

Case

EDF vs. heating oil Association. Press. January 18, 2012 Decision published on 18.01.2012
EDF - 158/11.

Advertising here: http://www.jdp-pub.org/IMG/pdf/Visuel_EDF.pdf

Background

The Jury of Advertising Ethics received on October 13, 2011, a complaint by the Heating Oil Association for a ruling on compliance with ethical rules of advertising, broadcast through the press, in EDF for the company to promote electricity. Such advertising is in the form of a text accompanied by a chart topped by the next hook: "You want a power that defends your purchasing power? You already have it: it is electricity."

The accompanying text reads: "In France, electricity is the only energy whose price has not increased more than the general price level since 1998. With a diversified energy mix, combining mainly nuclear and hydraulic electricity produced and marketed by EDF is on average 30% cheaper than in the rest of Europe." The graph shows four curves representing the development of resources' prices for electricity, gas, fuel and heating oil from a base of 100 in 1998.

Claims

- The complainant in essence (read from the link for the full case) claimed that the advertising was misleading as it was based on the *change* in prices but was providing the impression that it was absolute prices as opposed to their changes, when the price of heating oils is in fact considerably cheaper than that of electricity
 - EDF maintained among other things that the presentation of the table, which contains no data in euros, concerns the price change and not the price itself. Furthermore, this chart simply repeats data compiled by INSEE
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Ruling

Complaint upheld, based on [the ICC Code](#) Articles 1 (Basic Principles), 3 (Honesty), and 11 Comparisons, which reads: "marketing communications containing comparisons should be so designed that the comparison is not likely to mislead the consumer and must respect the principles of fair competition. The comparison should be based on objectively verifiable facts and should not be unfairly selected."

Commentary

What may be factual, if not sufficiently clear to consumers, may be judged misleading
