

TURKEY



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| 1. Case Report | |
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| Authority: | The Advertising Board decision no: 2007/129 |
| Topic: | Advertisements in Food Sector infringing the principles of fair competition |
| Who: | Unilever San. Vs. Tic. Türk A.Ş (Algida) |
| When: | 13.02.2007 |
| Where: | Turkey |
| The Facts: | The advertisement is bearing the statement “Now with the new Amaze the brain’s nutrient, kids are avid to answer the questions. Because Amaze has the genius formula containing DHA, Iron and Iodine resulting from the cod fish oil. Delicious Amaze genius cubicles. Feed your child’s brain everyday with Amaze. From Algida”. |
| Decision: | The Advertising Board held that the product’s advertisement claims being beneficial to child’s intellectual development thus infringes the principles of the 5179 numbered Act on the Production Consumption and Detection of Nutrients and the Turkish Food Codex Communiqué on the General and Nourishment Side Labeling Rules. The Board ordered the advertisements to be preliminarily halted for three months. |

| 2. Case Report | |
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| Authority: | The Advertising Board decision no: 2006/84 |
| Topic: | Advertisement contrary to the cosmetics legislation |
| Who: | Micro-Gen İlaç San. vs. Tic. Ltd. Şti. |
| When: | 09.01.2007 |
| Where: | Turkey |
| The Facts: | The company made an advertisement for its new product “Revigen Hair Tonic” bearing a clever “ <i>double entendre</i> ” statement on the one side meaning “Seduces your hair!” but on the other side meaning “grows your hair back!”. The Board took the latter meaning into consideration and demanded the argument to be proved. But according to the Ministry of Health’s opinion, the advertiser’s argument was not proved by the submitted documents. |
| Decision: | The Advertising Board held that the said advertisement is contrary to Article 16 of the Consumer Protection Law and ordered the advertiser to pay fines and the commercials to be stopped. |

| 3. Case Report | |
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| Authority: | The Advertising Board decision no: 2007/128 |
| Topic: | Advertisement about banking services |
| Who: | Türk Ekonomi Bankası A.Ş |
| When: | 13.02.2007 |
| Where: | Turkey |
| The Facts: | The firm ran an advertisement series titled “care about things more important than money”. In one of the series two doctors are talking about money problems standing by the patient. |
| Decision: | The Advertising Board decided that with the money issued dialogs |

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| | passing between the two doctors, medical men serving in the field of human health were exploited for the commercial and humiliated; held that the advertisement violated Article 16 of the Consumer Protection Law; and ordered the advertisement to be preliminarily halted for tree months. |
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| 4. Case Report | |
| Authority: | The Advertising Board decision no: 2006/305 |
| Topic: | Misleading campaign in the food sector |
| Who: | Anadolu Restoran İşletmeleri Ltd. Şti ("McDonald's") |
| When: | 13.02.2007 |
| Where: | Turkey |
| The Facts: | <p>The firm's advertisement brochures - displayed inside the McDonald's branch restaurants - on the firm's "Narnia Campaign" were promising to give one character of the "Narnia" toy series to everyone purchasing the "Happy Meal" menu.</p> <p>But it was established by the Advertising Board that with reasons like stock deficiency and the products unavailability the promised gifts were not given or different gifts than the promised ones have been tried to be given instead.</p> |
| Decision: | Therefore, the Board held that the advertisements violated Article 16 of the Consumer Protection Law and ordered Mc Donald's to pay fines and the commercials to be halted. |

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| 5. Case Report | |
| Authority: | The Advertising Board decision no: 2006/375 |
| Topic: | Counterfeit Advertisement |
| Who: | Yalova Laminat Sanayi Tic. Ltd. Şti |
| When: | 12.12.2006 |
| Where: | Turkey |
| The Facts: | The firm's product brochure contained a picture similar to the one used for a competitor's (İstikbal Mobilya) product named "İstikbal Regina Kitchen". |
| Decision: | The Advertising Board held that the said picture was used identically in a way to contradict the 16 th Article of the "Regulation Pertaining to the Principles and Pertaining Rules on the Ads and Commercials" and ordered the commercial to be stopped. |