

What Would Jesus Say—About Puffery?

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Abstract

This paper examines what Jesus might have to say about puffery, a tool frequently used by marketers. Puffery is subjective language used by advertising and salespeople that may or may not be true. This paper uses passages from the Gospels to make the argument that Jesus would not approve of the use of puffery. The authors cite Gospel verses that address truth, deception, vulnerable consumers and the pursuit of material gain as they relate to the use of puffery. The paper makes recommendations to marketing practitioners and educators concerning the use of puffery. It also outlines future research opportunities related to puffery.

What Would Jesus Say—About Puffery?

Puffery is language used by marketers to describe their products and/or companies in advertising and sales presentations. Puffery makes positive statements in advertising and sales about products that may or may not be true (Preston 1996, 1998). The Federal Trade Commission (FTC) allows marketers to use puffery because the FTC's position is that puffery does not deceive reasonable consumers. The FTC argues that reasonable consumers have the ability to differentiate between puffery and other types of information (Preston 1996).

Even though the FTC allows puffery to exist does not mean that puffery is ethical and acceptable for use—especially by Christians working in marketing. This paper will attempt to

examine what Jesus would say about puffery. It looks at passages from the Gospels that address the ethical issues raised by the use of puffery in marketing. The paper will also make some recommendations to marketers and academics about the use of puffery.

Puffery

Puffery is an accepted practice in marketing. Marketers struggle to find ways to differentiate products that consumers see as having few real differences. As a result, the temptation for marketers to make statements about products that are considered puffs has increased (Preston 1998). Even though it is receiving more scrutiny than in the past, puffery is still considered an acceptable practice for advertisers and salespeople. This acceptance is rooted in the free market concept of *caveat emptor*: let the buyer beware. Legal definitions of puffery often refer to puffery as an exaggerated claim of quality. In calling for the outlaw of its use, a New Jersey judge called it “the seller’s privilege to lie” (Greenberg, 2003).

Preston (1996, 1998) places puffs into six categories: best, best possible, better, specially good, good and subjective qualities. The strongest (most deceptive) type of puff is the use of the term “best.” This implies that the product being advertised is better than its competitors in the attribute being described. Examples are Goodyear’s claim of “Best Tires in the World” and “Nestle makes the very best chocolate” (p. 54). The next strongest classification of puff is the “best possible” claim. Minute Rice’s assertion that it is “Perfect rice everytime” means that other products may be as good, but there are none better. At worst it means that the product is tied with a competitor for the top ranking (Preston 1998, p. 54).

The claim of “better” suggests a product is better than some, but other products could be better or equal. “Advil just works better” and Aquafresh’s “For dazzling, whiter teeth” are both examples of the “better” claim (Preston 1998, p. 54). “Specially good” claims place the product

high on the scale of competitors, but do not say it is best or better. An example is Weber's claim that "If it's Weber, it's great outdoors."

The classification of "good" products suggests that the product ranks favorably, but not necessarily high on a scale compared to other products. Campbell Soup's "M'm M'm good" fits into this group (Preston 1998, p. 55). The sixth and weakest puff is the "subjective qualities" claim. "There's a smile in every Hershey bar," makes no comparison to other products, but makes a subjective assertion about the product, with which consumers may agree or disagree (Preston 1998, p. 55).

To be illegal, marketing communication must deceive consumers. The FTC Deception Statement (1983) outlines three criteria for deceptive advertising. First, a statement "must be a representation, omission, or practice that is likely to mislead a consumer" (p. 609). The FTC defines misleading statements as those that encourage behavior in which a consumer would not otherwise engage (Nebenzahl and Jaffe 1998).

Second, to be considered deceptive, the "act or practice must be considered from the perspective of the reasonable consumer" (FTC Deception Statement 1983, p. 690). The definition of a reasonable consumer is an important issue concerning the FTC Deception Statement (1983). The FTC says that a consumer's actions should be just in the context of the circumstance surrounding the consumer's behavior.

Haan and Berkey (1999) argue that the reasonable consumer doctrine is potentially dangerous for vulnerable consumers. These are consumers, who by no fault of their own are unable to make reasonable assessments of the claims made by advertisers or salespeople. Children and senior citizens are often cited as examples of vulnerable consumers (Andreasen 1993).

The third characteristic of a deceitful statement is that “the representation, omission, or practice must be material” (FTC Deception Statement 1983, p. 691). The burden of proof of materiality has been shifting in recent years. Historically it has been up to the injured party to prove the material nature of the claim. More recently, however, the FTC has ruled that marketers have an obligation to show that a claim they make is not material to consumers (Preston and Richards 1992).

Critics of puffery (e.g., Preston 1996; Rotfeld and Rotzoll 1980) have argued that the FTC has been too lenient in determining the level of deception in puffery cases. They claim that if puffery does not work, marketers would not use it. Researchers (e.g., Cunningham and Cunningham 1977; Rotfeld 1997; Bruskin 1971) have shown that puffery is believed by a substantial number of consumers. Puffery can also influence consumers’ perceptions of the products about which puffed claims are made (Vanden Bergh and Bartlett 1982; Vanden Bergh and Reid 1980).

Recently the FTC has taken a closer look at puffery. In the mid-1990s, the FTC considered making all advertising claims warrantable. This would mean that marketers would have to prove any claim made in an advertisement. The FTC decided not to take this action (Ross 1996). A recent court ruling concerning claims made by Pizza Hut and Papa John’s Pizza restaurants has led many to believe that puffery may be the subject of legal action in the near future. The two pizza firms have sued each other over Pizza Hut’s “The Best Pizza Under One Roof” and Papa John’s “Better Ingredients. Better Pizza” slogans (Heckman 2000, p. 6).

Another argument against the use of puffery is related to the area of sales. Haan and Berkey (1998) argue that the use of puffery decreases the level of trust prospective customers have in salespeople who engage in puffery. Trust is an essential component in the relationship

between salespeople and their prospective customers (Doney & Cannon, 1997). Anything that decreases the trust that customers and prospective customers have in a salesperson decreases the likelihood of a sale occurring.

Jesus' Teachings Related to Puffery

While Jesus obviously did not address the issue of puffery specifically in the Gospels or indirectly through other passages in the Old and New Testament, He did address ethical issues that are raised by the use of puffery in marketing today. The major ethical issue raised by the use of puffery is the question of how language can be used to deceive consumers. As noted above, academic critics (i.e., Preston, 1996, 1998; Rotfeld, 1997) argue that marketers use puffery to deceive consumers to make purchases they might not otherwise make. The argument is that they are not telling the whole truth. Again, if these puffed statements did not work, marketers would not use them.

The Sermon on the Mount probably most directly addresses Jesus' teachings concerning the use of language that is most closely related to puffery. He makes it very clear that people are not to use language that makes it difficult for others to know what is being said. "Simply let your 'Yes' be 'Yes,' and your 'No,' 'No'; anything beyond this comes from the evil one" (Matthew, 5:37, NIV). *In The Message* (Peterson, 2003, p. 20) translates Matthew 5:37 as, "Just say 'yes' and 'no.' When you manipulate your words to get your own way, you go wrong." Jesus probably would have a problem with advertisers and the FTC who argue that puffery is acceptable because the words it uses can be interpreted in many ways.

Later in Matthew, Jesus warns of making clear the meaning of words that are spoken, "The good man brings good things out of the good stored up in him, and the evil man brings evil things out of the evil stored up in him. But I tell you that men will have to give account on the

day of judgment for every careless word they have spoken. For by your words you will be acquitted, and by your words you will be condemned" (Matthew 12:35-37). Using words that are easily misunderstood by others could be considered "careless words" as Jesus refers to here in Matthew.

Jesus indicates in Luke 6:43-45 that evil men are the ones saying things that are not true. "No good tree bears bad fruit, nor does a bad tree bear good fruit. Each tree is recognized by its own fruit. People do not pick figs from thornbushes, or grapes from briars. The good man brings good things out of the good stored up in his heart, and the evil man brings evil things out of the evil stored up in his heart. For out of the overflow of his heart his mouth speaks." The entire concept of puffery (and to some degree most of today's advertising) is to use statements that might be interpreted in a way that says something good about the advertised product or company. These appear to be in violation of the statements Jesus makes concerning the use of language in Matthew and Luke.

The FTC argues that puffery is legal because it does not deceive consumers. This is not believed to be the case by those who do research in the area of puffery. Rotfeld (1978) examined what he refers to as puffery-implied claims and fact-implied claims. He comments that consumers are just as likely to believe claims that are exaggerations of fact made in advertisements, as they are to believe factual claims made in advertisements. Rotfeld (1978) concludes that puffery can deceive consumers and should be regulated.

A number of studies other than Rotfeld (1978) have addressed the question of whether or not buyers believe puffery. Bruskin (1971) found that up to 47 percent of respondents believed advertising claims that had been classified as puffs. As an example, 43 percent indicated that they found Minute Rice's claim of "Perfect rice every time" to be "completely true" (p. 49).

Rotfeld and Rotzell (1980) reported that 39.6 percent of their sample believed claims that were puffs. In the Rotfeld and Rotzell (1980) study, the subjects were all at above average education levels. It is generally assumed that those of higher education levels are less likely to believe a puff (Preston, 1996).

In another study (Shimp, 1978), participants were asked if puffs implied comparisons that did not actually exist. For example, a puff such as "Mennen E goes on warmer and drier" could imply that "Mennen E goes on warmer and drier than any other deodorant in the market" (p. 24). In some cases, over 50 percent of the participants indicated that they believed that the puff did imply facts that were not made in the claim.

So, despite the fact that FTC says that puffery does not deceive consumers, the research in this area suggests it does. Preston (1996) probably said it best when he stated that if puffery doesn't work, marketers wouldn't use it. If puffery is deceitful, would it matter to Jesus? In Mark 7:21-22 Jesus includes deceit on a list of other depraved attributes of man, "For from within, out of men's hearts, come evil thoughts, sexual immorality, theft, murder, adultery, greed, malice, deceit, lewdness, envy, slander, arrogance and folly."

Truth is another component of puffery that is related to what Jesus might say about puffery. The concept of truth has been debated in philosophical literature for centuries. Jesus does not define truth specifically in the Gospels. He refers to himself as revealing truth when discussing what it takes to gain eternal life. "I am the way and the truth and the life. No one comes to the Father except through me" (John 14:6). He discusses that he has told the truth before he is sentenced to death. "If I said something wrong," Jesus replied, "testify as to what is wrong. But if I spoke the truth, why did you strike me?" (John, 18:23). This language refers to His honesty as opposed to falsehood. He also begins 20 different sentences in the Gospels with

the phrase “I tell you the truth,” which amplifies the validity or authority of statements He is making (Green, McKnight & Marshall, 1992).

The FTC allows puffery to exist in the U.S. because it has determined that most consumers understand what puffery is and how it is used. This determination does not protect vulnerable consumers who may not understand how puffery works. Children and the elderly are the most common type of vulnerable consumers. Critics of puffery (i.e. Andreasen, 1993; Haan & Berkey, 1999) suggest that marketers who use puffery are taking advantage of the vulnerability of these consumers.

Jesus’ feelings towards children are well known. He often used the naiveté of children to describe how Christians should act. “Then little children were brought to Jesus for him to place his hands on them and pray for them. But the disciples rebuked those who brought them. Jesus said, ‘Let the little children come to me, and do not hinder them, for the kingdom of heaven belongs to such as these.’ When he had placed his hands on them, he went on from there” (Matthew 19:13-15).

Luke also records this event: “People were also bringing babies to Jesus to have him touch them. When the disciples saw this, they rebuked them. But Jesus called the children to him and said, ‘Let the little children come to me, and do not hinder them, for the kingdom of God belongs to such as these. I tell you the truth, anyone who will not receive the kingdom of God like a little child will never enter it.’” (Luke 18:15-17). These well known verses suggest that those who are childlike will inherit the kingdom of God. The FTC says in its rulings that those who are childlike do not enjoy the same protection from puffery as those who are able to understand and defend themselves against being influenced by puffery. While there is some

humanistic logic to this thought process, one wonders if Jesus would agree with this rationale based on His words in Matthew and Luke.

Not all are opposed to the use of puffery in marketing. Those who support its use (i.e., James & Alman, 1996) argue that puffery is good for the economy. Without puffery advertising would be much less effective. As a result of this decrease in effectiveness, consumers would buy less and the economy would move at a slower pace. While there may be some economic merit to this argument it does not mean it would stand up to Jesus' scrutiny.

In Matthew, Jesus addressed putting material values ahead of godly pursuits, "Do not store up for yourselves treasures on earth, where moth and rust destroy, and where thieves break in and steal. But store up for yourselves treasures in heaven, where moth and rust do not destroy, and where thieves do not break in and steal. For where your treasure is, there your heart will be also. The eye is the lamp of the body. If your eyes are good, your whole body will be full of light. But if your eyes are bad, your whole body will be full of darkness. If then the light within you is darkness, how great is that darkness! No one can serve two masters. Either he will hate the one and love the other, or he will be devoted to the one and despise the other. You cannot serve both God and Money" (Matthew 6:19-24). Jesus again warns against these misplaced priorities in Luke, "And do not set your heart on what you will eat or drink; do not worry about it. For the pagan world runs after all such things, and your Father knows that you need them. But seek his kingdom, and these things will be given to you as well" (Luke 12:29-31).

That's not to say that Jesus does not appreciate the efforts of those who use their abilities to their fullest; it is a matter of priorities. The parable of the man and the talents in Matthew shows that Jesus rewards business people who seek God first. "For everyone who has will be given more, and he will have an abundance. Whoever does not have, even what he has will be

taken from him. And throw that worthless servant outside, into the darkness, where there will be weeping and gnashing of teeth” (Matthew 25:29, 30). Christian marketers do not want to be thrown into the darkness for wasting their talent; but they also do not want to waste that talent by using deception to sell products. The story of Jesus throwing the moneychangers out of the temple in Matthew 21 indicates that Jesus dislikes inappropriate priorities. Business behavior is not Jesus’ concern in clearing the temple, but wrong priorities are His concern; in this case business being done in His Father’s house.

It could also be argued that using puffery for potential gain violates the Golden Rule. Most people probably do not want to be tricked into making decisions about products by potentially deceptive statements and would not want to do that to others. “So in everything, do to others what you would have them do to you, for this sums up the Law and the Prophets” (Matthew 7:12).

For the reasons stated in this section it appears Jesus would not approve of the use of puffery. But what does this mean for marketers and educators? What can or should be done concerning the use of puffery?

Recommendations to Practitioners and Educators

Based on the discussion of puffery and applications of what Jesus said that is related to puffery, marketing practitioners and educators need to take a hard look at what they are practicing and teaching. The authors of this paper are suggesting that Christian marketers take the lead in working towards reducing puffery, specifically puffery that may mislead or deceive consumers. To do this, Christian marketers first need to be aware that puffery exists. Before they can do anything about puffery they need to understand what puffery is, what Jesus might have to say about it, and why it is dangerous. Today’s marketplace is filled with advertising and sales

presentations that use puffery on a regular basis. A Christian working in the advertising world needs to consider the potential for ads that she/he writes to deceive prospective consumers. While the FTC may not be willing to take a stand to prevent potentially deceptive ads, hopefully Christians working in the advertising field will attempt to create ads that will not deceive consumers. They need to create ads that will not trick people into thinking something that is not intended by the words used to convey the advertising message. This is obviously a difficult task with the pervasiveness of puffery in advertising.

Puffery may do even more potential damage in sales. Salespeople work alone, and in doing so the language they use is not scrutinized as it is in advertising. As a result, salespeople who engage in puffery can destroy the trust that consumers have in salespeople and can damage an entire industry (Haan & Berkey, 1999). It is probably easier for salespeople to engage in puffery than advertisers. As a result, Christian salespeople and sales managers need to be exposed to the concepts of puffery and the potential problems it can cause for them, their profession and the consumers they may deceive. In one way, the Christian salespeople may have an easier time not using puffery than those working in advertising. The salesperson chooses every day what words to use and not use; and since they are often working without supervision, may find ways to present products to consumers without using puffery that do not need the approval of a sales manager.

Marketing educators may have the most important job in this effort. Marketing educators can help students make decisions about careers in marketing where the use of puffery could be expected. Again, marketing educators can expose students to the use of puffery in advertising and sales. Educators have the opportunity to raise the level of awareness of students in the area of puffery. Educators also can help students think through the decisions about how they want to

deal with puffery in their careers before they are confronted with being asked to use it in their jobs in marketing. While it is probably unrealistic for educators to steer students away from careers in advertising or sales, an understanding of puffery will help them to evaluate the potential ethical dilemmas they may face in working in these industries.

Future Research Opportunities

Finally, more research needs to be done in this area. While this study was a first look at what Jesus said about issues related to puffery in the Gospels, future studies need to look at puffery in the context of the entire New Testament and/or Bible. Further study of other parts of the Scriptures could reveal more truth about God's feelings towards the use of this type of language and how it might apply to advertising and sales.

Empirical research could be conducted to determine if Christians are aware of the use of puffery and the dangers it may create. Most consumers, Christian or not, are not aware that much of the advertising and sales language that is used by marketers is puffery. The effect of puffery on these consumers purchase behavior could be studied further.

Puffery is prevalent in advertising and sales around the world. Christians need to become aware of puffery and what Jesus specifically and God more generally says related to the issues surrounding this subject. Hopefully this paper is a beginning to an ongoing discussion of how puffery affects Christians inside and outside of marketing.

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