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For Immediate Release

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NAD Reviews Advertising Claims for Point-of-Use Water Filters; Recommends Sawyer Discontinue Certain Claims

New York, NY – Jan. 14, 2015 – The National Advertising Division has recommended that Sawyer Products, Inc., discontinue certain claims for the company's point-of-use water filter products, although NAD determined the company could support the claim that its product "exceeds EPA recommendations for removal rates" of bacteria and protozoa.

NAD is an investigative unit of the advertising industry's system of self-regulation. It is administered by the Council of Better Business Bureaus.

Claims made by the advertiser at its website and on product packaging for its hollow fiber membrane point-of-use water filters were challenged by Katadyn North America, Inc., maker of competing products. Express claims at issue included:

- *"1 Million Gallons Guaranteed."*
- *"Cartridge Life: 1,000,000 gallons."*
- *"Exceeds EPA recommendations for removal rates."*
- *"Tested and Verified by the United Nations."*
- *"The Sawyer Hollow Filter Membrane filter is the only filter on the market that easily and effectively removes Bacteria (such as Salmonella, Cholera, and E. coli) and Protozoa (such as Cryptosporidium and Giardia) without adding harmful chemicals to the water."*

NAD considered also whether the claims at issue implied that Sawyer water filters will last the user's lifetime without ever needing a replacement or that competing products do not remove bacteria and protozoa without adding harmful chemicals to water.

As NAD noted in its decision, the products at issue – portable and hand-held point-of-use water filters – are marketed for use while camping or hiking, emergency and disaster response, and travel to locations where the healthfulness of local water is in question. The typical use of these products is described on the advertiser's product packaging, which states, "Makes safe drinking water from lakes, rivers, streams, U.S. and foreign faucets, foreign bottled water and more." The products seek to provide this basic necessity by removing harmful bacteria or organisms that could otherwise make people ill. As such, claims regarding the performance of these products are health and safety claims that should be supported by reliable, competent scientific evidence.

The challenger took issue with the advertiser's claims that its filters have a one million gallon capacity and the advertiser admittedly did not test its filters with 1,000,000 gallons of water. A statement on the product package reads as follows: "We didn't actually run a million gallons through the filter because that's a lot of water ... but we could have!"

Neither party provided consumer perception evidence regarding consumers' understanding of this claim. NAD found that the million-gallon claims conveyed a message of

indestructability and longevity that was not supported by the evidence in the record. NAD acknowledged that the mechanism of action of the advertiser's filter may be different from other competing filters, but noted that an explanation of the technology behind the product does not relieve an advertiser of its obligation to provide reliable support for its health-related product longevity claims. NAD recommended the advertiser discontinue such claims.

NAD also found that the claim that it is the only filter that "easily and effectively" removes pathogens from water without using chemicals is a broad comparative performance claim that conveys the message that the product provides an exclusive measurable benefit that none of its competitors can provide. It is well established that in order to support a broad comparative claim such as the one at issue here, an advertiser must test a variety of competing products that represent the market or have other evidence that no other product either "easily" or "effectively" removes microorganisms from water without chemicals. In the absence of such evidence, NAD recommended the advertiser discontinue the claim.

NAD noted that the advertiser did not provide evidence to substantiate the claim that its filters have been "tested and verified" by the United Nations, and recommended that the claim be discontinued. However, NAD also noted that its decision does not prevent the advertiser from making claims that its filters have been "used" by the U.N., if such claims are supported.

NAD determined that the advertiser's testing did show that more bacteria and protozoa were removed from water than that required by the Environmental Protection Agency (EPA) "Guide Standard and Protocol for Testing Microbiological Water Purifiers.," NAD found these results to be a reasonable basis for its claim that its filters "exceeds EPA recommendations."

Sawyer, in its advertiser's statement, said it is "unfortunate that, due to privacy concerns, Sawyer was not able to share its justification for its longevity claim. Be that as it may, it respects NAD's conclusions and will accommodate NAD's recommendations. Sawyer has already made some advertising modifications and plans further modifications in future advertising that will take NAD's recommendations into consideration. Sawyer is a company with the highest integrity, the best products in all its categories including advanced insect repellents and sunscreens, and would never put the public's health at risk."

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About Advertising Industry Self-Regulation: The Advertising Self-Regulatory Council establishes the policies and procedures for advertising industry self-regulation, including the National Advertising Division (NAD), Children's Advertising Review Unit (CARU), National Advertising Review Board (NARB), Electronic Retailing Self-Regulation Program (ERSP) and Online Interest-Based Advertising Accountability Program (Accountability Program.) The self-regulatory system is administered by the Council of Better Business Bureaus.

Self-regulation is good for consumers. The self-regulatory system monitors the marketplace, holds advertisers responsible for their claims and practices and tracks emerging issues and trends. Self-regulation is good for advertisers. Rigorous review serves to encourage consumer trust; the self-regulatory system offers an expert, cost-efficient, meaningful alternative to litigation and provides a framework for the development of a self-regulatory solution to emerging issues.

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