

The Nonuser Celebrity Endorser Teaching Notes

What Are the Relevant Facts?

1. Lance Willard, popular Hollywood movie star, has signed a one-year contract with Bud's Best (BB) bacon to give product testimonials (known as celebrity endorsements when given by celebrities).
2. Annie, a copywriter for Laird and Laird (L&L) Advertising, has been assigned to the BB account.
3. Victor, President of L&L, explains to Annie that Victor has signed an affidavit swearing that he is a bona fide user of BB bacon.
4. Although Lance has plenty of personal experience with BB bacon, as is legally required for him to give a personal testimonial, and he has always preferred BB to any other brand of bacon, Lance has recently become a vegetarian.
5. Lance tells Annie that as long as the endorser's comments are based on verifiable personal experience, the message cannot be challenged as deceptive.
6. Bacon is a food high in cholesterol, which could have contributed to Lance's high cholesterol count and his doctor's warning to cut down on high cholesterol foods.
7. Victor has told Lance that technically it is okay for him to discuss in commercials his past enjoyment of BB bacon.
8. Lance will not discuss the health issues involved--only the bacon's quality, value, and good taste.
9. Lance believes that, health issues aside, BB bacon is superior along these dimensions to other bacon brands.
10. Annie has reservations about doing the copywriting for commercials using Lance as a celebrity endorser since, for health reasons, he no longer consumes the product.

What Are the Ethical Issues?

1. Is it deceptive to use Lance as a celebrity endorser given that, although in the past he used and preferred the product, he no longer does because he believes it is unhealthy?
2. Is it ethical to promote a product which potentially poses a health hazard to at least some consumers?
3. Would promoting this brand increase consumption of an unhealthy product or merely help shift brand

preferences among current consumers of the product?

4. Is it acceptable to restrict the discussion in the ads to the product's quality, value, and taste while neglecting the health issue (e.g., should some sort of disclaimer be used)? Is it a case of incomplete disclosure?
5. How can Annie resolve the dilemma caused by the clash between her personal view as to what is honest, the nature of the campaign, and what the law apparently allows?
6. Is a copywriter obligated to abide by her superior's judgment?
7. Is the reputation of L&L threatened because of Lance's vegetarianism?

Who Are the Primary Stakeholders?

1. What is the appropriate level of analysis (systemic, corporate, individual) to use in identifying the primary stakeholders?
 - Annie
 - Lance
 - Victor
 - The target audience for the advertising campaign
 - L&L
 - American Advertising Federation
2. What are Annie's responsibilities to each stakeholder?

What Are the Possible Alternatives?

1. Annie could refuse to continue to work on the campaign.
2. Annie could be asked to be reassigned to another account whose product poses no health hazards.
3. Annie could agree to go to work on the campaign as proposed.
4. Annie could suggest an alternative approach using Lance which doesn't suggest that he has ever personally used the product.
5. Annie could argue for dropping use of Lance in the campaign altogether.

What Are the Ethics of the Alternatives?

- Ask questions based on a “utilitarian” perspective (costs and benefits). For example:
 1. Which possible alternative would provide the greatest benefit to the greatest number?
 2. How would costs be measured in this vignette?
 3. Do the benefits of being consistent with your personal values outweigh the costs of doing potentially less effective advertising (perhaps without Lance) or of potentially displeasing the client?
- Ask questions based on a “rights” perspective. For example:
 1. What does each stakeholder have the right to expect?
 2. Which alternatives would you not want imposed on you if you were Annie? Lance? Victor? A member of the target audience? The client?
 3. What are Lance’s and the client’s rights, given that they have signed a contract?
 4. Does Annie have a right to protest?
- Ask questions based on a “justice” perspective (benefits and burdens). For example:
 1. Which alternative distributes the benefits and burdens most fairly among the stakeholders?

2. Which stakeholders carry the greatest burden if Annie refuses to work on the campaign as planned?
3. Which alternative(s) demonstrate a fair process? A fair outcome?

What Are the Practical Constraints?

1. Annie might not consider disagreeing with her superior to be a viable option from the perspectives of her job at L&L as well as her career.
2. If Annie refuses to go along, another copywriter will probably be assigned to do the campaign anyway.
3. Victor might overrule any decision Annie makes to alter the campaign anyway.
4. Legally, it might be impossible to verify Lance’s experience as a bona fide user.

What Actions Should Be Taken?

1. What action steps should Annie take?
2. Which alternative should she choose? Why?
3. Which alternative would you choose if you were in Annie’s position? Why?
4. Which ethical theories (utilitarian, rights, justice) make the most sense to you as they relate to this situation?