

MONTHLY ROUND-UP

iClear Compliance Intelligence

July 2026

EXECUTIVE SUMMARY

Interpretation, not rule-following

While June highlighted the ASA's increasing use of AI to proactively identify non-compliant advertising, July demonstrates that the bigger challenge for marketers is becoming one of interpretation rather than simple rule-following.

Several rulings centred on nuanced application of existing rules, particularly the new Less Healthy Food (LHF) advertising restrictions. The message for marketing teams is clear: understanding the CAP Code is no longer enough—teams increasingly need to understand how the ASA interprets and applies those rules in practice.

This is where regulatory precedent and experience become increasingly valuable. The combination of Clearcast's decades of advertising interpretation and i-Clear's AI-assisted compliance review provides a practical way to identify issues before campaigns go live.

THIS MONTH'S HEADLINES

23

upheld rulings this month, spanning digital, broadcast and owned channels.

9

LHF announcements — 3 upheld. The new rules continue to evolve through ASA precedent.

61%

of uphelds were **digital paid ads or search** — still the dominant risk surface.

- 01** Advertising compliance is becoming more nuanced, requiring interpretation rather than simple rule-following.
- 02** The new Less Healthy Food (LHF) rules continue to evolve through ASA precedent. With 9 announcements this month (3 upheld)
- 03** Major brands such as Qatar Airways, EE, and Mars to name just a few received upheld rulings.
- 04** Competitor complaints remain an important route to ASA investigations.
- 05** Long-running investigations reinforce the need for robust audit trails and evidence.

01 - DASHBOARD

Compliance dashboard

Uphelds by rule breached

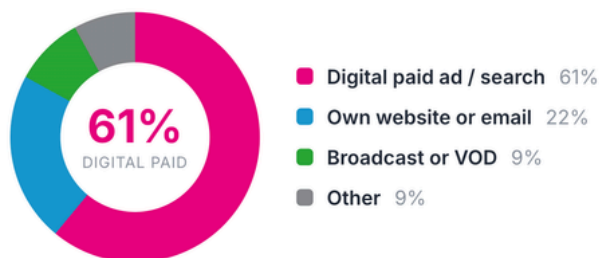
Count of upheld rulings · 23 total



Totals exceed 23 — many rulings breached more than one rule.

Uphelds by media type

Where non-compliant ads appeared



Top sectors

Share of uphelds · top three



NOTABLE BRANDS

Qatar Airways

EE

Mars

Domino's Pizza

02 - FEATURE ARTICLE

Compliance is becoming more nuanced

If June demonstrated that the ASA is changing how it identifies non-compliant advertising through AI-powered Active Ad Monitoring, July demonstrates that the rules themselves are becoming harder to apply.

Increasingly, marketers are not dealing with obvious breaches, but with nuanced questions of interpretation. The CAP Code provides the framework, but the outcome often depends on how the ASA believes the average consumer will interpret an advert and how previous rulings have established regulatory precedent.

This is particularly evident in the new LHF regime. Rather than asking simply 'Is this advert for a less healthy product?', marketers now have to consider product-level nutritional profiling, whether a campaign promotes an individual product or an entire range, and whether brand assets or creative execution bring an identifiable product into scope.

These are judgement calls rather than checklist items, reinforcing the importance of regulatory expertise alongside technology.

03 - RULE IN FOCUS

Less Healthy Food Advertising

Domino's had two separate rulings relating to a total of 5 different creatives and media placements, all investigated versus the Less Healthy Food rules **[CAP 15.19]**.

Domino's Pizza

✓ NOT UPHELD

Domino's Vegi Supreme

A brand can advertise pizza if the specific product is not LHF and cannot reasonably be identified as an LHF product.

× UPHELD

Domino's Cheeky Little Pizza

A range-level promotion can fall within scope if consumers would associate it with LHF products in that range.

Domino's had two separate rulings relating to a total of 5 different creatives and media placements, all investigated versus the Less Healthy Food rules **[CAP 15.19]**.

INVESTIGATION 1

✓ NOT UPHELD - COMPLIANT

What happened?

The ASA assessed whether Domino's paid social ads for its pizza promotion were advertising an identifiable less healthy food product. The assessment involved two key tests:

1

Was the specific product shown a less healthy food product?

The ASA accepted that the pizza shown was the Vegi Supreme classic crust, which did not meet the criteria for a less healthy food product.

2

If the product was not identified, could consumers reasonably identify it as a specific less healthy product?

The ASA compared the advert's imagery against Domino's wider range and concluded the pizza shown was visually distinguishable from Domino's less healthy products.

As a result, the ASA concluded the ads were brand advertisements rather than advertisements for an identifiable less healthy food product and were therefore outside the scope of the restriction.

INVESTIGATION 2

✗ UPHELD

Media: Paid Social, TV and Video on Demand

What happened?

The ASA investigated Domino's "Cheeky Little Pizza" advertising after the advertiser used incorrect nutritional information when assessing whether certain pizzas were less healthy. As a result, products featured in the campaign were incorrectly classified and some pizzas shown were considered less healthy food products under the new rules.

A more complex issue arose with one of the ads where the specific pizza shown was not itself classified as less healthy. However, the ASA considered that the advert promoted the wider "Cheeky Little Pizza" range and promotion, which included other products that were less healthy. As consumers would understand the campaign as promoting the range rather than only the specific pizza shown, the advert was considered to be advertising identifiable less healthy products.

KEY LESSON

LHF compliance requires consideration of the whole creative context — not just the product pictured. A campaign may fall within scope where consumers could reasonably understand it to promote a wider range or promotion containing less healthy products.

Mars

The Mars ruling addressed a different question entirely: when does brand advertising become product advertising?

The Mars campaign featured the iconic M&M characters rather than the physical product itself, which Mars argued was brand advertising and therefore outside the scope of the LHF restrictions. However, after considering the characters' distinctive features, including their colours, shapes and recognisable design elements, the ASA concluded that consumers would associate the creative with identifiable M&M products. As a result, the advert was considered to be advertising a less healthy food product.

KEY LESSON

Compliance depends not only on what is shown, but also on how consumers are likely to interpret the creative.

Why this matters

Taken together, these rulings show that the challenge is no longer simply reading the rules. It is understanding how they are interpreted. That is precisely where regulatory precedent and Clearcast's decades of experience become valuable, helping marketers navigate nuanced scenarios that cannot always be resolved by the CAP Code alone.

04 - ROUTE TO INVESTIGATION

Competitor complaints

Not every investigation begins with a consumer complaint. High-profile disputes between competitors, including **Vodafone and Sky over EE advertising**, demonstrate that comparative claims remain subject to close scrutiny from rival brands as well as regulators.

WHO CHALLENGED WHOM

Vodafone —————
Sky ————— → **EE**

BEFORE YOU PUBLISH

Compliance checklist



Can every factual claim be substantiated?



Are qualifications sufficiently prominent?



Does the campaign comply with sector-specific rules?



Could new LHF rules apply?



Is the advert clearly recognisable as marketing?



Would a competitor challenge these claims?



Would the ASA interpret the advert as intended?

Our thoughts

The biggest lesson from July is that compliance is increasingly about interpretation rather than rule memorisation. AI can accelerate compliance review, but it is most powerful when combined with regulatory expertise and precedent.

Clearcast has spent more than 60 years interpreting advertising regulation in real-world creative. i-Clear combines that experience with AI-assisted review to help marketers identify potential issues earlier, reduce costly rework and launch campaigns with greater confidence.

60+

years of Clearcast experience interpreting advertising regulation in real-world creative.

AI

assisted review from iClear, identifying potential issues earlier in the workflow.

Get in touch to find out how iClear can help ———→

LOOKING AHEAD

As compliance becomes more nuanced, embedding it into the creative workflow will become increasingly important.

Expect continued scrutiny of digital advertising, further clarification of the LHF rules through ASA precedent and ongoing focus on transparency, substantiation and sector-specific regulation.