power was launched in Cyprus in July 2023.
- Fairy is the leading hand-dish washing brand in the Cyprus market, based on data from RAI independent research agency Trade Panel.
- To verify the Fairy Max Power claim, the product was tested against Eureka, the second-best selling brand in the Cyprus Market, in both value and volume sales.
- External testing was commissioned by P&G and conducted by SGS Institut Fresenius, part of the worldwide operating SGS group, employing over 96.000 employees in a network of 2,600 offices and laboratories. SGS Institut Fresenius specializes in Inspection, Testing and Certification. SGS is truly independent; it has no ties with any other commercial organisation.
- Between 2022 and 2024, the product Fairy Max Power was tested multiple times. Historical data show that under the chosen test conditions the product Fairy Max Power achieves a complete soil removal on tough grease within 25 wipes.
- The product Eureka was also tested between 2022 and 2024; it was observed that under the chosen test conditions the product did not achieve complete soil removal within 150 wipes. This confirms that the product Fairy Max Power removes tough grease at least 4x faster (25 wipes compared to >150 wipes) than the tested Eureka products.
- Therefore, SGS Institut Fresenius is of the opinion that the claim of the product Fairy Max Power in Cyprus of needing 4x less scrubbing (i.e. 4x faster removal) on tough grease, is valid and can be substantiated versus the tested Eureka products.
- More internal tests were conducted by P&G R&D with manual scrubbing, to further corroborate the claim in question. Those tests also confirmed the veracity of the claim.

Jury Assessment:

1. The jury carefully considered all the information presented to them. As always, the jury starts from the premise that the information presented should be factually true and clear to the average consumer.
2. The jury notes that a statement was submitted by the SGS Institut Fresenius, referring to multiple tests conducted by the institute between 2022 and 2024 on both Fairy Max Power and Eureka products. In those tests, a scrub tester produces backward and forward rubbing movements to simulate the mechanical cleaning procedure. The statement concludes that “SGS INSTITUT FRESENIUS is of the

opinion that the claim of the product Fairy Max Power in Cyprus of needing 4x less scrubbing (i.e. 4x faster removal) on tough grease is valid and can be substantiated versus the tested Eureka products.”

3. In addition to the above, a statement was submitted by SGS Institut Fresenius referring to test results performed at the laboratories of Procter & Gamble Eurocor NV/ SA in Strombeek-Bever, Belgium. SGS observed the performance of that test which involved manual cleaning and concluded that “On the basis of the test performed at the laboratories of Procter & Gamble Brussels, SGS INSTITUT FRESENIUS GmbH confirms that the test product Fairy Max Power showed to have a 4 x faster soil removal than the tested product Eureka. In all pair wise comparison on the same pan, the product Fairy Max Power showed to require 4x less wipes to achieve a complete soil removal.”
4. The jury notes that the data was not contested by Eureka. The company’s representative asked for clarification as to the dates of the tests, since Eureka also changes product formulation from time to time to improve effectiveness. They were satisfied with the reply that tests were conducted in years 2022 to 2024 and that internal tests are also conducted frequently by P&G to ensure that comparisons remain valid.
5. The side of Eureka suggested that a referral to the data supporting the claim should be added to the advertisement. P&G replied that such a referral is not mandatory and may prove confusing or irrelevant to the consumer. The jury does not share the view of P&G on this issue. However, it notes that Article 8 of the Code does not obligate advertisers to include substantiation in the ads per se.
6. Given all the above, the jury considers that there is no breach of the Code by the advertisement.

Appeal to the Review Jury is provided for in the Regulations of the latter (Article 1). A review request is made in writing with reference to the initial complaint and the decision of the First Instance Jury, within 15 working days from the dispatch of the decision of the First Instance Jury to the parties involved.

Please note that filing an appeal does not suspend the decision of the First Instance Jury; the Review Jury will not discuss cases if there has been no compliance with the decision of the First Instance Jury by the party filing the appeal.