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Best? No.1? Superlatives and other advertising pitfalls in Asia

Under China's Advertising Law, last updated in 2015, the use of certain superlatives such as "national", "first", "highest", and "best" are banned in advertising.

Fines for unlawful use of superlatives are steep, and range from around US\$30,000 to nearly \$160,000. China's Advertising Law moreover contains a range of other pitfalls for unprepared companies, such as specific rules for internet advertising and restrictive rules applicable to certain categories of products such as products with health claims, tobacco products etc.

Similar issues arise under the Advertising Laws of other commercially important jurisdictions in Asia such as Japan, Vietnam and Hong Kong.

It is essential to be aware of these issues to avoid serious PR and business risks.

Why do businesses need to take note?

Companies should be aware of these rules and follow them closely since fines under Asia's Advertising Laws are generally steep and can easily catch the unwary. For example, in the case of China's prohibition on superlative advertising, generally speaking, fines are applicable irrespective of the intention of the advertiser and whether or not the advertised qualities can be justified by objective facts. Training regarding the specifics of the Advertising Laws in the region is in particular recommended for the legal and marketing teams of companies active in the region.

How we help

We can provide hands-on and tailored training regarding what is and what is not allowed under the Advertising Laws in the region, and can assist your team in providing some practical advertising best practices for the region.

We have also helped clients deal with customer complaints and regulatory investigations in relation to Advertising Laws.

To discuss how we can help you make your advertising campaigns in Asia compliant and effective, contact:



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Some recent news in Hong Kong can be found [here](#) and [here](#).