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WHAT YOU'LL NEVER MANAGE TO READ – THE SMALL PRINT COMPONENT OF TELEVISED COMMERCIALS FOR ERECTION STIMULANTS

The law is not effective in forcing the advertisers to communicate complete and reliable information about advertised products: the mere inclusion of written disclosures does not guarantee their successful perception, let alone comprehension. TV commercials are especially troublesome in this respect, because not only are the disclaimers presented in microscopic font size, but their display time challenges the perceptive abilities of even the most efficient readers, not to mention the distracting effect of the simultaneously presented visual images and voice-overs. Yet, their effective comprehension could very often significantly modify the overall message and in this way lead to altered (often in a way unfavourable for the advertiser) persuasive effect. The study presents the ways in which the small print components interact with the information presented by means of the more conspicuous linguistic and pictorial items in a collection of 20 Polish TV commercials for erection stimulants. In particular, attention is given to the potential changes in the communicated message in the conditions of full comprehension and intake of the small print items.

1. Advertising communication and the law

Advertising, as a part of commercial activity, is subject to specific legal regulations pertaining to its subject matter, content, forms and practices. Free market does not entail total freedom of advertisers to choose what, how, when and to whom they can promote. The philosophy behind most of legal restrictions is connected with the presumed peculiar status of the state as the protector of the citizens and the institution ensuring their welfare. The most conspicuous assumption of such regulations is the weak position of helpless consumers, contrasted with the all-powerful status of mighty producers who would otherwise use all means imaginable to exploit and deceive the uneducated and vulnerable masses. It transpires from the very definition of disclaimers, which have been

described as a “statement of disclosure made with the purpose of clarifying or qualifying potentially misleading or deceptive statements made within an advertisement” (Stern and Harmon 1984: 13). It is quite clear that such a definition is based on the presumption that more and more companies deliberately fail to inform the customers about the potential risks or disadvantages, so the government has no choice but to intervene.

There is a rich bulk of research, however, showing that such an assumption is actually wrong, and that deceitful practices are usually disadvantageous or even disastrous for dishonest and fraudulent entrepreneurs. These issues are discussed at length in Green and Armstrong (2012), who present them in the context of the effects of mandatory disclaimers in advertising. The authors convincingly argue that being honest and fair with the customers is in the advertisers’ best interest, and that there is no need to impose the placement of any obligatory disclosures in commercials. Quite to the contrary: the evidence in form of a review of 18 experimental studies supplemented with their own experiment 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” (Green and Armstrong 2012: 302). Yet, legally imposed disclaimers are still an integral part of contemporary advertising landscape.

On the other hand, it is quite clear that consumers have become used to the presence of disclosures in commercials and developed various strategies of dealing with them, ranging from total disregard to careful examination in search for any valuable information. The latter is obviously quite rare, most of the time we simply treat disclaimers as part of the background, an ingredient of the overall context, which has only a minor influence on the interpretation of the message (Wojtaszek 2007), especially in situations when the audience is familiar with the advertised brand (Herbst, Hannah and Allan 2013). We have learnt that their content is predictable and largely irrelevant for our purchase decisions and general behaviour. In the context of advertisements for cigarettes and alcohol, whose consumption has been proven detrimental to our health beyond any doubt, the health risk warnings do not seem to be very effective in discouraging people from smoking or excessive drinking. The effects of any new regulations, imposing larger and larger fonts of such disclosures, occupying larger and larger part of the packaging, or even employing off-putting and distressing images of the effects of smoking or drinking, are only temporary.

The major focus of this paper, however, is not related to advertisements for potentially hazardous substances, and the disclaimers which are going to be analysed do not perform a predominantly warning function. That is why rather than being large and conspicuous, they occupy a much less prominent position in the commercials. Such disclaimers are most frequently found in advertisements for pharmaceuticals (Hoek, Grendall, Rapson and Louviere 2011; van de Pol and de Bakker 2010) and dietary supplements (Dodge and Kaufman 2007; Mason, Scammon and Fang 2007), as well as in advertising targeted at children (Bakir 2009; Stutta and Hunnicutt 1987). Since the present paper focuses spe-

cifically on commercials for erection stimulants, which fall within the scope of either pharmaceutical products or dietary supplements, the most relevant legal acts are the Regulation of the Minister of Health of 21 November 2008 on the advertising of medicinal products¹ and the Regulation of the Minister of Health of 9 October 2007 on the composition and labelling of dietary supplements². The former regulates the form of presenting references to scientific research, the required informational content of advertisements (including the composition of the product and the instructions for use), as well as the exact formulation in the Polish language of the well-known standard instruction to read the package leaflet before use³, while the latter focuses on listing the substances which may be used as the ingredients of dietary supplements and on the way in which the products must be labelled.

Precise instructions related to the form and manner of presentation of the disclosures, however, refer only to the advice to read the package leaflet of medicinal products, specifying the size and orientation of the text, the line spacing and contrasting background requirements, the minimal duration of the display and the reading speed. The other elements imposed by the regulation must be displayed in a visible and readable manner, but the exact interpretation of what it actually means is left to the advertisers. The situation is similar in the case of disclaimers presented in the United States, regulated by the Federal Trade Commission (FTC) (Quaresima 2011, April 20). Given the liberty of interpretation, the advertisers may relatively freely shape the presentation settings to suit their purposes. This most frequently results in very inconspicuous and rapid display of disclosures, which in turn significantly influences their intake and interpretation by the viewers.

2. The intake and interpretation of informative content in commercials

Many studies have been devoted to the issues related to the reception, understanding and appreciation of commercials, both in relation to the entire copies (Putrevu 2008; Zhang and Gelb 1996; Diao and Sundar 2004; Ketelaar, van Gisbergen, Bosman and Beentjes 2008) and a perspective limited to selected elements (Harris, Sturm, Klassen and Bechtold 1986; van Mulken, van

¹ Rozporządzenie Ministra Zdrowia z dnia 21 listopada 2008 r. w sprawie reklamy produktów leczniczych, <http://isap.sejm.gov.pl/DetailsServlet?id=WDU20082101327>

² Rozporządzenie Ministra Zdrowia z dnia 09 października 2007 r. w sprawie składu oraz oznakowania suplementów diety, <http://isap.sejm.gov.pl/DetailsServlet?id=WDU20071961425>

³ „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” [Before use read the package leaflet or contact your doctor or pharmacist, because each drug used improperly threatens your life or health].

Enschot-van Dijk and Hoeken 2005; Toncar and Munch 2001). The favourite aspects under investigation include the role of sexual appeal and sexual references from the perspective of information processing (Alexander and Judd 1978; Grazer and Keesling 1995; Reichert, Heckler and Jackson 2001; Severn, Belch and Belch 1990) or emotional responses, affect and arousal (Dudley 1999; Huang M. H. 2004; LaTour and Henthorne 1993; LaTour, Pitts and Snook-Luther 1990; Reichert 2002), as well as studies of understanding and interpretation of metaphors in advertisements, represented by Ang (2002), Ang and Lim (2006), DeRosia (2008), Jeong (2008), Lagerwerf and Meijers (2008), Madupu and Cooley (2007), McQuarrie and Mick (1996; 1999; 2003), McQuarrie and Phillips (2005), Morgan and Reichert (1999), Pawlowski, Badzinski and Mitchell (1998), Phillips (1997; 2000), Phillips and McQuarrie (2004; 2009), Proctor, Proctor and Papasolomou (2005), Toncar and Munch (2001) van Mulken, le Pair and Forceville (2010) and van Mulken, van Enschot-van Dijk and Hoeken (2005).

In the context of the present investigation, however, the most relevant are the works concentrated on recall and evaluation of either the brand name or the advertising claims made in commercials, such as Bradley and Meeds (2002) Diao and Sundar (2004), Goodrich (2010), Grazer and Keesling (1995), Harris, Trusty, Bechtold and Wasinger (1989), Houston, Childers and Heckler (1987), Kaplan (2007), Lim, Ang, Lee and Leong (2009), Putrevu (2008), Reichert, Heckler and Jackson (2001), Toncar and Munch (2001) and Wojtaszek (2007; 2009). The investigators collected their data by means of questionnaires, interviews, text-completion tasks, recognition assignments or even recordings of observable behaviour. Their aim was not only revealing if a certain element had been remembered, but also how it had been integrated into the existing cognitive framework and what had happened to the initial informational input.

It has been long established that our memory is a dynamic construct, depending on re-creation of the original process or experience, rather than a static repository of events and sensations (Weiner and Craighead 2010: 589). On the neurological plane, in the act of remembering we attempt to repeat the original pattern of neural activation, while in the cognitive perspective we try to activate the same resources which contributed to the original experience. The problem is that in both domains we are doomed to failure, as it is impossible to reconstruct the basic experience exactly in the same way, we cannot live through the same situation twice. What is more, it has been demonstrated that very often we are incapable of distinguishing between the elements of the new sensory input and the background knowledge already internalised in our mind. For example, McQuarrie and Phillips (2005) found that subjects tended to report positive claims about advertised products when such claims were made only indirectly, especially in form of a picture, which supports the findings recounted in Kardes (1988) and Stayman and Kardes (1992). Harris, Trusty, Bechtold and Wasinger (1989), in turn, demonstrated that when we process advertising claims we have a tendency to treat and remember implied claims as actually stated, because the

linguistic markers of indirectness are usually neglected, a tendency confirmed also by Wojtaszek (2007). The study found that the subjects not only applied modal modifications to the statements, but also tended to disregard specific components of the copies, especially the small print items, and use cohesive devices to combine the abbreviated fragments into a larger whole. Finally and perhaps most significantly, however, Wojtaszek (2010a) and (2010b) demonstrated a consistent tendency to fabricate, whereby the subjects completing the task of elicited recall subconsciously supplemented the information derived from the advertisements used in the study with items typically found in similar messages, such as the GPS device in a car commercial.

This shows how strongly our perception depends on the existing knowledge base and how significantly the informational input may be influenced by our prior experiences. The contribution of the surrounding context and the background knowledge is schematically presented in a model of advertisement perception elaborated by Wojtaszek (2011: 204-206). The present study, however, is not concerned with investigation of direct perception, but with focused content analysis of TV commercials, on the basis of which hypothesised perception could be modelled. Rather than reporting on actual viewers' impressions, it attempts to investigate in a detailed manner the exact content of the small print items and to evaluate their potential contribution to the mental processing of the commercials. Previous research has shown that disclaimers are customarily neglected and not attended to, primarily because they are incorporated into commercials in ways making their intake and processing extremely difficult or in combination with other, more salient elements, diverging the viewers' attention from them (Wicks, Warren, Fosu and Wicks 2009). In connection with the above, it seemed intriguing to explore the ways in which the perception of TV commercials could be modified if the content of all disclaimers was effectively absorbed. This is arguably a purely hypothetical situation, but on the other hand is it not a scientist's obligation to pore over phenomena not normally discernible for a layperson?

3. The study design

The present investigation draws upon the collection of 20 TV commercials for erection stimulants which were broadcast in Poland between the years 2007 and 2015⁴. They were downloaded from the YouTube service and carefully inspected for the purpose of identification of all informational content, with the

⁴ The sample encompasses commercials for the following products: Braveran, Erekton, Erekton Fast, Liderin, Penigra, Permen, Permen Go, Permen King, Stymen and Vitasteron. The choice of this particular product group was directed by the author's expectation that, given a taboo-related content of the commercials, the small-print disclosures will have to address issues which cannot be communicated explicitly. Additionally, restricting the scope of products guaranteed a more unified and homogeneous sample among all possible dietary supplements and pharmaceutical products.

special focus on the disclaimers presented in small print. With the help of software featuring a stop-frame functionality, all disclaimers were transcribed and the duration of their display was noted down. In this way the elements which normally escape attention or perceptive abilities of an average viewer could be subjected to analysis.

Saying that disclaimers are totally neglected in the process of viewing commercials would be an overstatement. We do notice their presence, even expect them to be there, but seldom have enough time or determination to attend to their content (Doliński 2003). Leaving aside the issue of whether it is perceptually possible to read them, we can say that we choose not to, because we often assume that we actually know more or less what kind of message they contain. The present study will attempt to show if we are right in that assumption by revealing the complete content of the small print messages.

In addition to the above-mentioned objective, the investigation will also offer a preliminary typology of functions which the disclaimers perform in relation to the more ostensibly presented elements of both textual and pictorial content, or perhaps even to the general contextual frame connected with the advertising situation. In this context, it will be investigated in what way the disclaimers complement the messages communicated in a conspicuous manner, whether they weaken the strength of the advertising claims and if they could be interpreted as a preventive measure against potential deceptive practices of the advertiser.

The analytical tool employed in the investigation is a selective content analysis, focused on the small print elements of the commercials. The functional classification of the disclaimers (or their parts) will be the result of their bottom-up qualitative analysis, vis-à-vis the remaining elements of the contextual embedding as schematically represented in the model of advertising message perception referred to earlier (Wojtaszek 2011).

4. The findings

As mentioned earlier, the only obligatory disclosure whose precise formulation, duration and form of presentation allowing for unproblematic comprehension is regulated by the Polish law is the instruction to read the package leaflet and consult the pharmacist or the doctor⁵. It is interesting that only 5 of the commercials under investigation contained this instruction. We might think that the remaining 15 should theoretically be banned from broadcasting, because

⁵ Interestingly, there are a few commercials which incorporate this message in an inventive and untypical way, for example in recent TV ads for the sedative drugs Valerin Forte and Valerin Max 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 which the advertised drug helps to eliminate.

they do not conform to the legal requirements. It turns out, however, that only 1 of the 10 products is actually registered as a medicinal product (Stymen), the other ones only as dietary supplements. It means that the way in which they are advertised is not subject to the very strict constraints imposed by the Regulation of the Minister of Health on the advertising of medicinal products. There were 3 commercials for this drug in the collection, which means that the instruction to read the package label was present in 2 other commercials, where it actually did not have to appear. The question is, then, why the advertisers decided to incorporate it into the spot.

One of the plausible answers is that in this way they wanted to make an impression that we are dealing with a medicinal product rather than with a mere dietary supplement. Since the customary instruction is displayed and read out in a conspicuous manner, the recipients are likely to classify the product as something more reliable and trustworthy. Many of them, however, will not probably know the difference between dietary supplements and medicinal products and the principles governing their advertising. Not everyone will notice that the text is actually a bit shorter (the fragment *because each drug used improperly threatens your life or health* is missing) and displayed for 5 seconds instead of the required 8, either. Even so, the familiar text is nevertheless very likely to bring the desirable association with medicinal products and evoke positive associations with their reliability. In this context we can speak of deliberate manipulative function of this inclusion, because the commercial pretends to be something which it is not. Thus, in addition to the legally sanctioned warning and advisory function of the disclosure, we can sometimes come across its secondary, arguably manipulative, exploitation. Further investigation of the issue would require a more extensive inspection of a much larger sample of advertisements containing the text and checking whether the products are registered as medicinal products or dietary supplements.

Another important function of the disclaimers can be described as dialogic or supplementary in relation to the text of the commercial presented conspicuously either in spoken or written form. In the analysed advertisements we sometimes come across short statements presenting selected features of the product, results of studies on product satisfaction or information about the problem which it is designed to help. Since the presentation of extended and complete information would consume the valuable advertising time, the advertisers very often opt for inclusion of such informational supplements in form of small print disclaimers.

In the commercial for Permen we are being informed that the product contains double amount of L-arginine (Permen King) or even the highest dose of L-arginine (Permen Go). This is a typical component of commercial messages – we come across comparative or superlative forms of adjectives or some sort of comparisons in the absence of the comparative element quite regularly (Bralczyk 2004; Wojtaszek 2002). Here, the point of reference is spelled out in the disclaimer. With perfect eyesight and exceptional reading speed we would

maybe manage to discern the text informing us that the exceptional quantity of L-arginine is gauged against the dose in the regular Permen medicine. In all probability, however, this is something different from what the majority of viewers would expect, namely, the comparison to products offered by competing manufacturers. If this assumption is correct, minimizing the font and selecting a very short display time⁶ can be interpreted as a deliberate strategy to reduce drastically the chance for successful intake of the message and creating a false impression which is favourable for the advertiser.

In order to create a need for a new medical product advertisers very frequently start with a suggestive description of a problem to which the advertised medicament offers a cure or relief. However, in the analysed sample the erectile dysfunction or problems related to low libido are referred to almost always indirectly. Only in two spots for Permen products very specific data is reported, in form of the message that as many as 1.5 million men in Poland experience such ailment. This information is substantiated with a reference (in form of a small print disclosure) to the publication by Michał Rabijewski, „Zaburzenia erekcji – etiologia i leczenie” [Erectile dysfunction – etiology and treatment] published in 2006 in *Przegląd Urologiczny* [Urological Review]. Thus, we can talk here about another incarnation of the dialogic/supplementary function of disclaimers.

The third manifestation of the above-mentioned function can be found in small-print extensions of claims presenting the level of customer satisfaction or extraordinary performance of the product. Referring to the latter, we find the claim in two of the Stymen commercials that the product almost triplicates male sexual performance, which is supported by a small print reference to the research by W.J. Reiter “Dehydroepiandrosterone in the treatment of erectile dysfunction” published in 1999 in *Urology*, while the positive results of prosterone supplementation mentioned in another Stymen ad are validated with a disclosure mentioning the 2007 publication by Michał Karasek „Hormony młodości?” in *Endokrynologia Polska* [Polish Endocrinology]. When it comes to the customers’ satisfaction reports, we find them, for example, in Permen commercials: *effectiveness of Permen has been acclaimed by thousands of men, making it the number 1 in Poland* [*skuteczność Permenu docenili już tysiące mężczyzn, czyniąc go numerem 1 w Polsce*], which the attentive viewers will notice linked to IMS Health Report on OTC drugs from 2009, or the claim that *9 out of 10 men reported that they are satisfied with the performance of Permen King* [*badania pokazują, że 9 na 10 mężczyzn jest zadowolonych z działania Permen King*], which in turn is supported with a small print reference to the quantitative report “Potency” by Millward Brown from September 2013. Leaving aside the question to what degree the publications and reports mentioned in

⁶ 2 seconds for the single statement that the claim is made in comparison to the regular Permen product and 3 seconds for a similar statement displayed together with a detailed list of components of the drug

the disclosures were representative or reliable⁷, they do provide some evidence for the claims made in the commercials. They are all authentic sources which must have been reviewed and approved by appropriate authorities, so their validating value cannot be formally questioned.

Returning to the issue of explicit reference to problems related to sexual performance, apart from the information in the Permen ads about the deficiency experienced by 1.5 million Polish men, no direct description is found. Only in the commercials for Stymen do we find a mention of a specific medical condition, namely DHEA deficiency, whose symptoms usually increase with age. The commercial includes a claim that the advertised product is capable of curing the condition and returning the user to full potency. The avoidance of direct reference to medical problems or dysfunctions in the remaining commercials is the result of the fact that almost all products advertised in the sample are registered as dietary supplements, not as medicinal products. Since Stymen is the exception, its advertisement can contain a description of a medical condition together with a suggestion that the medicament is capable of eliminating it. Closer scrutiny of the small print disclaimers in the three Stymen commercials allows for identification of other required by law pieces of information: the specification of the active pharmaceutical ingredient, the medical form of the drug, the list of contraindications, precise data on the company responsible for production and distribution as well as the well-known instruction to read the package leaflet.

The knowledge that the other products belong to dietary supplements enables us to provide an explanation for the formulations which we find in the disclaimers. They are very carefully phrased to avoid accusations of disallowed claims. Instead of telling us that the ingredients could help fight a specific problem or condition, they focus on the positive side, listing multiple beneficial effects of the components. Let us look at an example from one of Braveran commercials:

tribulus terrestris boosts libido and sexual satisfaction; maca root helps to maintain natural sexual function and energy, boosts sexual drive, ginseng helps to stimulate and maintain erection, selenium assists in rejuvenation of spermatogenesis, zinc helps to maintain satisfactory testosterone level in blood

[bzudzyganek ziemny wspomaga popęd seksualny oraz wzmacnia doznania seksualne; maca pomaga w zachowaniu naturalnej aktywności seksualnej i energii, pobudza popęd seksualny; żeń-szeń pomaga wywolać i wzmacnić erekcję; selen przyczynia się do prawidłowego przebiegu spermatogenezy; cynk pomaga w utrzymaniu prawidłowego poziomu testosteronu we krwi]

⁷ Some closer inspection of one of the sources (Reiter 1999) revealed that the results reported there were only preliminary, based on a very small sample and required support from subsequent studies.

We can see that all these claims describe better functioning of an otherwise normal and healthy body, the impression that the ingredients could assist in curing any malfunction is exclusively the product of our inferences, for which the advertisers cannot be held legally responsible. We can find similar formulations in the disclaimers attached to more than a half of the commercials under investigation. The only advertisements which apply a slightly different strategy are the two commercials for Penigra, where we read the following:

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

[Preparat Penigra jest stosowany tradycyjnie u mężczyzn z łagodnymi do umiarkowanymi zaburzeniami erekcji oraz z zaburzeniami popędu płciowego (hypolibidemią) jako środek pobudzający popęd płciowy]

This looks a bit risky in the light of the law in force, but on the other hand saying that a certain substance is traditionally used by people suffering from a certain ailment is not, strictly speaking, equal to claiming that it actually cures the condition, especially that its effect is described as stimulating sexual drive. Thus, the advertisers would probably have no problems with arguing in court that they are not violating the law.

The producers of Permen are also treading on dangerous ground, because they use formulations very similar to those which were quoted earlier from the Braveran advertisement, but they do so after earlier explicit reference to the problems with erection suffered by 1.5 million Poles. Such a juxtaposition clearly aims at making a very strong impression that the product comes as a cure for that. However, the advertisers are very careful not to verbalise such a connection in an explicit way. Again, we are not dealing with legal infringement, but with a clever and admittedly very successful attempt at manipulation. The same conclusion would be reached if we took into consideration only the explicitly formulated and conspicuously communicated claims.

If we come back to the commercial for Stymen, we can identify one more function of the small print disclaimer: weakening of the claim presented in explicit way. The voice over in the ad informs us that the drug permanently boosts sexual performance, while the disclosure presented in small print says that it restores proper DHEA level and that the androgenic activity is the result of testosterone production stimulation. The improvement of the sexual function is a very likely, but not a necessary consequence. Since such a weakening of one of the major claims is evidently disadvantageous for the advertiser, no wonder that the statement is formulated in highly specialised language and displayed for 2 seconds only in a very small print.

Another pattern frequently found in the small print disclosures is an exhaustive list of all the components of the advertised product, together with exactly specified quantity of each of them. Such a message is communicated in

6 commercials separately and in addition to the description of the effects of the constituents, which was described above in connection with the dialogic/supplementary function of the disclosures. Whenever such a list is provided, the uniqueness of the composition is emphasised. This kind of exceptionality, however, is in fact nothing extraordinary: it would be in fact very difficult (and perhaps also illegal) to replicate the exact composition of another drug or dietary supplement, especially if the list of ingredients exceeds five. Thus, it is very likely that in such cases we are dealing with a predominantly persuasive function of such a disclosure, applying the principle “the more – the better”, which has already been described in the literature (Wojtaszek 2002). This function could be described as overwhelming, because its major force lies in such an accumulation of positive features and benefits that the viewer is not capable of analyzing each of them separately and has a tendency to believe that since the advertiser decided to mention them all, the product must really be good. Such an interpretation is further supported by the subsequent listing in most of the ads of the positive effects of the ingredients on the sexual function of the users, where the components of the dietary supplement are mentioned again.

The uniqueness of the composition is not highlighted only in three commercials: in one of them the ingredients are only listed without any information about their exact quantity or proportion, whereas two other ads (Penigra) contain only a short message describing the drug as *complex product [produkt złożony]*, which is in fact all that the law requires in situations where dietary supplements have more than two active substances. In addition, it is worth mentioning one untypical commercial for Braveran, where the component substances, instead of being listed in the small print disclosures, are explicitly referred to both in written and spoken form and presented as one of the most important Unique Selling Points (UPS).

Finally, two minor functions of small print disclosures must be mentioned. The first one is instructive in nature because it specifies the usual dosage of the product and the method of taking – it was found only in 2 of the commercials under analysis. The second one could be named identifying, because it spelled out the name and the address of the producer of the advertised medicament – this information was present in 5 commercials for 2 products only – Permen and Stymen. Additionally, the producer of Liderin included the URL to the website where the information on the product could be accessed.

The producers of two advertised medicaments – Erektan and Vitasteron – did not include any small print disclosures at all. Since both the products are registered as dietary supplements, it wasn't really necessary, but the viewers could potentially notice such an absence and it could influence the way in which the commercials were interpreted. The fact that in majority of the investigated advertisements more or less extensive disclosures were present indicates that the producers viewed their inclusion as beneficial or important, both for them and for the viewers.

5. Summary

The study has revealed that although the small print disclaimers pose a serious challenge for the perceptive abilities of the viewers, they nevertheless constitute a very rich repository of information in most of the commercials under scrutiny. Although only in three of the analyzed commercials the inclusion of disclosures was imposed by the law (because the pharmaceutical was registered as a medicinal product), the majority of advertisements (15 out of 20) contained more or less extensive small print items. Scrupulous analysis of their content allowed for identification of the following functions which they perform in connection with their contextual embedding or the advertising situation in general:

- **warning/advisory** (the legally imposed instruction to read the Patient Information Leaflet, sometimes exploited for persuasive/manipulative purposes related to suggesting that the advertised product is a medically tested and licensed drug)
- **dialogic/supplementary** (providing details such as references to published research or surveys, points of reference for comparative statements or explicitly formulated claims, etc., whose inclusion in the body copy would take up too much advertising space or time or would be disadvantageous for the advertiser)
- **weakening** (limiting the value or strength of Unique Selling Points presented in the slogans and body copy, where the maximal suppression of such information is advantageous for the advertiser)
- **overwhelming** (accumulation of product features aiming at impressing the viewer and presenting the product as superior)
- **instructive** (information how to use the product)
- **identifying** (details about the producer)

It would be exceptional to find all the above-mentioned functions represented in the disclaimers embedded within a single commercial, the average seems to oscillate between three to four.

Additionally, the study has revealed how important the exact formulation of even such perceptibly insignificant elements as small print disclaimers is. The advertisers must be very careful not to breach the legal regulations on the way to maximally effective persuasion, and the verbalizations appearing in the disclaimers are definitely products of very scrupulous legal analysis before they are incorporated in the commercial and broadcast. The examples presented above suggest that more often than not the advertisers resort to practices on the verge of outright manipulation or at least covert persuasion. Awareness of this fact would definitely facilitate such perception and understanding of commercial messages that would balance the advantages for the senders and receivers of advertisements more fairly. The viewers would have a chance to notice that they are often exposed to unsubstantiated claims, biased information and manipulative disguise.

Contrary to author's expectation, no taboo topic explicating function of the disclaimers has been found. Even when the commercials which were analysed used some forms of indirectness or euphemisation in talking about sex-related matters, the disclaimers did not participate in explicitation. The references to sexual activity were straightforward enough for everyone to interpret them without any major problem, which is probably the reflection of the very open and uninhibited attitude towards sex characterising contemporary culture. In this situation, the functions of disclaimers identified above could probably be extrapolated to commercials of all other dietary supplements and medical products. Further investigation of the issue focused on commercials of other pharmaceuticals would allow to verify this tentative claim.

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