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DOES THE SMALL PRINT REALLY MATTER? THE INFLUENCE OF EXPLICIT EXPOSURE TO DISCLAIMERS ON THE PERCEPTION OF TV COMMERCIALS

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Abstract: Disclaimers, which should prevent advertising audience from being falsely informed, are usually ignored by viewers. The present study demonstrates that when the viewers are exposed to the full content of commercials, including the small print disclaimers, their evaluation of the products and producers is, contrary to expectations, higher. However, the viewers fail to notice the manipulative discursive tactics applied by the advertisers, involving strategic use of disclaimers. This suggests that disclaimers do not perform their protective role effectively.

Keywords: disclaimers, small print, medicinal products advertising, perception of commercials, persuasion, manipulation, discursive strategies.

1. Introduction

Armed with sophisticated technology and years of research-supported persuasive tricks, the advertising industry seeks its prey amid crowds of oblivious individuals, bombarding them with offers, bargains, and deals on an everyday basis. Although we are unwilling to admit that our actions and decisions are influenced by commercials which we mostly ignore and disregard, their impact on our cognition, attitudes, and behaviour has been proven in many scholarly publications (Armstrong 2010; Batra et al. 1995; Eisend & Tarrahi 2016; Janiszewski & Warlop 1993; Sethuraman, Tellis & Briesch 2011; Stewart 1992; Tellis 2004; Vakratsas & Ambler 1999, Zabuzhanska et al. 2022).

The obvious inequality between the two participants of the advertising game was noted many years ago and has resulted in numerous legal regulations aimed at protecting consumers (e.g., Federal Trade



Commission 2021; Government of India 2020; UK Parliament 2014; UNCTAD 2016). Many of them are related to the advertising of products containing hazardous and harmful substances (such as nicotine or alcohol) or enterprises that involve a significant degree of risk of some kind, like certain investments. However, the product range that is subjected to particularly restrictive regulations is substances used in medical treatments and health protection. In Poland there are two separate legal acts, one related to the advertising of medicinal products (Regulation of the Minister of Health of November 21, 2008, on the advertising of medicinal products), and the other to dietary supplements (Regulation of the Minister of Health of October 9, 2007, on the composition and labelling of dietary supplements). Advertisements for pharmaceutical products must present references to research in a standardised manner, and contain information on the composition of the drug and the instructions for its use, as well as the standard recommendation to read the package leaflet and consult the GP or the pharmacist.¹ Commercials for dietary supplements, on the other hand, do not have to contain the above-mentioned recommendation, but no direct claim can be made in the advertisement that the substance cures a certain condition.

Another form of consumer protection, which has accompanied advertisements for decades due to relevant legislation, is the so-called disclaimer, defined as a "statement of disclosure made with the purpose of clarifying or qualifying potentially misleading or deceptive statements made within an advertisement" (Stern & Harmon 1984: 13). Since the information it communicates is usually disadvantageous for the producer of the advertised commodity, in the sense that it undermines in some way the claims in the slogans or the body copy, various strategies aimed at making it less explicit, inconspicuous, or hard to understand have been adopted over the years. The most frequently encountered include the use of very small print, inconspicuous font colour, increased speed of delivery in ads where disclaimers are read out, and a very short display time in TV commercials. As a result, it is often difficult or impossible to absorb the content of disclaimers under ordinary conditions of viewing or exposure.

The answer to the question whether the obligation to include mandatory disclaimers actually serves to benefit the public is far from clear. For example, Green and Armstrong demonstrate that "the mandatory disclaimers caused confusion among consumers" and "[m]andated messages were ineffective or harmful in the 15 experiments that examined perceptions, attitudes or decisions" (2012: 302). The authors argue in a convincing manner that there is no need to impose the inclusion of such statements in advertisements, since being honest about one's product in a commercial is actually in the advertiser's best interest, because any attempt to engage in deceitful practices would very soon turn against the fraudulent entrepreneur.

Irrespective of their protective efficiency or usefulness, however, disclaimers have become an essential component of most commercials and many viewers treat them as one of the constitutive elements of an advertising message. Nevertheless, the expectation of finding a disclaimer within a commercial does not translate into the intention to pay attention to it. Studies have shown that viewers tend to disregard the content of the disclaimers, especially when they are familiar with the advertised brand (Herbst, Hannah & Allan 2013; LeBlanc Wicks et al. 2009, Wojtaszek 2007). Extensive disclaimers are most frequently found in commercials for medicinal products (Hoek et al. 2011; van de Pol & de Bakker 2010), dietary supplements (Dodge & Kaufman 2007; Mason, Scammon & Fang 2007) and products intended for children (Bakir 2009; Stutta & Hunnicutt 1987). Commercials for erection stimulants belong either to the group of pharmaceutical products or to dietary supplements, depending on how the product was registered by the manufacturer. The choice of this particular product group as the focus for the present study was governed by two reasons: firstly, the commercials were bound to contain a sizeable disclaimer component, and secondly, the results could be juxtaposed with the findings of Wojtaszek (2017), where disclaimers in commercials for the same type of product were studied.

The study showed that in some commercials for dietary supplements the instruction to read the package label and consult the pharmacist or a doctor was included, although the law did not demand it. Wojtaszek (2017) classifies this as a manipulative strategy, aimed at presenting a mere dietary supplement as a medicinal product which has been subjected to rigorous testing and clinically proven to cure the erectile dysfunction. Since consumers are aware of the obligation to include the instruction to read the package label in medicine advertising, they are likely to identify its presence as an indicator that the product adheres to a higher and more reliable standard.

Another interesting observation pertains to the very careful formulation of the disclaimers in the commercials for dietary supplements, which, on the one hand, were aimed at convincing the viewers that the product was really effective, but on the other hand, could not violate the legal ban on claiming that it actually cures the condition. Wojtaszek (2017: 217-218) demonstrates a number of examples of statements which indirectly, but suggestively, seek to convince potential users of the healing and remedial properties of the advertised products, though never actually saying it in a manner which could be found to commit a legal breach.

In view of the above, as well as the other potential modifications (under the influence of disclaimers) of the explicitly communicated persuasive message, the present research **aims** at finding out whether explicit exposure to their content can demonstrably alter viewers' perceptions of the product and its

properties, and whether viewers would be able to notice the advertisers' manipulative tricks employed in the small print component.

2. Material and methods

In order to investigate the aforementioned issues, we designed a **study** to examine how viewers perceive a selection of commercials that advertise erection stimulants. There were 75 participants, divided into 3 equal groups which corresponded to three different viewing conditions. All participants were native speakers of Polish, students aged 20-24, not distinguished according to their gender, as this was assumed irrelevant to the results.

The **material** for the study consisted of four Polish video commercials for erection stimulants (*Braveran*, *Penigra*, *Permen Go*, and *Stymen*), all 30 seconds long, originally produced in the years 2010-2013, combined with exact transcripts of all disclaimers included in them. Additionally, a questionnaire including five questions served as a data collection tool, eliciting participants' opinions and perceptions based on the viewing session (the survey form can be found in Appendix A). Since the term 'perception' is potentially very capacious and may involve a number of different dimensions, it was decided to limit it to the following three aspects: viewers' assessment of producer credibility, viewers' expectations of product effectiveness based on advertising, and their evaluation of information value of the ad. Answering the first three questions involved viewers' evaluation on a scale of 1-7 of the three dimensions mentioned above, where 1 represents the lowest and 7 the highest score. The fourth question attempted to elicit the most important advantages and benefits that the advertised product offers (maximally three), and the fifth question asked the viewers to reveal what they perceived as truthful information, and what they considered to be a false representation of reality in each of the commercials. Each participant was asked to fill in four questionnaire forms, one for each commercial. The procedure was in many aspects similar to the data collection process applied in other studies attempting to collect viewers' responses combining qualitative and quantitative perspectives (e.g., Poppi & Urios-Aparisi 2021).

As mentioned before, the participants were exposed to the commercials in three different ways. The first group watched the ads without receiving any additional information about them (hereinafter referred to as "unmodified" viewing) – they were shown each clip only once, and after each viewing, they were asked to fill in the questionnaire related to the ad that they had just seen. The second group received a full transcript of each of the commercials, including all disclaimers, immediately following the viewing of every ad (hereinafter referred to as "enhanced" viewing). They were asked to watch the commercials and read the transcripts, paying special attention to the information provided in the

disclaimers before they filled in their questionnaires. The third group was exposed to the unmodified viewing first, and after one week to another of the same ads, but supplemented with the transcripts, just like the second group. This arrangement was intended to check whether there were significant differences between two viewings by the same group of people and two different viewings by distinct groups.

The focal point of the study, however, was to find out whether significant differences could be observed between viewings when the information provided in the disclaimers was made explicitly available as opposed to when it was not. Finding such a difference would mean that our perception of commercials depends on the full availability of their informational content, and if we are not able to perceive the content of disclaimers, we develop a different set of beliefs about the advertised products. Additionally, it is interesting to discover which direction such a potential change in perception takes: whether explicit exposure to the content of disclaimers enhances or reduces our perception of the advertised product and our evaluation of the manufacturer. Finally, it is also intriguing to see whether the viewers manage to spot the potentially deceitful practices of the advertisers thanks to their enhanced exposure to the full content of the commercials. In connection with the issues raised above, the following research questions were formulated:

Q1: Are there significant differences in the perception of the producer's credibility between the unmodified and enhanced viewing?

Q2: Are there significant differences in the perception of the product effectiveness between the unmodified and enhanced viewing?

Q3: Are there significant differences in the perception of the information value of the ad between the unmodified and enhanced viewing?

Q4: Is there a significant difference between the enhanced perception of the ads by the group that saw them only once and the group that was earlier exposed to the same ads in an unmodified way?

Since the research questions pertain to statistical significance, each of them is linked to an implicit 0-hypothesis (H0) that there is no significant difference, and the opposite H1 hypothesis that such a difference exists. The results should show whether there are grounds for rejecting the above-mentioned H0 at a commonly accepted probability value (p) of 0.05 or less, and claim that the noted differences are large enough not to be attributed to chance. The quantitative data was collected in an Excel file and subjected to analysis with the use of Statistica 14 software (version 14.0.0.15 © 1984-2020 TIBCO Software Inc), while the qualitative data was manually analysed and the results of this analysis were used as a supplement and extension of the quantitative results.

3. Results and discussions

Before the findings pertaining to the research questions are presented, some information on the data should be summarised, because its nature has an important impact on the choice of the statistical tests applied in the analysis. Firstly, it was checked whether the data represents normal distribution. Table 1 below summarises the main descriptive statistics for the three variables: producer's credibility, product effectiveness, and information value of the ad:

Table 1. Descriptive statistics for the three variables representing the perception of ads. Source: own processing

Variable	Descriptive Statistics					
	Valid N	Mean	Median	Minimum	Maximum	Std.Dev.
credibility	400	3.627500	4.000000	2.000000	5.000000	0.741700
effectiveness	400	2.867500	3.000000	1.000000	5.000000	0.735729
informative value	400	2.822500	3.000000	1.000000	5.000000	0.976410

It can be seen that while minimal scores were sometimes selected by the viewers, none of them ever evaluated the commercials with the highest two values, 6 or 7. There is also a visible difference between the mean and the median values. All this suggests that the distribution of the data does not follow the normal pattern, which is further confirmed by the three histograms in Fig. 1, Fig. 2, and Fig. 3.

Since the data does not represent normal distribution, non-parametric statistical tests were used to test the 0-hypotheses related to the research questions. The 0-hypotheses assumed no statistically significant difference between the unmodified and enhanced viewing as far as the studied parameters were concerned, and because in each situation we were dealing with two independent variables² and a distribution of values which was not normal, the Mann-Whitney U Test (comparing the rank sums of the variables) was used for evaluation of the statistical significance of the results.

Every commercial used in the study was constructed in a slightly different way and the disclaimers exhibited various functions in relation to both the explicitly presented content of the advertisements and their major persuasive strategy. For this reason, the optimal method of presenting the findings is a separate discussion of each commercial, followed by a summarising section, generalising the observations.

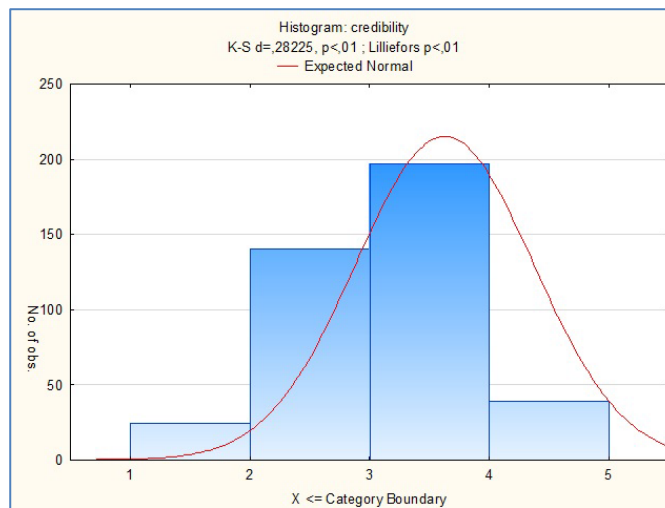


Figure 1. Histogram of producer's credibility. Source: own processing

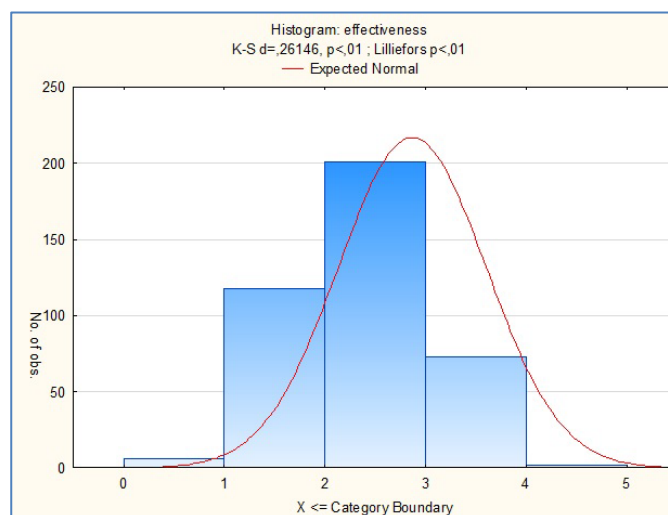


Figure 2. Histogram of product effectiveness. Source: own processing

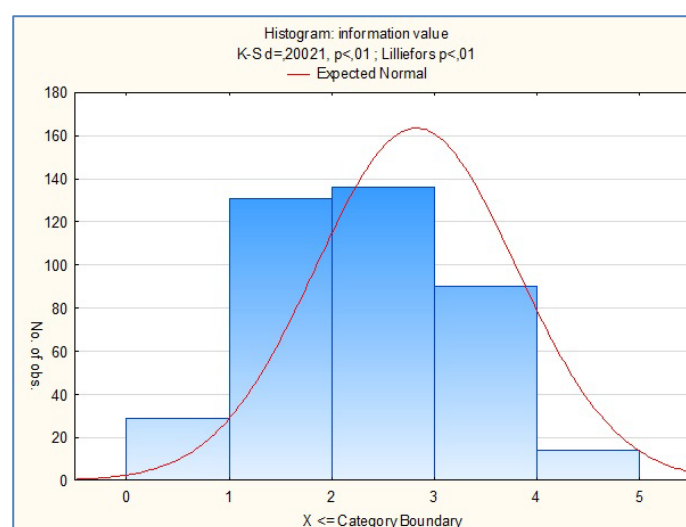


Figure 3. Histogram of information value of the ad. Source: own processing

1.1 The commercial for Braveran

The commercial for *Braveran* takes the form of an animated story presenting a young couple during a hiking trip in the mountains. As night approaches, the man is trying to light a camp fire, because it is evidently getting cold. At first, he struggles to no effect, but after a while the fire starts happily burning and the couple enter their tent together. The narration initially corresponds to what the viewers can see, but the sex-related metaphorical interpretation revolving around problems with sexual performance (Pol. *prawdziwy mężczyzna (...) wie, jakiej rozpalki użyć, kiedy konar nie chce zapłonąć*. – Eng. a real man (...) knows what kindling must be used when the log won't burn) is quite obvious for the viewers. Soon the properties of the advertised product become the major theme, followed by a short instruction for use and the slogan at the very end. The disclaimers which are presented in small print perform here three major functions: dialogic/supplementary, overwhelming, and instructive (Wojtaszek 2017).

The formulation of the first portion of the disclaimers is to a large extent governed by the classification of the advertised product as a dietary supplement. Commercials for such products cannot contain claims that their ingredients can cure a specific problem or condition, so the disclaimer reads as follows:

(1) Pol. *buzdyganek ziemny wspomaga popęd seksualny oraz wzmacnia doznania seksualne; maca pomaga w zachowaniu naturalnej aktywności seksualnej i energii, pobudza popęd seksualny; żeń-szeń pomaga wywołać i wzmocnić erekcję; selen przyczynia się do prawidłowego przebiegu spermatogenezy; cynk pomaga w utrzymaniu prawidłowego poziomu testosteronu we krwi.* (<https://www.aflofarm.com.pl/pl/produkty/suplementy-diety/braveran/>). – Eng. *tribulus terrestris* boosts libido and sexual satisfaction; maca root helps to maintain natural sexual function and energy and boosts sexual drive, ginseng helps to stimulate and maintain erection, selenium assists in rejuvenation of spermatogenesis, zinc helps to maintain satisfactory testosterone levels in the blood.

On close inspection, the viewers realise that the above claims describe potentially enhancing effects of the product ingredients on the functioning of a healthy organism, so the impression that the advertised product is capable of curing erectile problems is exclusively the result of our inferences, and thus the advertiser cannot be held responsible for including disallowed claims in the commercial.



Figure 4. *Braveran* commercial.

Source: https://www.youtube.com/watch?v=3suB9y_KIXk

The second part of the disclaimers included in the *Braveran* ad offers a lengthy and detailed list of all the ingredients, which serves to supplement the claim read out by the announcer that no other product can boast such a composition of ingredients. This cannot be denied; it would be difficult (and probably illegal) to copy the unique proportions in which the components are mixed in the advertised product, and the inclusion of the detailed list in the disclaimer is probably meant to impress the viewers and create the impression that such a multitude is bound to yield the expected results. The final disclaimer, in turn, includes a simple instruction for use, a bit more detailed than what was communicated in the main text.

The viewers' evaluation of the producer's credibility remained surprisingly constant throughout all the viewing sessions. The difference between the credibility ratings of the first and the second group of viewers amounted to merely 0.04 (3.2 for group 1 and 3.24 for group 2) and was slightly bigger between the two ratings made by the third group: 0.16 (3.4 for the first viewing and 3.24 for the second, enhanced viewing). These differences are negligible and suggest that exposure to the detailed content of the disclaimers did not have any influence on the trustworthiness of the producer in the eyes of the viewers. This is confirmed by the results of the Mann-Whitney U Test, which returns the p-value of 0.75, which definitely does not allow us to reject the 0-Hypothesis which assumes that there is no significant difference between the unmodified and enhanced viewing. Interestingly, the perception of the products effectiveness turned out to be observably influenced by the viewing mode. The enhanced viewing in both groups resulted in a substantial increase in the evaluation of the product effectiveness: 2.28 for group 1 compared to 2.88 for group 2 (rise by 0.6), and 2.48 for the first viewing of group 3, compared with 3.24 for the enhanced viewing by group 3 (rise by 0.76). This time the p-value in the Mann-Whitney U Test is 0.00, so it has to be concluded that there is a statistically significant difference between the two viewings. The 0-Hypothesis would claim that the

access to the full transcript does not change the viewer's perception, but there are very good grounds here to reject such a hypothesis. It has to be admitted, at the same time, that in spite of the increase the scores remain quite low and reflect the viewers' general mistrust and scepticism about the effectiveness of *Braveran*. Similar differences were noted for the evaluation of the information value of the commercial: group 2 estimated it at 3.2, which is 0.88 more than the score given by group 1 (2.32), whereas the second viewing by group 3 produced the value of 2.97, which is 0.44 higher than the score for the first viewing (2.48) – the statistical significance of these differences is confirmed by $p=0.00$ in the Mann-Whitney U Test. Again, these results signal that the viewers did not learn much from the commercial and that they perceived it as rather uninformative. Charts showing all the scores within the three categories identified in the study, arranged comparatively according to the groups representing the viewing conditions, can be found in Appendix B (Figures 8-10).

Access to the full content of the commercial turned out to modify the perception of the major advantages of the product. There was one feature of it which was frequently reported, irrespective of the viewing mode: its potential to boost the sexual performance of the user. Apart from that, the respondents were inclined to mention slightly different advantages, depending on how they had been exposed to the advertisement. Unmodified exposure resulted in their mentioning *Braveran*'s power to stimulate and prolong erection and its unique composition, understood mainly as significantly high content of the active substance. The viewers who had a chance to inspect the disclaimers, however, listed *Braveran*'s very rich composition (sometimes even mentioning some of the key ingredients), and its multifaceted effectiveness, not limited to enhancing erection, but also positively influencing the sexual drive and testosterone levels. The claims that were perceived as truthful included the product's rich composition (reported mainly by the viewers after enhanced exposure) and its potential to positively influence the sexual performance of the users. On the other hand, the viewers who did not have a chance to inspect the disclaimers refused to believe that *Braveran* worked whenever used, while those who could familiarise themselves with the content of the small print expressed doubts about the optimality and uniqueness of the product's composition. They understood that there were many ingredients but did not see anything special or extraordinary in it and contested the uniqueness of the composition as an important feature of the product.

1.2 The commercial for Stymen

The commercial for *Stymen* represents the only item in the study which is labelled as a medicinal product. For this reason, the disclaimers must conform to the legally imposed requirements, which essentially involve the inclusion of the mandatory instruction to read the package leaflet, the composition of the product and contraindications. Since the precise formulation and the format³ are

specifically stipulated only in reference to the instruction to read the package label, this appears in a relatively large font and is read out by the announcer. The remaining information is included in very small print and its display time does not allow the viewers to read it under ordinary conditions. The commercial itself is constructed as a slice-of-life narrative, featuring a young couple first preparing for a night out at the theatre and then sitting in the audience and watching the performance. However, because this is a commercial for an erection enhancing medicine, they are also shown engaged in sexual activity, first before leaving home and then somewhere backstage in the theatre. The woman is shown initiating the frolic and seducing the man, who is ready to respond to her advances any time, thanks to the advertised drug.

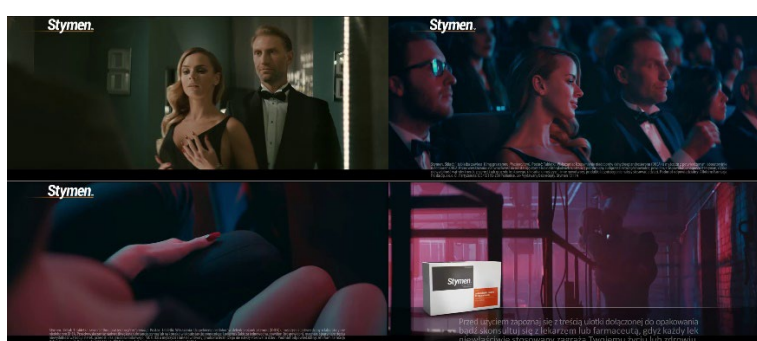


Figure 5. *Stymen* commercial.

Source: https://www.youtube.com/watch?v=jqXR83_HMc (video currently not available)

Regarding the typology of disclaimer functions in Wojtaszek (2017), the disclaimers in this commercial include three of them: the warning/advisory function (the instruction to read the label), the dialogic/supplementary function (information on the composition, therapeutic indications, and contraindications), and the identifying function (the name and address of the Marketing Authorisation Holder). Upon closer inspection, however, it can be noticed that the therapeutic indications spelled out in the disclaimer do not match the explicitly presented benefits of the product very closely. The overt message of the ad acclaims *Stymen*'s role in maintaining high sexual performance, and the announcer claims that it guarantees a high level of testosterone, while the disclaimer reveals that the product supplements DHEA (dehydroepiandrosterone). This hormone can stimulate the production of testosterone, but the improvement of the sexual function is only a likely, but not necessary consequence (see e.g., Reiter et al. 2001). Thus, the disclaimer must be also classified as performing a weakening function, since it communicates information which is disadvantageous for the advertiser and mitigates the attractiveness of the appeal. This is probably the reason why it is formulated in highly specialised language and presented in very small print for only two seconds.

Interestingly, the commercial for *Stymen* turned out to be the leader when it comes to the positive

difference in the evaluation of the producer's credibility. What is more, the viewers who had a chance to inspect the text of the disclaimers were observably more favourable towards the manufacturer than those who watched the commercial in the unmodified way (3.6 for group 1 vs. 4.08 for group 2 and 3.64 for group 3 in the first viewing vs. 3.96 in the second viewing). The p-value obtained in the Mann-Whitney U Test (0.007) confirms the statistical significance in the evaluation between the unmodified and enhanced viewing. One might suppose that the viewers appreciated the producer's honesty in revealing the real function of the product in the disclaimers and admitting that the positive influence on sexual performance was not so straightforward. If that were the case, however, it would presumably be reflected in a decline in their rating of the product effectiveness. No such decline was observed; in fact, the results were exactly the opposite. Similarly to the evaluation of producer credibility, an evident increase was noted in the estimation of product effectiveness as a result of explicit exposure to the disclaimers (2.48 for group 1 vs. 3.48 for group 2 and 2.68 for group 3 in the first viewing vs. 3.32 in the second viewing). The Mann-Whitney U Test with $p=0.00$ leaves no doubts about the statistical significance of these differences. An almost identical increase, also statistically significant, was noted for the evaluation of the information value of the ad. Therefore, it has to be concluded that the viewers who were presented with the full transcript of the disclaimers did not notice that the small print message contained a weakening of the claim which was explicitly made in the commercial. Instead, they appreciated the inclusion of precise contraindications, interpreted as a sign of care for potential users, and the precise contact details which suggested honesty and openness. The sophisticated formulation of the therapeutic indications was taken as a guarantee of the scientific expertise and sound research involved in the drug's development. Such were some of the comments of the viewers who were asked for additional information, to account for the scores they provided in the questionnaire.

The unmodified mode of viewing the commercial yielded quite different impressions related to the major advantages of the product, in comparison with the enhanced exposure. The former led viewers to report the guarantee of constant readiness for sex, no need to remember about taking the medicine one hour before sex and increased testosterone level as the major benefits. In comparison, those who were shown the transcript of the disclaimers mentioned the increase in DHEA levels, as well as the safety and effectiveness of a genuine medical product. The extensive list of contraindications was interpreted by some as being an advantage, because precise information was provided, safeguarding proper use, but to some of the respondents it weakened the attractiveness of *Stymen*, because too many people had to be excluded from the group of potential users. All respondents believed in proper testing of the medicine before it was authorised for marketing and sale, but the enhanced exposure viewers were more convinced of this, thanks to the precise contact details provided in the disclaimers.

Nevertheless, most participants in the study pointed to the unnaturalness of the situations depicted in the spot (especially the couple leaving the audience half way through the show to have sex) and expressed their doubts about the effect of constant readiness which *Stymen* allegedly provided, which was also reflected in their relatively low evaluation of product effectiveness on the scale from 1 to 7 (less than 3.5 even in enhanced viewing mode).

1.3 The commercial for Penigra

The small print disclaimer included in the *Penigra* commercial is the shortest included in the study. Its function may be identified as dialogic/supplementary (Wojtaszek 2017), and is similar to that described in connection with the *Braveran* ad, although there are good grounds for suggesting that it is in some way more risky than the formulations found there. Since *Penigra* is a dietary supplement, the commercial cannot claim that the product is capable of curing a medical condition, but the text gives the impression that it does precisely that:

(2) Pol. *Preparat Penigra jest stosowany tradycyjnie u mężczyzn z łagodnymi do umiarkowanych zaburzeniami erekcji oraz z zaburzeniami popędu płciowego (hypolibidemią) jako środek pobudzający popęd płciowy.* (<https://www.i-apteka.pl/product-pol-383-PENIGRA-x-30-kaps.html>).

– Eng. *Penigra* is traditionally used by men with mild to average erectile dysfunction and with sexual desire disorders (low libido) as a sexual drive stimulant.

The erectile problems and problems with libido are explicitly mentioned here, but upon closer inspection it can be noted that there is in fact no direct claim that *Penigra* cures the ailments; it is only said that it is traditionally used by people suffering from them. It seems that it would be relatively easy for the manufacturers to argue in court that no violation of the law occurred here, although it is likely that most viewers would draw the conclusion that the advertisement actually claims that the drug offers an effective remedy.

The plot of the commercial is also similar to that of the *Braveran* ad in its metaphorical symbolism, as there are clear visual references to the sexual act and to the erectile problems that prevent it. In the clip the viewers can see a woman in a rider's outfit sitting on a bull which refuses to move and finally sits down. However, when the woman reaches to her pocket and takes out a package of *Penigra*, the action gains momentum and soon an expression of pleasure appears on the woman's face, as she is riding the bull which is now very active, jumping and trying to buck her off, as in a real rodeo.



Figure 6. *Penigra* commercial.

Source: <https://www.youtube.com/watch?v=FdU1JoFNikg>

In comparison with the others, the commercial for *Penigra* received the lowest scores in almost all categories. As far as producer credibility is concerned, the scores oscillate between 3 and 3.5: for group 1 it is 3.44, for group 2 it is 3.16, and for group 3 it is 3.36 and 3.24 in the first and the second session respectively. Although a small decrease in the evaluation for the enhanced viewing can be observed, it does not seem to offer any indications for far-fetched conclusions. The p-value obtained in the Mann-Whitney U Test (0.21) confirms that the differences are too small to be interpreted as statistically significant. Product effectiveness is rated even lower, with almost identical scores in all viewings, ranging between 2.32 and 2.52. With the $p=0.74$ this is the only commercial in the sample which does not show a statistically significant difference between the evaluations of this variable in the unmodified and enhanced viewing. The most striking result, however, is the extremely low evaluation of the information value of the ad, because the scores for all four viewings fluctuates between 1.6 and 1.88, which is again statistically insignificant ($p=0.26$). It turns out that the *Penigra* commercial, in addition to receiving the weakest scores, does not show any important differences between the viewing modes, at least in the purely quantitative dimension.

Unlike the quantitative results, the qualitative findings do show some noticeable divergences between the two types of viewing. The participants who watched the commercial in the unmodified way remembered such vital features of the product as its potential to boost libido, fight fatigue, and enhance sexual performance, while those who had a chance also to read the disclaimer said that *Penigra* stimulated sex drive and cured erectile problems. This is consistent with the suggestion made above that viewers would be inclined to interpret the formulation that the product is traditionally used by people suffering from those problems as a claim that it actually cures them. It has to be remembered, however, that the fact that such was the interpretation of the claims being made does not entail viewers' inclination to believe them: the very low scores for product effectiveness speak for

themselves quite clearly. Thus, although there was a qualitative difference between the informational content recall in unmodified and enhanced viewing, this did not change the viewers' overall negative attitude towards the product.

1.4 The commercial for Permen Go

The commercial for *Permen Go* represents the problem-solution format of narration. In the initial part of the spot the viewers are presented with a couple of short frames of night-time situations, depicting attractive women wearing sexy lingerie or petticoats, looking sad and lonely. These images are juxtaposed with snapshots of men apparently busy with such petty activities as playing chess, taking photographs, hanging lamps, and mending taps. The narrator tells the viewers that these all represent different forms of avoiding sex, which is caused by erectile problems. After a while a solution to the problem is presented in form of the advertised product, *Permen Go*. In one of the final frames the viewers see a man facing the window, standing behind a smiling woman, who draws the curtains, in preparation for what is going to happen in the bedroom.

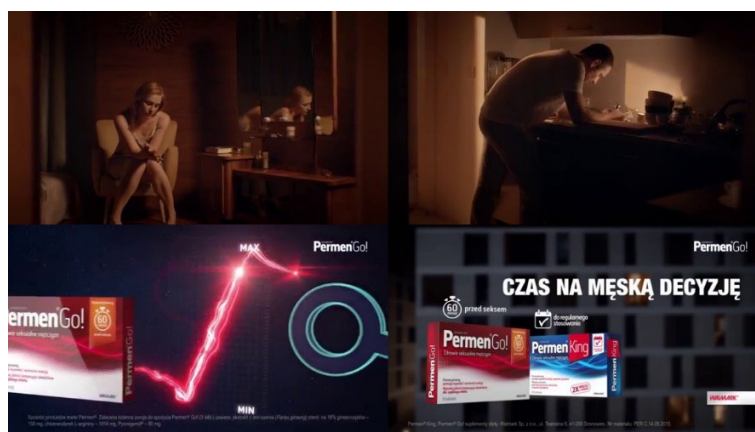


Figure 7. *Permen Go* commercial.

Source: <https://www.youtube.com/watch?v=AMGChnBzBH4>

This commercial has many disclaimers which perform various functions, with the focus on the dialogic/supplementary function, as identified by Wojtaszek (2017). This function is first evident in the reference made by the narrator, who claims that over 1.5 million Poles suffer from various forms of erectile problems. The small print disclaimer refers the viewer to an article by Michał Rabijewski, "Zaburzenia erekcji – etiologia i leczenie" [Erectile dysfunction – etiology and treatment], published in 2006 in *Przegląd Urologiczny* [Urological Review], where the details can be found. Another incarnation of the dialogic/supplementary function is what follows the directly made claim that *Permen Go* assists in triggering and maintaining erection, taking the form of the small print message that the substances responsible for that are ginseng extract and L-arginine. In yet another place the

viewers can come across the text in Polish *versus produkty do regularnego stosowania* [versus other products for regular use], which is the comment to the explicitly communicated information on the 60-minute delay in the effect of the advertised product.

It is also possible to identify the weakening function (Wojtaszek 2017) of some disclaimers: at a certain point in the ad, the viewers are told by the announcer that *Permen Go* can boast the highest dose of L-arginine. This constitutes a typical use of comparative and superlative constructions in commercials, which lack a point of reference. Usually, in such situations the viewers identify the missing comparative element as the products offered by the competition, and such an interpretation would be the most advantageous for the advertiser. However, most of the time the actual point of reference is different, and this is what happens here as well. It is revealed in one of the disclaimers that the product has the highest dose of L-arginine when measured against other *Permen* products. This is probably the reason why the advertisers decided to provide this information in small print, significantly reducing the probability of its intake by the viewers and the resulting likelihood of their making a less favourable interpretation of the whole message.

The *Permen Go* commercial is the only one in the study that exploits the identifying function of disclaimers (providing the name and address of the manufacturer) and one of the two (along with *Braveran*) that use disclaimers for instructive purposes (Wojtaszek 2017), telling the viewers what recommended daily dosage should be followed. The avoidance of the direct claim that the product offers a cure for a medical condition is not wholly encrypted in the disclaimers in this commercial, but is achieved in the most part by careful formulation of the body copy. The juxtaposition of the information that over 1.5 million Poles suffer from erectile problems with the description of the positive effects of the active substances creates the impression that the product actually cures erectile dysfunction. Again, however, such a simplifying and connective interpretation can only be the result of the mental processing of the information by the viewers.

Interestingly, the overall scores for the *Permen Go* commercial are the highest among the four used in the study. There is no clearly discernible difference between the results for producer credibility among the study groups; the scores are all very close to 4. The difference between the two viewing modes is not statistically significant ($p=0.49$ in the Mann-Whitney U Test). By contrast, there seems to be a visible positive impact from enhanced viewing for the estimation of the product effectiveness. The viewers were more convinced of this when they were able to inspect carefully the content of the disclaimers (the values for groups 1 and 2 were 3.12 and 3.48, respectively, while for group 3 the difference between the first and the second viewing was even greater: 2.96 vs. 3.88). The statistical

significance of the difference between the two viewing modes is confirmed by the p-value of 0.00 in the Mann-Whitney U Test. This clearly indicates that in the case of this commercial the additional information provided in the disclaimers was positively received as further evidence of the benefits of the product, in spite of the weakening effect of one of the disclaimers. Not surprisingly, quite similar (and relatively high, against the background of the other commercials) were the assessments of the informative value of the ad. For groups 1 and 3 (following the first viewing) these were on the same level of 3.36, while for groups 2 and 3 (after the second viewing) the assessments were 4.08 and 4.12, respectively, indicating an observable, statistically significant ($p=0.00$) increase.

Some noteworthy findings can also be reported from the qualitative perspective. Predictably, the groups engaged in enhanced viewing tended to foreground slightly different features of the advertised product than those who saw the ad in the unmodified way. While the former quite often recalled *Permen Go* as the strongest drug within the *Permen* range and focused on high levels of both ginseng and L-arginine, the latter did not mention ginseng at all, and made slightly more general statements, such as the claim that the drug helps in overcoming erectile problems or is effective in its performance. There were also some small differences between the groups when it comes to the elements which were received as false representation of reality. All groups agreed that the advertisers were telling the truth that *Permen Go* could positively influence sexual performance, but when it comes to misrepresentations, the unmodified exposure groups usually mentioned the suspiciously high number of men suffering from erectile problems in Polish society, while the enhanced exposure subjects accentuated the unnaturalness of women demanding sex from men. It seems that the 1.5 million figure mentioned in the commercial stopped being perceived as questionable when a reference to the study reporting it was explicitly provided.

4. Conclusions

The first observation resulting from the study is that there was no discernible effect that resulted from familiarity with the presented material on the participants' evaluations of the three quantified criteria included in the questionnaires. The scores assigned by the two groups of respondents participating in the unmodified viewings were almost the same, and those given by the two groups of enhanced exposure participants also differed only slightly. The distribution of the scores in group 1 resembled very much that of group 3 after their initial viewing, while the scores assigned by group 2 were very similar to those given by group 3 when they saw the commercial in the enhanced manner. The Mann-Whitney U Test was administered for all three variables (producer credibility, product effectiveness, and information value) against the two groups representing the same type of viewing, additionally grouped by the product. In just one situation (for *Permen Go*, when testing the significance of the

difference between the evaluation of product effectiveness by the two groups representing enhanced viewing), Statistica returned a p-value lower than 0.05 – it was 0.045. In all other cases the null hypothesis assuming a statistically significant difference had to be rejected. In this situation it seems justified to conclude that no form of familiarity with the commercials used in the investigation had any important impact on the results. It is likely that the majority of the respondents had already seen some of the commercials used in the study, but on the other hand, their recall was definitely not very precise, as the time span between the commercial's original appearance on television and the period when the data was collected exceeded five years.

There was, however, an observable effect from the enhanced viewing in both the quantitative and qualitative dimensions, although it turned out to be less evident in the evaluation of producer credibility. Within this category the scores reported in all four viewings are surprisingly similar for each commercial used in the study. Only in the case of the *Stymen* commercial a statistically significant difference can be reported. For all the other commercials access to the full transcript of the ad and the disclaimers did not result in any modification of the viewers' readiness to believe the producers. When it comes to the evaluation of product effectiveness, the enhanced viewing usually yielded a higher score, with the exception of the *Penigra* commercial, for which the reported values remained on a very low level for all modes of viewing. For the other ads the difference in the group mean score between the unmodified and the enhanced viewing ranged between 0.36 and 1.00. It can be concluded that enhanced viewing is beneficial for the producers of these advertised products, in spite of the fact that some of the disclaimers actually weaken the attractiveness of the claims made in the explicit way, as if the viewers were not capable of noticing some of the potentially manipulative strategies employed by the advertisers. Quite expectedly, the largest divergence between the scores for unmodified and enhanced viewing was found in the category of the information value of the ad. It is not surprising that the participants who received the full transcript of the commercials found them more informative than those for whom not all details were conspicuous. Within this category the average difference between the scores for unmodified and enhanced viewing ranged around 1.00, again with the exception of the *Penigra* commercial, for which the scores were consistently low for all viewing formats.

Inspection of the qualitative part of the questionnaires reveals that enhanced viewing changed the viewers' perception of the commercials to a significant degree. As shown in the discussion of each individual commercial above, the participants usually focused on the information included in the disclaimers when they had access to them, and what they learned from careful inspection of the transcripts became the most salient informative component, which was later recalled and reported. It

is interesting, however, that more often than not the viewers were not particularly critical about the communicated messages and tended to accept whatever the advertisers chose to tell them without any reflection. Such a conclusion can be drawn from the overall increase of their perception of product effectiveness, expressed by the scalar scores.

It could be expected, for example, that upon noticing that the advertiser was attempting to present the drug as a medicinal product rather than a dietary supplement, the viewers would evaluate both the producer credibility and the product effectiveness lower. On the contrary, no such change was found for the *Penigra* commercial, in which the advertisers inserted the well-known formula to read the package label and consult the GP or the pharmacist before taking the drug, although this particular product, being a dietary supplement, did not require it. Evidently, the viewers did not notice that the advertiser was attempting to present the product as what it is not, and in this way win their confidence.⁴ An alternative explanation might be that the scores for this particular commercial were very low anyway, so there was not much space for further decline.

A better indicator of the viewers' unreflective perception is the ample increase in the evaluation of the effectiveness of *Permen Go* (from 2.5 to 3.5 in groups 1 and 2, and from 2.7 to 3.3 in group 3), in spite of the fact that the disclaimers revealed that the highest dose of L-arginine in the drug is measured against other *Permen* products and not against competing medicaments. Interestingly, the study participants noticed this piece of information, as it was mentioned in a number of reports, but for some reason did not find it in any way to weaken the force of the claims presented in the ad. This seems to indicate that making proper use of all available information exceeds the processing powers of average ad viewers, and that the advertisers may get away with such manipulative tricks even when the viewers have enough time to inspect the disclaimers carefully. Paradoxically, what was meant to be elided and to go unnoticed, turned out to make a positive impression on the participants and elevate their estimations.

On the other hand, however, it has to be said that all the evaluations of producer credibility and product effectiveness were on a remarkably low level, especially in connection with the commercial for *Penigra*. It is evident that the respondents were negatively biased against the advertised products and had numerous reservations about the form and content of the commercials used in the study. The opportunity to familiarise themselves with the complete informational content did not manifestly change their mindset, and in cases where some changes were observed, their direction was usually opposite to the expected one. I am talking here about the variable of product effectiveness because the differences in the evaluation of producer credibility were negligible and the evaluations of

information value were bound to be higher under enhanced exposure conditions. It is somewhat surprising that the legally mandated inclusion of potentially unfavourable pieces of information (from the advertiser's perspective) did not result in viewers' higher awareness of the manipulative tricks that the advertisers attempted to employ. Generally, such practices seemed to go unnoticed and remarks related to these issues were largely absent from the participants' reports. Admittedly, the respondents did point out some manifestations of false representations of reality, pretentiousness and even outlandishness in the commercials, but these had nothing to do with the clash between ostensive and disguised communication in the ad. The study participants did not expect the disclaimers to contain information potentially contradicting or lessening the openly made claims; they just treated them as supplementary statements, which were assumed to follow the same line of argument as the slogans. Thus, the intended protective mechanism failed to perform its legally projected role. This might be one of the many indicators of the increasingly persistent symptoms of information overload (Toffler 1970), which people experience on everyday basis. In an attempt to somehow tackle the problem, they often reduce critical attention and careful inspection, although at the back of their heads they know very well that the small print matters and that it is there for their own good.

Notes

1. In Polish the formula used to read: *Przed użyciem zapoznaj się z treścią ulotki dołączonej do opakowania bądź skonsultuj się z lekarzem lub farmaceutą, gdyż każdy lek niewłaściwie stosowany zagraża Twojemu życiu lub zdrowiu...* (e.g., https://nonsa.pl/wiki/Przed_użyciem_zapoznaj_sie_z_treścią_ulotki_dołączonej_do_opakowania_bądź_skonsultuj_sie_z_lekarzem_lub_farmaceutą) – Eng. Before use read the package leaflet or contact your doctor or pharmacist, because every drug, if used improperly, threatens your life or health.
2. Even though the third group was exposed to the commercials two times (once in an unmodified form and another time in the enhanced mode) these two viewings are treated as independent, since the access to the full transcript of the commercials undoubtedly had a much bigger influence on their perception than the fact that the participants had already seen the commercial before. It is our everyday experience that we see the same commercials a number of times, and this does not much change the way we perceive them. This is why it seemed fully justified to assume that the effects of repeated exposure would be negligible in comparison to the effects of access to the full transcript, and to treat the observations as independent.
3. The regulation of the Minister of Health of November 21, 2008, on the advertising of medicinal products specifies the size and orientation of the text, the line spacing and the contrasting background requirement, the minimal duration (8 seconds), and reading speed.
4. This is one of the examples of how contemporary advertisers try to turn the potentially restrictive

legal requirements to their advantage, creatively exploiting obligatory disclaimers. Two other examples are ads for the sedative drugs *Valerin Forte* and *Valerin Max*, in which the producers decided to incorporate the appeal to consult the GP and the pharmacist into the ad in an inventive and untypical way, whereby the instruction is shouted by an agitated secondary character, apparently in need of some medication. In this way the manner of presentation of the disclosure serves at the same time as the illustration of the problem that the advertised drug purports to treat.

List of abbreviations

DHEA – dehydroepiandrosterone

GP – General Practitioner

K-S d – Kolmogorov-Smirnov d (distance)

Std.Dev. – Standard Deviation

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Appendix A: The survey used in the study (translated from Polish)

1. Please circle the value on the scale from 1 to 7, indicating your evaluation of the trustworthiness of the producer, where 1 denotes "I don't trust the producer at all" and 7 means "I fully trust the producer".

1 2 3 4 5 6 7

2. Please circle the value on the scale from 1 to 7, indicating your opinion on the effectiveness of the advertised product, where 1 denotes "the product will not show any positive effect or influence" and 7 means "the product is bound to be 100% effective".

1 2 3 4 5 6 7

3. Please circle the value on the scale from 1 to 7 indicating your evaluation of the informative value of the commercial, where 1 denotes "I haven't learned anything new from the commercial" and 7 means "I have learnt a lot of interesting things from the commercial".

1 2 3 4 5 6 7

4. What are the main advantages and benefits which the advertised product offers? Mention not more than three:

- 1.
- 2.
- 3.

5. What information provided in the commercial do you perceive as true and verified, and what should be classified as presentation of falsehood and misrepresentation?

- a. Verified and true:
- b. False and fabricated:

Appendix B: The participants' evaluation of the ads

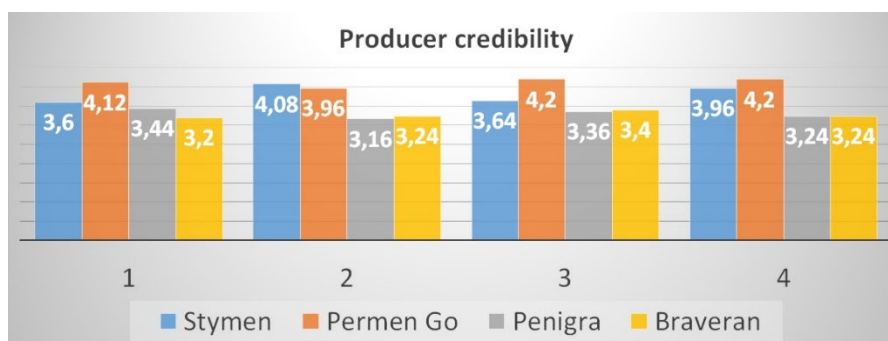


Figure 8. Viewer's evaluation of producer credibility. Source: own processing



Figure 9. Viewer's evaluation of product effectiveness. Source: own processing

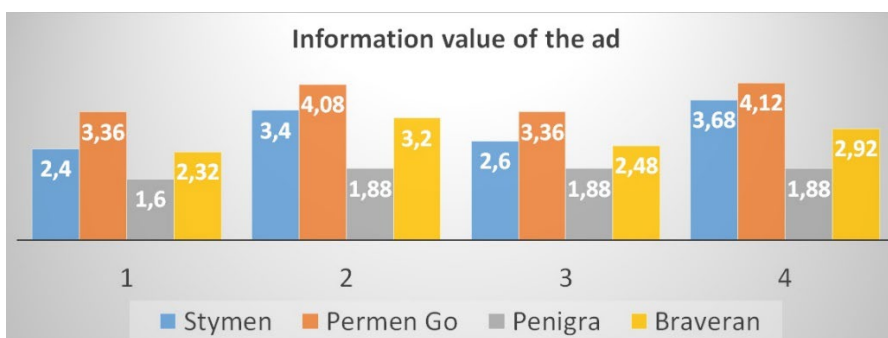



Figure 10. Viewer's evaluation of information value of the ad. Source: own processing

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