

# NEWS RELEASE

For Immediate Release:  
Friday, November 14, 2003

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## **Advertisers Attack Honest Disclosure of Stealth Ads on TV**

Commercial Alert sent a letter today to the "Freedom to Advertise Coalition," regarding their opposition to disclosure of embedded advertising on television.

The "Freedom To Advertise Coalition" is composed of the American Advertising Federation, American Association of Advertising Agencies, Association of National Advertisers, Direct Marketing Association, Magazine Publishers of America, and Point-of-Purchase Advertising International.

The letter follows.

Dear Mr. Nirenberg and Ms. Farthing:

Today, the *New York Times* reported on letters that the "Freedom to Advertise Coalition" sent to the FCC and FTC about our request that TV stations disclose the ads they sneak into their programming. You called our request "impractical," "dangerous," "extreme," "radical," and that it "borders on the ludicrous," and that it would make programming "virtually unwatchable."

Your letter makes our point better than we ever could. Embedded advertising is now so common that it seems TV networks want to turn television into an infomercial-delivery mechanism.

If a little honesty will ruin television that does not say much for television, does it?

You can complain all you want, but the law is the law. Since 1927, listeners have had the right to know who is trying to persuade or influence them. In a democracy, that is an important right. Maybe ad agencies don't care very much about democracy. We do.

You resort to a high-sounding defense of product placement as "art." You claim that for broadcasters to level with their audiences on these stealth ads would "pose a threat to artistic freedom." You portray the ad agencies that arrange these stealth ads as the "'front line' in the protection of our Constitutional rights." You say that people who expect a little honesty in the media "seek to extinguish the free speech rights of those who wish to communicate via these means."

Nice try. But infomercials are advertisements. *American Idol* was an advertisement for Coca-Cola. *The Restaurant* was an advertisement for Coors. When a corporation pays money to have its product shown on television in an attractive setting, that's an advertisement.

You say that you stand for “freedom.” But freedom would mean the freedom *not* to drink or show a Coke. It would mean the freedom to drink something else – some water perhaps -- or nothing at all, if the actor and director so desired. Do they have this freedom?

We understand that many in the advertising industry have a tough time looking themselves in the mirror. We know this because they have said so themselves. We understand why they might like to think of themselves as “artists,” and why you, their lawyer, would choose to portray them this way. We have no doubt either that many bring great skill and creativity to their work.

But an ad is an ad, and dishonesty is dishonesty; and ads must be disclosed as ads. No amount of legal fancy dancing can change that.

Sincerely,

Gary Ruskin  
Executive Director

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Background on product placement is available at:  
[http://www.commercialalert.org/index.php/category\\_id/1/subcategory\\_id/79/article\\_id/191](http://www.commercialalert.org/index.php/category_id/1/subcategory_id/79/article_id/191)

Commercial Alert is a national nonprofit organization whose mission is to keep the commercial culture within its proper sphere, and to prevent it from exploiting children and subverting the higher values of family, community, environmental integrity and democracy.

Commercial Alert has more than 2000 members, representing all 50 states and the District of Columbia. For more information, visit our website at <http://www.commercialalert.org>.