



EL PODER DEL CONSUMIDOR

Multimillion Coca-Cola advertising campaign is withdrawn and sanctioned for being misleading and representing a health risk

- Coca Cola's "149 calories" campaign is the largest investment in publicity that Mexican authorities have withdrawn and fined.
- The campaign was also withdrawn by authorities in the UK due to protests by consumers.

Mexico City, July 22, 2013. Coca Cola's "149 calories" advertising campaign, which was present on thousands of billboards throughout Mexico, with radio spots and TV ads, print ads and on Internet, has been withdrawn and sanctioned in Mexico by the Federal Commission for Protection against Sanitary Risk (COFEPRIS) and the Office of the Federal Attorney General for Consumer Protection (PROFECO) for being misleading and representing a health risk. The Coca Cola company, whose highest sales worldwide occur in Mexico, was forced to withdraw thousands of billboards, electronic media ads, as well as print and Internet ads.

On June 19th, the Mexican consumer rights organization *El Poder del Consumidor* filed a complaint with PROFECO against Coca Cola's "149 calories" publicity campaign for being misleading advertising; this government authority responded that this complaint would be added to an existing file against this advertising campaign (PFC.B.B. 13/000039/2013). The following day, *El Poder del Consumidor* filed a similar complaint before COFEPRIS against this advertising campaign for representing a risk to the health of the Mexican population.

This multimillion advertising campaign ran throughout national territory on many different media publicising Coca Cola's main drink with the messages "149 calories of happiness" or "149 calories to be enjoyed", and the phrases "enjoying 22 minutes biking," "20 minutes dancing with friends" and "for use in other happy activities."

The complaint filed focused on the risk to health posed by promoting a greater consumption of calories to be spent on different physical activities, in consideration that the majority of the population (70% of all Mexican adults) already consume an excessive number of calories and suffer from a deficit of physical activity.

"The consumption of extra calories signifies an increase in the health risk for the majority of the population, complicating existing treatment and increasing family expenses and public spending on healthcare. This extra intake of calories does not allow an overweight or obese person to lose weight, instead, it contributes to his or her weight gain. This type of publicity worsens the existing epidemic of overweight and obesity that the Mexican population is suffering," pointed out Xaviera Cabada, Nutritional Health Coordinator at *El Poder del Consumidor*.

EPC Nutritional Health Researcher Katia García declared, "Another aspect of our complaint to the federal authorities is the analysis of the images used in this publicity and their association to the advertising messages. The company uses a **355ml glass bottle**,

which is not highly consumed in our country, in order to confuse consumers, making them think that it is a 600ml bottle, the most consumed in Mexico, due to its shape and size. In very small letters, the advertising establishes that the [149] calories are found in a 355ml soda, or a can. The 600ml soda bottle, with which the population could be confused, contains 252 calories, significantly more than the 149 calories contained in a 355 milliliter container. This constitutes misleading advertising.”

EPC Director Alejandro Calvillo added, “As plaintiffs, we have asked COFEPRIS and PROFECO for their final resolutions on this case; nevertheless, we have been informed that the case files have not yet been closed, thus, we are unable at this time to know the final resolutions and considerations of the Mexican authorities which led them to finally withdraw this publicity and fine Coca Cola for this campaign, which, without a doubt, is the advertising campaign with the highest overall investment that has been withdrawn by the authorities in the history of Mexico. Mexico is the number one consumer of soda in the world, especially Coca-Cola. The regular consumption of this drink is associated to the risk of developing obesity, metabolic syndrome and diabetes.”

This Coca-Cola campaign was also withdrawn in the United Kingdom for being considered misleading advertising that represents a risk to health. “It is important to see what is happening internationally. We need to put a halt to false advertising, to the deceitful labeling that have consumers plunged in ignorance and that have led to the existing epidemic of overweight and obesity. The most extreme case is Coca-Cola’s publicity which associates consumption to happiness, when this type of products have responsibility for the global epidemic of overweight, obesity and diabetes,” added Calvillo.

El Poder del Consumidor publicly denounced that Coca-Cola continues to violate the resolution of the Mexican authorities by maintaining publicity in some spaces such as on the second level of Periferico in Mexico City, traveling from South to North, at the junction with Viaducto, where a billboard remains with this publicity.

Attachments:

- Acknowledgement of receipt by PROFECO of the complaint filed by El Poder del Consumidor and their confirmation in writing of an open file on this publicity.
- Acknowledgement of receipt by COFEPRIS of the complaint filed by El Poder del Consumidor.

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