

Full title of law or regulation	Article 22 of the Autocontrol Code of Advertising Practice
Context	<p>Comparative advertising is permitted where the comparison is based on features that can be objectively assessed and not on personal opinions.</p> <p>Example: Autocontrol Jury decision of January 11 2001 concerning a television commercial for Pepsi.</p> <p>The commercial showed a Pepsi and a Coca-Cola delivery man each drinking a bottle of Pepsi and Coca-Cola, respectively. They exchange their drinks as a friendly gesture during the Christmas season. While the Pepsi delivery man takes a sip of his colleague's Coca-Cola and gives it back, the Coca-Cola delivery man refuses to give the Pepsi bottle back after trying it. The Autocontrol Jury deemed the commercial unlawful because the characteristics of the products (e.g. the better taste of a cola) could not be objectively assessed:</p> <p>http://www.autocontrol.es/panelcontrol/web/paghtml/download.asp?file=rest0228.pdf&type=rest&year=2001</p>
Article 22 of the Autocontrol Code of Advertising Practice	<p>22.- Comparisons. Direct or indirect, comparative advertising, shall respect the requirements listed below: a) The goods or services compared shall have the same purpose or meet the same needs. b) The comparison will be done objectively between one or more material, relevant, verifiable and representative features of those goods and services, which may include price. c) In the case of products covered by a designation of origin or geographical indication, specific name or guaranteed traditional specialty, the comparison may be only made with other products of the same designation. d) May not be submitted goods or services as imitations or replicas of good of services bearing a protected trade mark or trade name. e) The comparison does not contravene any rules established by 14, 20 and 21 of the Code of deception, related to denigration and confusion and exploitation of another's reputation</p>