

Misleading

	<p>Switchdigital</p> <p>102.2 Jazz FM</p>
Issue	<p>An advertisement to promote "DAB digital radio" referred to its provision of "CD-quality sound."</p> <p>Nine listeners believed that DAB did not provide CD-quality sound, as most broadcasters used bit rates that were too low to achieve it.</p>
Response	<p>GMG Radio, owners of 102.2 Jazz FM, confirmed that it had "suspended all Switchdigital and DAB advertising on air ... pending [its] own investigation and subsequent ruling from Ofcom." However, it added that "the commercial was broadcast in good faith and in the true spirit of communication in order to help the consumer rather than mislead" and that it formed "part of a London wide regional campaign by The Wireless Group."</p> <p>The advertiser said it had been its aim "to introduce a technologically new method of broadcasting - in listener appropriate language - to an untechnically qualified broad demographic of all sociographic backgrounds." It added that DAB was "theoretically permanently clean from the vagaries of analogue transmission systems."</p>
Decision	<p>We agreed that many listeners were likely to appreciate the absence of analogue transmission 'vagaries' and equate the 'clean' sound of DAB with that of CDs. While we recognised that it is possible to transmit services at bit rates sufficiently high for most listeners to equate with CD-quality, broadcasters can choose to transmit at lower bit rates or in mono. Our expert confirmed that some listeners, in particular listening circumstances, would perceive a difference in sound quality between services using lower bit rates or broadcasting in mono compared to the quality attainable on CDs. We therefore believed the advertisement breached Section 2 Rule 3a (Misleadingness) of the Advertising and Sponsorship Code.</p>
Conclusion	<p>The advertisement must not be broadcast again without amendment.</p>