



  Advertising and  
overconsumption

Regulating advertisements to  
transition toward a  
lower-consuming society

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Équiterre<sup>o</sup>

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# List of acronyms

BNPL	Buy Now Pay later
CO <sub>2</sub> eq	Carbon dioxide equivalent
CPA	Consumer Protection Act
GHG	Greenhouse gas
HAE	Household appliances and electronics
IPPC	Intergovernmental Panel on Climate Change
kg	Kilograms
\$	Dollar(s)

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# About Équiterre.

Équiterre seeks to make the necessary collective transitions towards an equitable and environmentally sound future more tangible, accessible and inspiring. By 2050, Équiterre's goal is to contribute to the emergence of solutions, the transformation of social norms and the adoption of public policies. This progress is helping to establish new principles for how we feed ourselves, how we get around and how we produce and consume, that are designed for our communities, respectful of our ecosystems, in line with social justice and low in carbon.

Recognized for its credibility and pragmatism, the organization brings together experts from the fields of awareness, mobilization and public policy. Équiterre works to influence decision making by citizens, organizations and governments to accelerate the just and ecological transition toward a more resilient society. It proposes solutions on how to demonstrate, rally and influence in order to achieve tangible outcomes for the desired social transformation. Its expertise, accomplishments, network and reach make it an indispensable actor in the climate and environmental movement. Buoyed by its 30 years of experience, Équiterre is one of Quebec's and Canada's most influential environmental organizations, boasting over 164,000 followers and 22,000 members.

One of Équiterre's objectives is to accelerate the transition toward a durable, circular economy geared to our collective well-being and internalizing the impacts on humans and the environment. In the face of the climate crisis, our modes of production and consumption must change radically in order to preserve our resources. Équiterre has identified advertising practices as a factor influencing consumption levels and an area where we can act to encourage more sustainable consumption. To that end, the organization published a [report on automobile advertising in Canada](#) and a [report on the regulatory measures](#) to take to regulate this advertising and limit consumption of polluting vehicles. Examining the advertising surrounding consumer goods, the present report follows in the steps of the two earlier ones but also echoes the work done by Équiterre on [access to repair](#) and [displaying information on product durability](#) with regard to these appliances and devices.

# Summary

According to a number of studies, exposure to and advertising spending can help drive up levels of individual consumption. This consumption of material goods has a considerable impact on the environment, due to the natural resources required and the greenhouse gases (GHG) emissions from the manufacturing of these objects. This led Équiterre to explore the regulation of commercial advertising. Household appliances and electronics (HAE) were selected as case studies for certain analyses, since they are widely consumed by the Canadian population and generate significant environmental impacts at the manufacturing stage. The amount of these goods discarded in Canada has risen sharply in recent years. Many of the report's observations can also apply to other consumer goods.

This research includes:

- An analysis of advertising investment in Canada since 2018;
- Interviews with ten Canadian advertising agencies;
- A survey of 1,536 Canadians;
- A content analysis of 238 HAE advertisements broadcast in Canada;
- A legislative analysis of the acts and regulations regarding advertising in Quebec and Canada.

The **key results** of this report are as follows:

- Canadian advertisers spend a lot of money – \$20.9 billion in 2023, to be precise – and this market has grown considerably in the last six years.
- The advertising industry is ignorant of the indirect environmental impacts of its activities. That said, a certain openness was observed on its part to regulatory measures, along with the industry's considerable resilience.
- While the Canadian public does not seem to perceive the influence of advertising on its consumption choices, it is not opposed to certain measures aimed at regulating advertising for consumer goods.
- Much of the industry's advertising to promote HAE encourages their replacement or overconsumption.
- An analysis of the legislative and regulatory framework in Canada shows that certain requirements must be met to justify regulation of commercial advertising, but that numerous measures have been justified and are already in place for a range of goods and services.

**In light of these results, Équiterre recommends the following:**



Tighten the regulatory framework surrounding advertising to require the display of certain information and messages and prohibit the display of other messages;



Look into limiting advertising in public spaces;



Re-centre marketing around more sustainable modes of production and consumption.

# 1. Why look at advertising?

Canada's overconsumption, which is driven in part by advertising, contributes to a number of environmental problems, such as the depletion of natural resources and high levels of greenhouse gas (GHG) emissions.

## 1.1 Overconsumption: a very real environmental problem

The current level of production, consumption and use of goods and services is responsible for increased extraction and processing of natural resources. These industrial activities, necessary for the production and use of these goods and services, are in turn causing serious environmental problems: depletion of resources; rise in GHG emissions; soil, air and water pollution; and so on.

Canada is one of the five countries with the highest per capita resource consumption. In 2024, Canada's overshoot day was March 15, which means that in a mere 90 days the country had consumed the equivalent of what renewable natural resources can produce in a year. If every country consumed at this pace, 4.9 planets would be needed to see to the needs of the global population.<sup>1</sup>

In Quebec, the quantity of necessary raw materials and the level of GHG emissions linked to Quebecers' consumption are concerning. To cover a Quebecer's basic needs (food, transportation, housing, clothing and entertainment), the quantity of necessary raw materials currently sits at between 16 and 19 tons. According to scientific studies, ecologically viable consumption should not exceed 8 tons per person per year. The total amount of GHG emitted by Quebecers' consumption and use of goods and services (e.g. housing, clothing, transportation, furniture and household appliances) is pegged at 18.4 tons of carbon dioxide equivalent (CO<sub>2</sub> eq<sup>1</sup>) per household. This amounts to about 18 car trips between Montreal and Vancouver<sup>5</sup>. According to this analysis<sup>4</sup>, however, the footprint left by the wealthiest households is three times that left by

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<sup>1</sup>Unit of measure used to compare the emissions of various GHG based on their climate warming potential. The climate warming potential of CO<sub>2</sub> is used as a baseline. For example, the warming potential of methane is 25 while that of CO<sub>2</sub> is 1, which means that the emissions of one million metric tons of methane are equivalent to the emissions of 25 million metric tons of CO<sub>2</sub>.<sup>6</sup>



the least well-off households: the 20% richest households emit 28.1 tons of CO<sub>2</sub> eq annually while the 20% poorest emit an average of 9.8 tons of CO<sub>2</sub> eq.

Thus, the level of consumption in Quebec and Canada can be characterized as **overconsumption**.

**Overconsumption:** excessive consumption or use of resources (e.g. goods, services, energy, land, raw materials) causing damages or harmful effects on humans and/or the environment by going beyond the capacity to support and replenish our ecosystems<sup>2</sup>.

**A radical and rapid transformation of our modes of production and consumption is necessary**, therefore, to reduce resource consumption and the associated GHG emissions. According to the Intergovernmental Panel on Climate Change (IPCC),<sup>6</sup> transitioning to a low-carbon society will require a change in our behaviours and lifestyles, which will translate into a marked reduction in the demand for energy and resources. That explains why we must examine the factors that can influence individual consumption. One such factor is advertising.

To limit the scope of the study somewhat, we selected just a single category of consumer goods for some of the analyses. Among all the goods and services consumed by the Canadian population, **household appliances and electronics (HAE)** were selected due to the large footprint left by their manufacture and wide consumption, and because they are widely advertised (on television or the Web, for example). That said, a number of our report's observations and findings could also apply to a number of other consumer goods (clothing, furniture, automobiles, etc.).

## Why target household appliances and electronics?

- Their manufacture requires considerable natural resources, for one thing. In terms of the manufacturing process, a cell phone requires the equivalent of 600 times its weight in resources, while a large household appliance requires between 50 and 100 times its weight in resources<sup>7</sup>. Not only might the reserves of certain minerals contained in these devices run out in the coming decades (e.g. silver, copper and indium)<sup>8 and 9</sup> but the demand for some of the other minerals they contain (e.g. rare earth minerals, cobalt, lithium) has surged in recent years, partly because they are required in the production of certain green technologies (e.g. EV batteries)<sup>10</sup>.
- HAE manufacturing emits large quantities of GHG. Their manufacture accounts for some 80% of their GHG emissions throughout the product's life cycle<sup>11</sup>. For example, the manufacture of a dishwasher and a laptop emits as much GHG as a typical automobile emits when travelling 915 and 460 kilometres, respectively<sup>5 and 7</sup>.
- The number of HAE brought to market in Canada has risen steadily over the past 20 years, at a much faster pace than the increase in the size of the population<sup>12</sup>.
- The current length of use of these goods is fairly short. Although there has been no specific study in Canada, considerable research in other countries<sup>13, 14, 15 16 and 17</sup> shows that smartphones are used for only two or three years, on average. In the United States, their length of use has even gone down in recent years, it would seem<sup>18</sup>. The length of use of televisions has also gone down, from 10-15 years to 7-8 years<sup>19</sup>. A Canadian survey by Équiterre in 2022<sup>20</sup> shows that these products break down often and quickly – less than three years post purchase, in fact.
- The number of HAE discarded annually in Canada was up 205% between 2000 and 2020, going from 8.3 kilograms (kg) to 25.3 kg per person. Some estimates indicate that this quantity will reach 31.5 kg per person in 2030.<sup>12</sup>

## 1.2 Negative impacts of advertising

Although advertising is an informational vehicle bringing together businesses wishing to sell their products and consumers interested in acquiring them, there is also the potential for abuse.

In this report, we deal only with **commercial advertising**, although other types of communications and commercial stimuli can also influence consumption (logos, sponsorships, product placement, etc.).

**Commercial advertising:** form of non-personal communication of information transmitted across various media (e.g. newspapers, social networks, television) by an identified entity. It is generally paid and it seeks to present, promote, influence or persuade an audience about products (goods and services) or ideas<sup>21</sup>.

### 1.2.1 ADVERTISING AS A FACTOR IN OVERCONSUMPTION

Several external and internal factors can influence a person's consumption level, including income, age, influence of social circle, access to credit, values, memory, etc., but the role of advertising is also worth exploring.

Empirical evidence exists as to the link between advertising and the rise in consumption. A number of studies have concluded that the presence of and advertising spending drive up consumption for various specific products, including HAE, meat and vehicles (see Annex 1). Two recent macroeconomic studies<sup>22 and 23</sup> conducted over a period of 30 years in the United States and France, show that **advertising spending alone has caused overall consumption in these two countries to rise by 7% and 5.3%.**

#### To what extent does advertising spending drive up sales?

The number of HAE sales attributed to advertising on the Amazon site demonstrates the power of advertising spending to increase sales of certain goods. In 2022, **one dollar (\$) invested in advertising on Amazon delivered \$5.31 in sales of electronics and \$4.90 in sales of household appliances**<sup>24 and</sup>

<sup>25</sup>

Certain authors<sup>26</sup> maintain that advertising can lead to sales that would not have otherwise happened. The studies<sup>26 and 27</sup> that posit that advertising leads people to consume more are based on the fact that exposure to advertising messages can increase people's level of **materialism** and **consumerism**, two factors associated with high consumption of goods.

**Materialism:** value system structured by the central role played by possessions in a person's life, the quest for happiness through material possessions and the perception of these possessions as a marker of success<sup>28</sup>.

**Consumerism:** idea and lifestyle whereby consumption and accumulation of goods and services improves or helps achieve well-being, happiness, social status and personal fulfilment<sup>26</sup>.

Commercial advertising often associates happiness and success with material possessions, thus conveying the idea that the possession of goods is an ideal to attain or a life goal<sup>29, 30 and 31</sup>. A number of studies<sup>32 and 33</sup> show that watching television, with its copious advertising, is linked to the development of material values. The effect is thought to be more pronounced among viewers who say they pay more attention to advertisements, proving their potential to influence<sup>33</sup>.

While it is very difficult to assess the number of advertisements a person takes in per day, studies on the topic<sup>34</sup> all conclude that they number in the thousands. Certain analyses<sup>34 and 35</sup> encompassing all commercial stimuli estimate as many as 10,000 messages a day. And it seems that this exposure has increased over the decades: certain experts<sup>36</sup> estimate that the number went from 500-1,600 messages a day in the 1970s to over 6,000 a day in 2021. Recent studies<sup>37, 38 and 39</sup> have shown that consumers who notice an advertisement at least 10 to 15 times have a more favourable brand perception and a greater purchase intention than people less exposed, even if the advertisement is taken in subconsciously. These effects persist over the long term, i.e. for at least three months after exposure to the advertisement<sup>38 and 39</sup>.

Thus, since advertising generally presents possession of goods as a means of achieving a better quality of life, and since advertisements are ubiquitous and exert an influence over people, it is conceivable that consumption of goods has become a social norm and that the population is buying these goods in large numbers, over and above what they need.

## 1.2.2 ADVERTISING'S ENVIRONMENTAL IMPACT

By driving up consumption of goods and services, advertising is indirectly responsible for the negative environmental impacts generated by their manufacture and use. Calculating the **advertised emissions** is one way to demonstrate this indirect negative effect of advertising on the environment.

**Advertised emissions:** total GHG emissions from the increase in sales generated by advertising. This total is obtained by calculating the GHG emitted throughout the life cycle of all new goods and services sold thanks to advertising (extraction of raw materials, manufacture, transport, use and end-of-life management).

These GHG emissions are not to be confused with the **direct emissions** from the advertising industry emanating from business activities, such as the agencies' operations as well as the production and placement of advertisements (office maintenance and energy consumption, transportation, production and dissemination of the advertisements, etc.).<sup>40</sup>

Advertised emissions have been calculated for various sectors or regions in recent years, allowing us to grasp the scope of this industry's environmental responsibility.

A specific analysis<sup>41</sup> of an advertising campaign for the car brand Audi that ran in the UK between 2015 and 2017 shows that the campaign led to an increase of five million tons of CO<sub>2</sub> eq, due to a 10% increase in the number of cars sold on the heels of the campaign.

One of the world's largest advertising agencies calculated that the emissions from its advertising influence for the year 2022 were 32 times higher than those from its direct activities. The agency pegged the number at 12.8 million tons of CO<sub>2</sub> eq<sup>42</sup>.

An analysis<sup>43</sup> of the aviation and automotive sectors at the international level estimated that in 2019, advertising-driven consumption in these two sectors generated between 202 and 606 million tons of CO<sub>2</sub> eq. These estimates are equivalent to the Netherlands' annual GHG emissions and to twice those of Spain.

In Quebec, advertised emissions totalled 10.3 million tons of CO<sub>2</sub> eq in 2023, tantamount to a 12% increase in each household's carbon footprint. This is the equivalent of the GHG emitted by a third of the vehicles on Quebec's roads.<sup>44</sup> These indirect emissions rose by 66% between 2020 and 2023, due to a 34% increase in advertising investment over that period and to increased investment in particularly polluting sectors<sup>44 and 45</sup>. The telephone and telecommunications sector ranks third in

In 2023, advertised emissions in Quebec totalled 10.3 million tons of CO<sub>2</sub> eq, representing a 66% increase since 2020.

advertised emissions in Quebec, above the airline industry, due to the advertising for new smartphone models coupled with rapid replacement cycles. The fashion industry ranks fifth, due to the increasing prominence of fast-fashion.<sup>44</sup>

### 1.2.3 NEGATIVE IMPACTS OF ADVERTISING ON WELL-BEING

In addition to advertising's indirect contribution to the rise in GHG emissions, several studies have highlighted the negative consequences on personal well-being caused by advertising.

According to a study<sup>46</sup> spanning three decades (1980-2011) surveying a million people in 27 European countries, an increase in national advertising spending is followed, a few years later, by a significant decline in life satisfaction levels, even when correcting for a series of other factors. This study found that increased advertising is a precursor to a decline in well-being, because it encourages infinite desires. The authors even hypothesized that a doubling of advertising spending translates into a 3% decline in individuals' satisfaction with their life.

Two other studies<sup>22 and 23</sup>, also carried out over 30 years (in the United States and France), found that the presence of advertising caused a rise in the number of hours worked and a decline in wages. In the United States, the rise in the number of hours worked was 11%, while it was 7% in France. The authors explained this rise by the fact that in the presence of advertising, the population works more so they can buy more goods and services, due to advertising's messaging that makes them believe that increased consumption is necessary. Workers' pay over the period dipped by 2% in the US and by 1% in France, which was explained by the

fact that when the population is willing to work more, the wages on offer decline. The French study<sup>22</sup> also analyzed the impact of advertising on the level of savings and investment, and while it increased, this increase was eclipsed by the level of consumption (4% vs 5.3%).

### 1.3 Negative impacts of overconsumption on household finances

Crushing household debt from consumer goods purchases and recent inflation are all the more reasons to explore consumer goods advertising, given the indirect link between advertising and mounting debt. In fact, since advertising can lead to rising consumption levels, it can contribute to this debt, either directly or indirectly.

Since the early 1990s, Canadian household debt has more than doubled. The ratio of household credit market debt as a proportion of household disposable income reached 175% in mid-2024<sup>47</sup>, which means that for each dollar of disposable income there was \$1.75 of associated debt. In other words, if Canadians wanted to pay off their debt, it would take 1 and three-quarter years of disposable income, without incurring any additional expenditures. This debt-to-disposable-income ratio is one of the highest among G7<sup>ii</sup> countries<sup>48</sup>. This data suggests that Canada's population is living beyond its means. In fact, the Bank of Canada<sup>49</sup> has identified high household debt levels as one of the country's leading financial vulnerabilities.

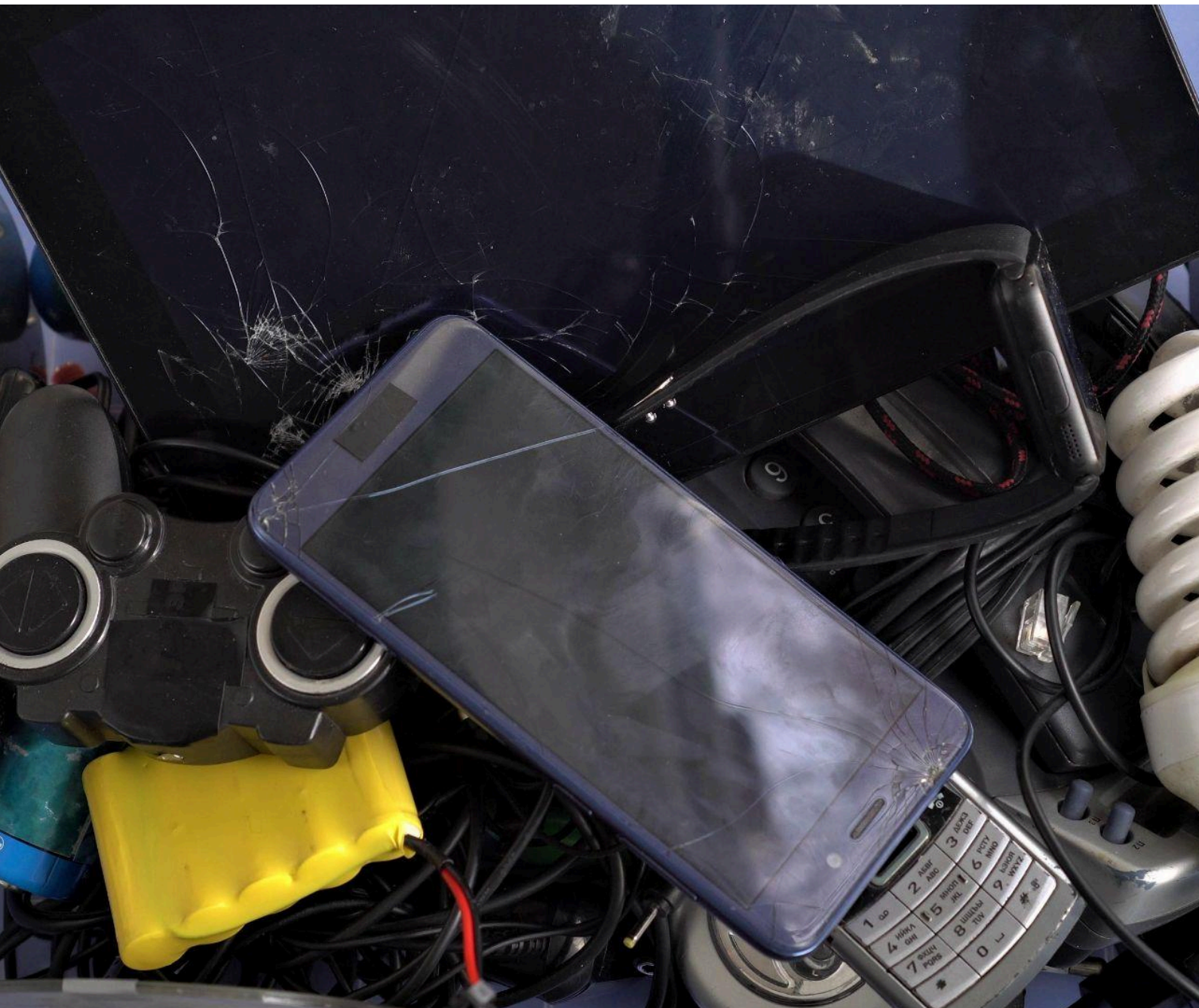
In 2024, overall debt related to credit cards, often used to purchase consumer goods, was up 9.4% year-over-year.<sup>50</sup> While credit financing can be unavoidable for low-income individuals with little in the way of savings, for others, it can be a gateway to debt and overconsumption. Between 2021 and 2024, the credit card late payment rate rose by 64% in Canada<sup>50 and 51</sup>.

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<sup>ii</sup> The G7 is an informal forum bringing together the world's seven largest advanced economies (Germany, Canada, the United States, France, Italy, Japan and the United Kingdom) as well as the 27 member countries of the European Union.

### Rising spending on HAE in Canada over the years

Over the past 15 years, average monthly household spending on HAE has risen, contributing somewhat to household debt. Between 2010 and 2021, household spending on telephones grew by 20%, and by 50% and 57% on household appliances and computer equipment, respectively<sup>52</sup>. For example, between 2012 and 2021, real average household spending on household appliances went from \$485 to \$817<sup>53</sup>.





## 2. Relevance and objectives of the study

Since commercial advertising can contribute to overconsumption of goods, and since this overconsumption causes GHG emissions to rise and contributes to Canadians' mounting debt, it behooves us to examine ways of regulating advertisements.

With its power to influence, the advertising industry is well positioned to usher in changes in behaviour: it can help contribute to standardization efforts and to the adoption of a more sustainable mode of consumption. Advertisements do not simply promote products. By shaping consumers' perceptions, they help build a culture, define aspirations and develop a collective imagination. Thus, commercial advertising constitutes a powerful engine of behavioural change and can be leveraged in efforts to decarbonize society.<sup>40</sup>

Another reason to examine opportunities to regulate commercial advertising is that past experiences with other products like tobacco and alcohol<sup>54 and 55</sup> show that regulating advertising can help lower consumption. According to the IPCC<sup>56</sup>, regulating advertising is one of the public policies that can be deployed to combat climate change.

The present research study has five general objectives:

1. Take stock of investments in commercial advertising in Canada;
2. Analyze the advertising industry's and consumers' vision of the role of advertising in the context of overconsumption and of various measures to regulate advertising;
3. Understand the strategies and messages conveyed by commercial advertising in Canada;
4. Describe the legal framework surrounding advertising in Quebec and Canada;
5. Propose recommendations to better regulate commercial advertising in Quebec and Canada.

To meet these objectives, the study contains the following elements:

1. An analysis of advertising investment in Canada;
2. The results of interviews with advertising agencies concerning their vision of how their industry contributes to overconsumption and their views on various measures aimed at regulating advertising;
3. The results of a survey of Canadians on their perception of advertising's role in overconsumption and of measures aimed at regulating advertising;
4. An analysis of the content of HAE advertising;
5. An analysis of the legal framework surrounding advertising at the federal and provincial levels;
6. Recommendations aimed at governments and industry actors.

To meet these various objectives, the study employs a number of research methods, to wit: an analysis of advertising spending in Canada from 2018 to 2023; interviews with ten advertising agencies operating in Canada; a survey of 1,536 Canadians; an analysis of the content of 238 HAE advertisements appearing in Canada between 2020 and 2023; and a legislative analysis of advertising regulations in Quebec and at the federal level. The detailed methodology for each of these research elements appears in Annex 2.



# 3. Results

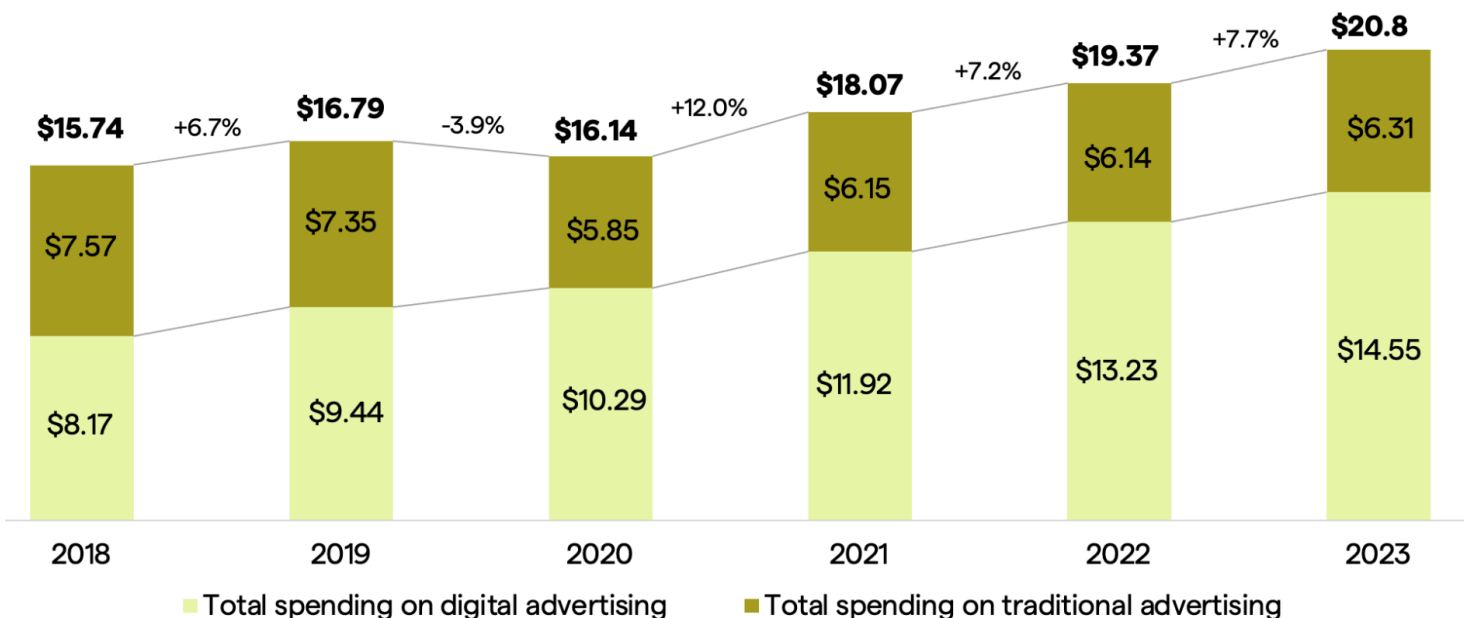
## 3.1 Analysis of advertising spending in Canada

Given the impact of advertising spending on consumption, an examination of the scope of that spending in Canada is in order. To that end, searches in marketing databases were carried out (details in Annex 2). The most recent data as of this writing were included, namely the data for the year 2023.

In 2023, the advertising market in Canada was estimated at **20.86 billion dollars**. This represents a year-over-year increase of 7.7%, which easily eclipses Canada’s gross domestic product growth over the same period (1.1%)<sup>57</sup>. With the exception of the catching up that took place between 2020 and 2021 following the COVID-19 pandemic, this is the largest advertising growth since 2012.

The increased spending on advertising is not a recent phenomenon: between 2018 and 2023, advertising spending rose by 32.5%. Figure 1 shows the growth in advertising spending in Canada in recent years, for both **digital advertising** and **traditional advertising**.

**Figure 1. Growth in advertising spending in Canada between 2018 and 2023 (billions of dollars)**



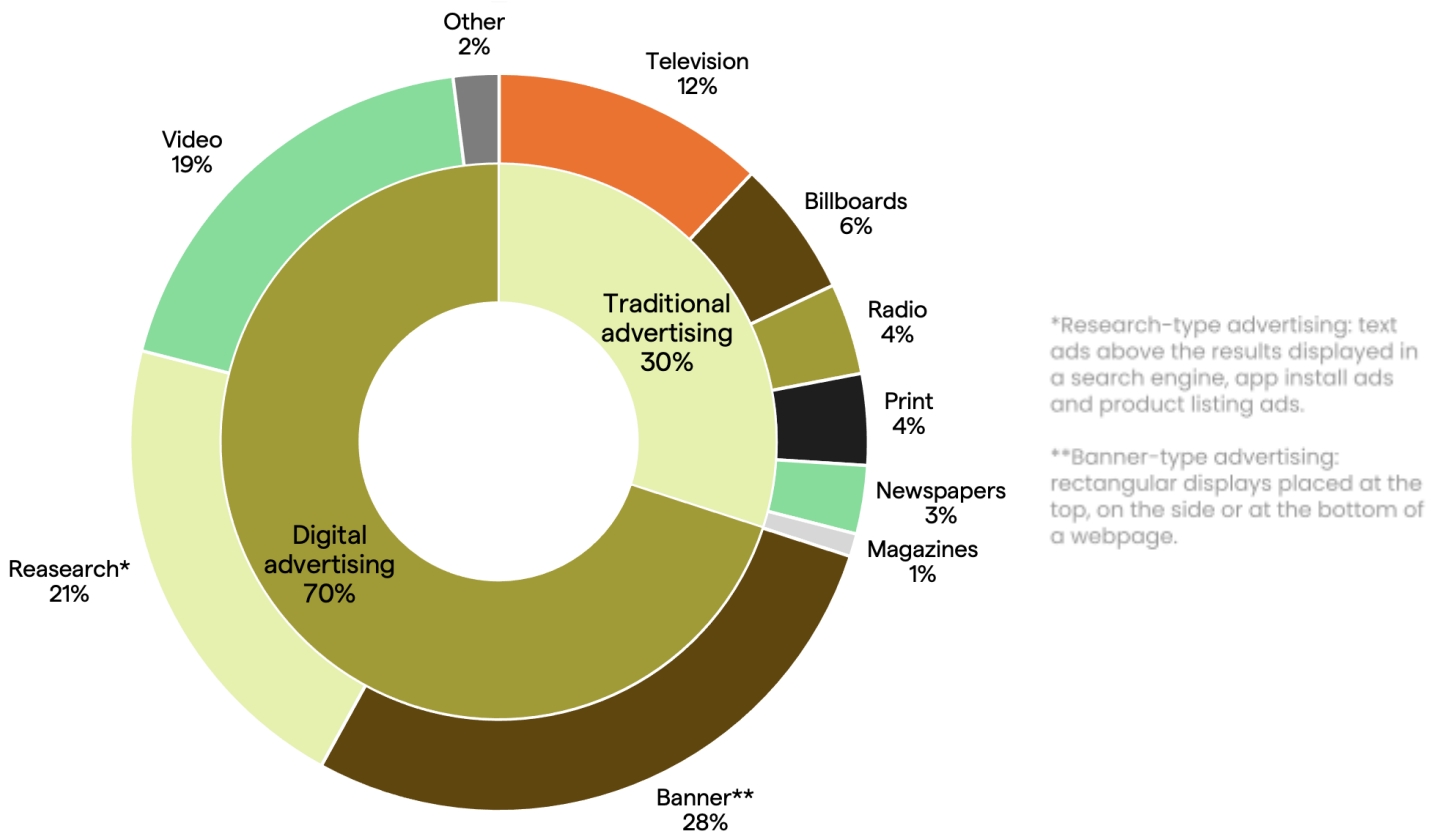
**Digital advertising:** any advertising that appears on computers, cellphones, tablets and other Web-connected devices. This includes all the various advertising formats, except via SMS and MMS.

**Traditional advertising:** any advertising via television, radio, print, newspapers, magazines and billboards.

Figure 1 shows that spending on digital advertising far exceeds that on traditional advertising (in 2023, 70% versus 30%, respectively). In fact, spending on digital advertising is the main driver of overall growth in the advertising sector.

Spending on Canadian advertising is distributed among a number of media, as shown in Figure 2.

**Figure 2. Distribution of advertising spending in Canada in 2023, by type of media**



### 3.1.1 SPENDING ON DIGITAL ADVERTISING

Digital spending is a major chunk of advertising spending in Canada, accounting for **\$14.55 billion** in 2023. In fact, Canada is a leader in terms of spending on digital advertising. According to an estimate by *E-Marketer*<sup>58</sup> for 30 countries and territories, in the first half of 2024 Canada ranked fourth for spending on digital advertising as a percentage of overall advertising spending.

#### **Growing popularity of digital advertising**

Spending on digital advertising in Canada is up sharply (by 78% between 2018 and 2023). This shift in spending can be explained by the proliferation and much-improved performance of certain digital formats, as well as better targeting. What's more, traditional media are having trouble matching the increasing effectiveness of digital's tracking and performance measurement, making digital a safer and more effective investment for companies, given its ability to track results better.

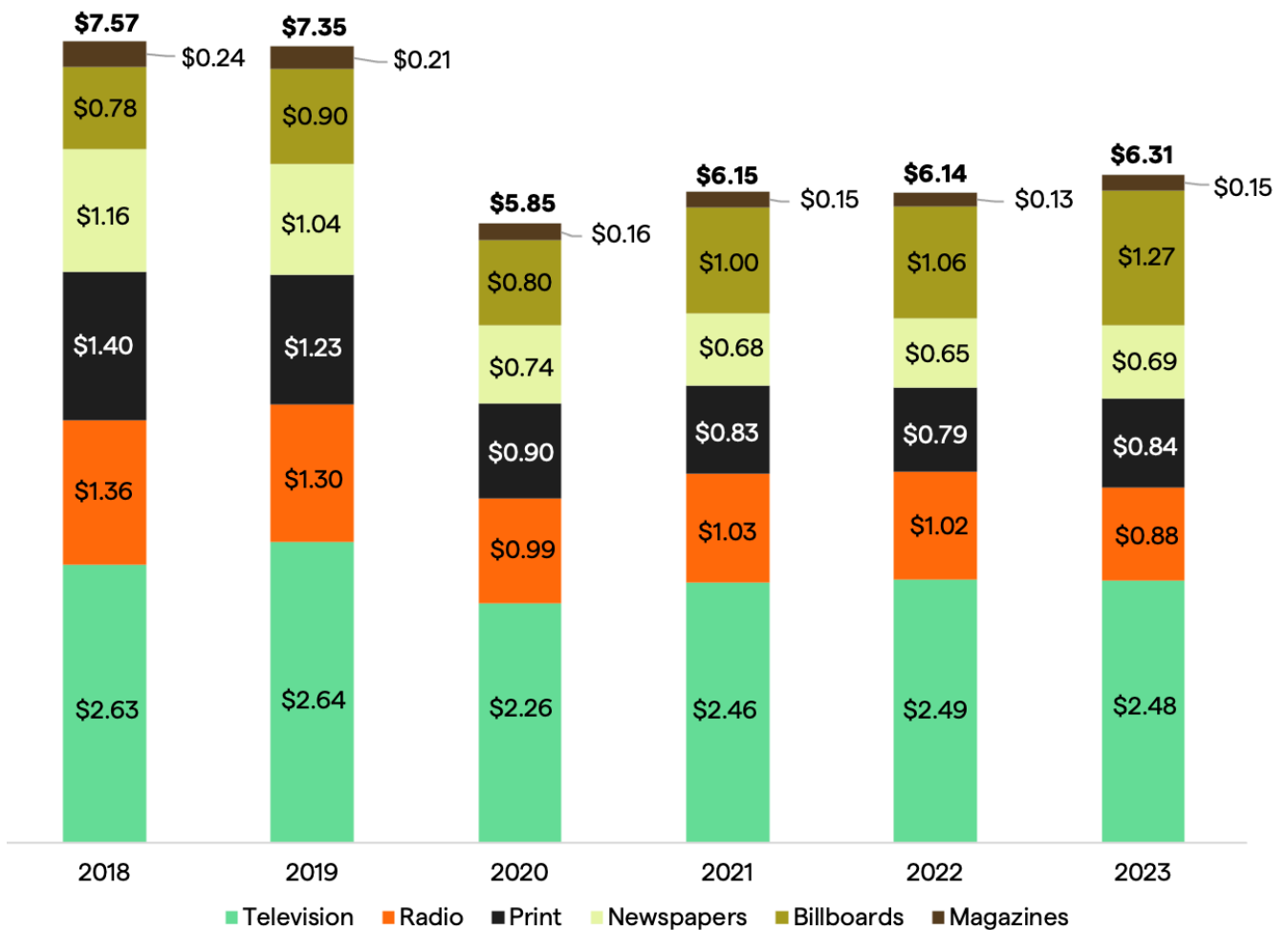
Banner and search advertising led the way in Canada in 2023, but search advertising has declined in recent years in favour of banner and video advertising.

Nearly 74% of spending on digital advertising is via mobile (e.g. smartphones and tablets). This can be explained by consumers' preference for accessing social media on their mobile devices.

### 3.1.2 SPENDING ON TRADITIONAL ADVERTISING

As for traditional advertising, spending totalled **\$6.31 billion** for the year 2023. Between 2018 and 2023, spending was down 16.6%, with the largest decline occurring in 2020 (20.5%) due to the COVID-19 pandemic. Although spending on traditional advertising in 2023 did not catch up to pre-pandemic levels, it has nevertheless increased by 7.9% since 2020. Billboard advertising, hit hard by the pandemic because people were staying home, is on the rise again, while radio continues to lose ground. The other formats have remained relatively stable, with television still in the lead. Figure 3 shows how Canada's traditional advertising market has evolved in recent years.

**Figure 3. Changes in spending on traditional advertising in Canada between 2018 and 2023 (billions of \$)**



### 3.1.3 SPENDING ON ADVERTISING FOR CONSUMER GOODS

While it is impossible to know the exact amount of advertising spending for strictly consumer goods or HAE, the data on digital advertising spending for certain categories of these products are available and can give us an idea of the growth patterns for these product categories. Table 1 shows the growth in digital spending for various sectors over the past five years.

**Table 1. Changes in spending on digital advertising spending for various sectors in Canada between 2018 and 2023 (billions of \$)**

Sector	2018	2019	2020	2021	2022	2023	Change 2018-2023
Computer products, electronics and telecommunications	\$0.78	\$0.92	\$1.18	\$1.47	\$1.66	\$1.73	121.8%
Health and pharmaceuticals	\$0.24	\$0.28	\$0.41	\$0.50	\$0.54	\$0.53	120.8%
Consumer products (e.g. food, household products and toiletries, tobacco, personal care products and cosmetics)	\$1.43	\$1.62	\$2.08	\$2.61	\$2.78	\$2.86	100.0%
Media and recreation	\$0.47	\$0.55	\$0.65	\$0.86	\$0.92	\$0.94	100.0%
Retail commerce	\$1.58	\$1.85	\$2.16	\$2.39	\$2.94	\$3.02	91.1%
Financial services	\$0.74	\$0.91	\$0.96	\$1.31	\$1.35	\$1.33	79.7%
Others (e.g. real estate, politics, non-profits, education).	\$0.63	\$0.70	\$0.77	\$0.99	\$0.85	\$1.04	65.1%
Travel	\$0.38	\$0.49	\$0.16	\$0.39	\$0.50	\$0.53	39.5%
Automobile	\$1.92	\$2.12	\$1.92	\$2.30	\$2.46	\$2.57	33.9%

The **computer products, electronics and telecommunications** category led the way in growth in digital advertising spending between 2018 and 2023, having surged by 121.8%. The **retail commerce** category, which includes household appliances, furniture and garments, also experienced significant growth over that period (91.1%). This same sector enjoyed the strongest growth in digital advertising spending in 2023.

### What can we take away from the analysis of advertising spending in Canada?

- The considerable economic impact of advertising in Canada means that this industry cannot remain passive in the face of today's many environmental crises<sup>59</sup>.
- As mentioned earlier, the impact and growth of advertising spending in Canada in recent years and the attendant rise in public consumption justify regulating this sector to reduce households' carbon footprint. The significant increase in advertising spending in consumer goods categories also warrants an examination of these products.
- Digital advertising is a very large sector and continues to grow, so it mustn't be neglected when regulatory measures are developed.

## 3.2 Views of advertising agencies

Interviews were conducted with representatives of ten Canadian advertising agencies to learn the industry's perspective on its role in the face of overconsumption and the climate crisis, as well as how it perceives certain advertising regulatory measures. The detailed methodology for recruiting these participants and analyzing their feedback can be found in Annex 2. Although the results of these interviews cannot be extrapolated to the advertising sector as a whole on account of the small sample size, they do offer a first look at the question.

Two types of advertising agencies took part in the interviews. Seven traditional agencies and three social-impact agencies comprised the sample, allowing us to identify any differences between these actors. The primary objective of traditional agencies is financial profitability, while social-impact agencies also, and above all, seek a strong social presence with positive impacts and benefits over the long term<sup>60</sup> (e.g. conveying social or environmental values).

### 3.2.1 HOW ADVERTISING, OVERCONSUMPTION AND ENVIRONMENT ARE LINKED

Opinions were divided among the advertising professionals interviewed concerning the link between advertising and rising consumption. On the one



hand, certain agencies believe that the advertising industry is responsible for much of household consumption, since it excels in creating desires. On the other hand, some of the professionals believe that advertising responds to a need that is already there, and simply creates a preference for the advertised brand. According to these latter representatives, the competition among companies in a given sector to increase their market share – rather than the goal of creating desires – is at the heart of the advertising industry.

Traditional agencies and social-impact agencies are split on this question. While representatives of the former were divided on the question, those of the latter unanimously maintained that advertisements have a large share of the responsibility for overconsumption.

Since advertised emissions is a relatively new concept, the participants were tested as to their knowledge on the subject. It also allowed us to assess whether the link between advertising and environmental degradation was understood by the industry.

This is a little-known, misunderstood subject within the advertising industry, as evidenced by the fact that four of the ten agencies failed to correctly explain the concept of advertised emissions. While this means that the majority was, in fact, familiar with the concept, it must be noted that three

Many of the agencies interviewed are unfamiliar with, or misunderstand, the concept of advertised emissions.

social-impact agencies were part of the sample, and social-impact agencies are normally more familiar with this idea. Also, even after hearing a definition of the concept, some of the representatives misinterpreted and instead talked about their own agency's carbon footprint, from the standpoint of direct GHG emissions. Moreover, only two agencies said they were taking into account these indirect GHG emissions.

### 3.2.2 CRITERIA FOR SELECTING CLIENTS

The participants were also asked about how their agency selects the companies to which it offers its advertising services. The vast majority select their clients according to their "moral compass", based on their values and judgment. For example, several participants maintained that they would categorically refuse to work with tobacco companies. But they said it is difficult for an agency to turn down a client because of the carbon footprint left by its products or services, since the agency would become less competitive. The company in question would simply turn toward another advertising agency.

The social-impact agency representatives we interviewed have far stricter criteria for selecting their clients. For example, some said they use tools to gauge the carbon footprint of a potential client, while others reject any company they feel causes damage to the environment or human beings.

Currently, the criteria most advertising agencies use do not go so far as to reject companies producing goods whose manufacture causes pollution and whose life cycle is short.

### 3.2.3 AGENCIES' INFLUENCE ON THEIR CLIENTS

The vast majority of the representatives agreed that agencies have little power over the type of message contained in an advertisement, since they operate in an environment where the client is king. Agencies compete with one another for clients, leaving them little control over the messages to include in the client's advertisements. Companies that hire an advertising agency receive services from that agency, which means that all of the decisions are left to their discretion.

One thing agencies can do, however, is inform the client of certain alternatives to get it to change its approach. For example, they can propose shaping the content in one way rather than another. But the client will make no change if this new proposed alternative does not allow them to increase its sales.

### 3.2.4 CONTENT OF HAE ADVERTISEMENTS

To identify what advertisers are trying to convey in their ads, we asked the participants what they felt should be included in HAE advertising.

The price of the good and any available savings were cited a number of times, with a view to demonstrating the product's accessibility in relation to the product sold by potential competitors. Use of lifestyle to highlight the advertised product and to associate it with a desired behaviour on the part of the target audience also came up several times. And lastly, appealing to various emotions so as to strike a chord with potential customers and attract them to the advertised product was also mentioned by several of the representatives.

Certain elements specific to household appliances or electronics were mentioned as well. Regarding electronics (especially smartphones and computers), there was much talk of **emphasizing the innovations offered by the latest models to encourage consumers to replace their existing device**, if applicable.

As for telecommunications companies, they highlight the various plans available on the purchase of a device, something that was also observed in the advertisements analyzed.

Key elements to be featured in household appliance advertisements included durability, energy consumption (e.g. Energy Star certification) and the various financing arrangements available, according to many of the representatives.

### 3.2.5 MEASURES FOR REGULATING ADVERTISEMENTS

A number of advertising regulatory proposals were made to the interviewees to gauge their reaction and the possible impacts of these measures on the industry.

Since certain provisions of the Canadian Code of Advertising Standards apply to popular consumer goods like HAE, two measures related to the Code were proposed to lead things off.

#### **What is the Canadian Code of Advertising Standards?**

It is a self-regulatory mechanism used by the advertising industry. It sets the criteria for acceptable advertising in Canada and is administered by Advertising Standards Canada. The Code contains guidelines for displaying certain information (e.g. environmental claims, price, gender representation) and is updated from time to time. However, it has no legal value and is in no way binding on companies that advertise.<sup>61</sup>

The first measure proposed to the participants was to **add a guideline to the Code prohibiting advertising that encourages people to change their device or appliance**. Since compliance with the Code's guidelines is not mandatory, such an addition raised doubts among some as to the possible impact within the industry. Owing to the additional costs and delays that advertising preapproval by Advertising Standards would generate, few of the agencies would adopt this approach.

Next, **mandatory pre-approval of all advertising by Advertising Standards** to verify compliance with the Code was proposed to the interviewees. Nearly all voiced opposition to this proposal, since it takes a very long time to get an advertisement approved, and the process is expensive. The current system would have to be significantly modified as a result.

According to the interviewees, **putting in place a mandatory mechanism would have far greater impact than voluntary mechanisms**. This echoes the point discussed above regarding the lack of influence agencies have on their clients. Some of the interviewees felt that regulating advertising would be more of a government responsibility via the enactment of laws, since agencies do not exert enough of an influence over their clients to promote larger-scale changes. Overall, the representatives interviewed were open to the creation of a clearer, stricter framework that can help their sector adopt greener practices.

Nevertheless, the proposal to **prohibit, via legislation, advertisements that encourage early replacement of a device or appliance** raised certain concerns among some of the interviewees, who maintained that there is a thin line between promoting a new product and encouraging consumers to replace their old model. Several underscored the need for clearer rules so that any prohibited practices would be well defined. A number of the interviewees cited the tobacco industry as an example of successful advertising regulations, since outlawed words and expressions are specified in the Promotion of Tobacco Products and Accessories Regulations. If there were a law prohibiting advertising that encourages people to replace their HAE, specific words or expressions should be targeted. One participant also mentioned existing rules governing advertising for children's products, alcoholic beverages and drugs that agencies are used to working with and that could serve as a model.

Another mandatory measure proposed to the agencies was to **introduce legal mentions** in HAE advertisements. The suggestions made during the interviews included a mention of the pollution generated by the product's manufacture or a mention encouraging people to extend the life of their current device or appliance. While this suggestion was not rejected by the interviewees, some spoke about how this information should be presented. This aspect is extremely important, because the mention must not be buried in fine print but presented in a clear and visible manner.

Another proposed initiative was to **introduce a tax on advertisements**. A tax could have an impact on consumption and the attendant GHG emissions, since it would raise the costs associated with each advertisement and potentially cause companies to place fewer advertisements. In fact, this is a very common mechanism for implementing a tax on a product or service. This proposal was the least-well received. According to several of the interviewees, if the number of advertisements goes down, the real losers will be the broadcasters, including the news media, since most of their revenues come from advertisements. Another potential adverse impact cited was the risk that companies would raise their

prices to pay for the tax, which would impact consumers' purchasing power. Although this might result in lowering household consumption, manufacturers would not be incentivized to adopt greener practices.

### **Influencers: a form of advertising not to be ignored**

The participants made several mentions of the growing presence of influencers in social media, whose aim it is to sell products. According to some of the agencies interviewed, their mission is to tout a product while referencing their enviable lifestyle. Because this contributes greatly to overconsumption, it is essential that any new rule applying to the advertising industry also covers influencer advertising.

A greater openness was observed on the part of social-impact agencies to the proposed regulatory measures, while traditional agencies were more inclined to cite the disadvantages of these measures and their impacts on the advertising industry.

Lastly, it should be pointed out that all the interviewees mentioned that the **advertising industry is extremely resilient** and could very easily adapt to new rules. In fact, the nature of their work demands that they be creative and that they continually adapt to the demands of a changing society and the changing demands of their clients. It would appear, then, that the industry is able to adapt and shift to greener messaging, since agencies are used to becoming experts on the fly in a variety of fields.

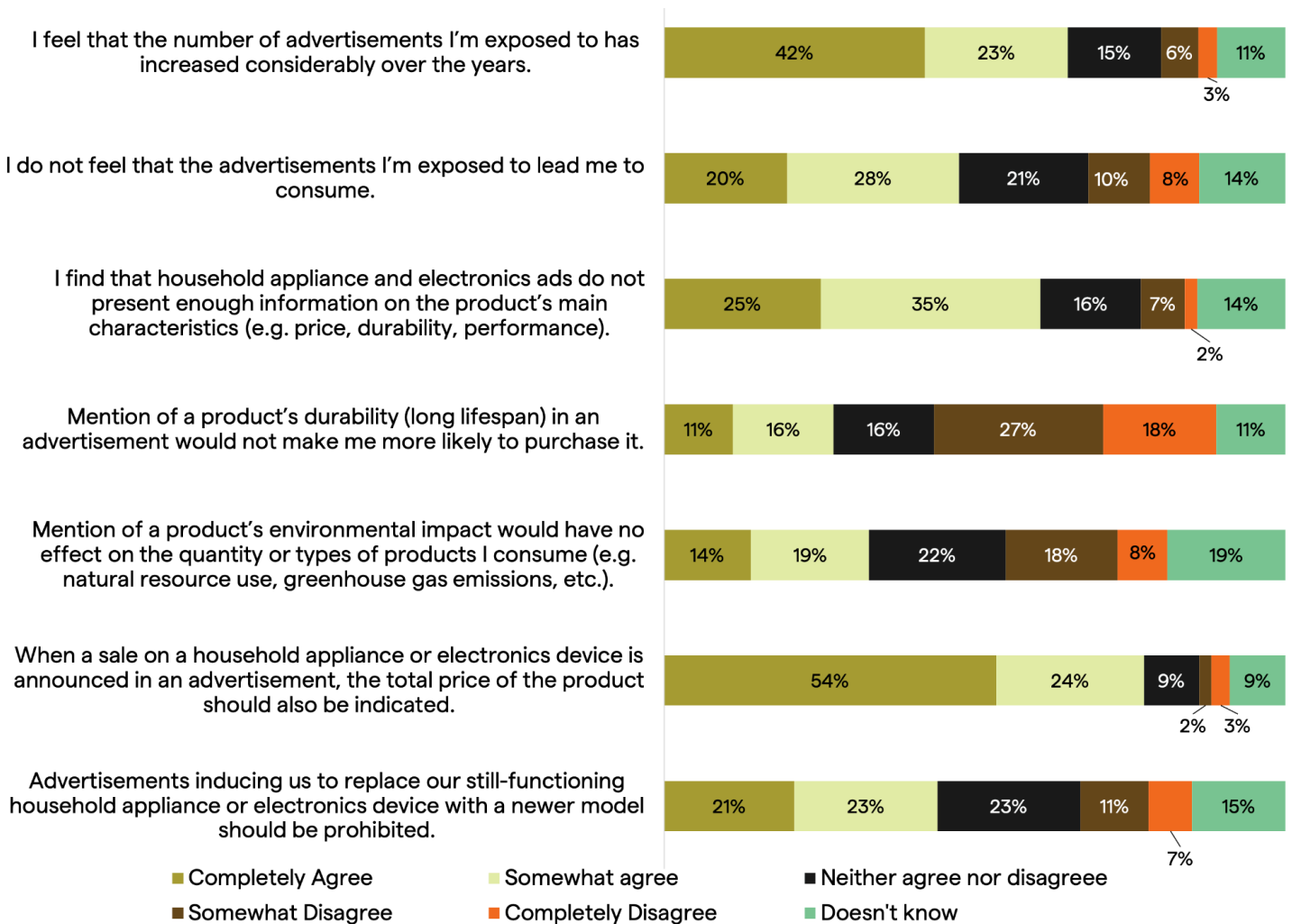
### **What can we take away from the interviews with advertising agencies?**

- Opinions were mixed as to advertising's influence on overconsumption, and the link between advertising and environment was misunderstood by some.
- The agencies interviewed are not closed to the idea of regulatory measures, but they must be clear, mandatory and applied to all industry actors. The advertising sector is resilient and adaptable.

### 3.3 Consumers' opinions

To ascertain consumers' opinions on advertising's role in their consumption and on proposals to regulate advertising, a survey was conducted of 1,536 Canadians by the Léger firm in June 2024. A detailed methodology of the survey is available in Annex 2. The level of agreement and disagreement with the survey's seven statements can be found in Figure 4.

**Figure 4. Canadians' agreement and disagreement with certain statements regarding commercial advertising**



First, 65% of the respondents feel that **the number of advertisements has considerably increased over the years**, while a mere 9% disagree. However, many of those surveyed (48%) **do not feel that the advertisements they take in lead them to consumer**. The strong opposition to this statement may show the

unconscious effect of advertising, namely that it influences consumption choices without people being aware of it. In fact, this phenomenon has been demonstrated in the past by various experiments. One research team<sup>38 and 39</sup> found that despite not recalling their exposure to a specific advertisement, individuals exposed to the advertisement perceive the advertised brand more positively and have higher purchase intentions than those who have not been exposed. These effects could even persist for a long time – up to three months following exposure to the advertisement, in fact<sup>38 and 39</sup>.

As for the content of advertisements, a majority of the Canadians surveyed (60%) believe that **HAE advertisements do not present enough information on the product's main features** (e.g. price, durability, performance). That said, nearly a third of those surveyed are neutral or uncertain.

Less than a third of the respondents (27%) disagree to some extent with the statement that displaying the product's durability in an advertisement would not further induce them to purchase the product. In all, nearly half (45%) disagree somewhat or completely, in other words, they feel that **the presence of durability information would lead them to acquire the advertised device or appliance**.

Similarly, 33% of those surveyed believe that **the display of environmental information in advertisements, such as the quantity of natural resources used or the GHG emitted during manufacture of the good, would have no impact on the quantity and types of products they purchase**. A slightly lower proportion (26%) disagree, stating that this information could have an impact on their consumption choices.



Although the majority of the respondents do not express the desire for advertisements to present **information on a product's durability and environmental impacts**, a not insignificant number nevertheless feel that the presence of this information in HAE advertisements would impact their consumption choices.

As for measures aimed at regulating advertisements, a large majority of the Canadians surveyed (78%) believe that **the product's price should be displayed when an advertisement states that the item is on sale**. Only 5% disagreed.

Regarding the proposal to **prohibit advertisements encouraging the product's replacement in favour of a more recent model**, more of the respondents agreed (44%) than disagreed (18%).

#### What can we take away from the survey of Canadian consumers?

- Few of them perceive the influence that advertising can have on their consumption level.
- Some Canadians want more basic product information and durability information in advertising, although this desire is not felt by a majority of Canadians.
- There is some agreement on the part of the population with certain measures to regulate consumer goods advertising. While the proportion of respondents who expressed uncertainty is fairly high, the proposed measures did not meet with strong opposition.

### 3.4 Content analysis of advertisements: the case of HAE

To identify the messages and strategies used in commercial advertising for consumer goods, a content analysis of 238 HAE advertisements was carried out. This sample comprises 116 ads for household appliances, 108 for electronic devices and 14 that advertised both categories. Placed in Canada between 2020 and 2023, these advertisements appeared on television (17), in print (89) and digitally (132). While this sample does not reflect the spending on advertising (see section 3.1), it does represent the various media that citizens are exposed to daily.



An analytical grid containing 41 variables was built, followed by a frequency analysis. The detailed methodology for the content analysis appears in Annex 2.

### 3.4.1 GENERAL CONTEXT OF ADVERTISING

Various elements are presented, the most prevalent being the **presence of humans or pets** (43.4%), followed by the **emotional content** (30.7%) (words or images tied to various emotions and feelings, or comedic content). Examples of advertisements featuring humans and emotional content are found in Annex 3. Some advertisements (4.2%) feature a **public figure or an influencer** to sell the product by making it seem more attractive. Table 2 presents these various elements and their prevalence in advertisements.

**Table 2. Contextual elements featured in HAE advertisements**

Contextual elements	Percentage of all advertisements (238)	Percentage of household appliance advertisements (116)	Percentage of electronics advertisements (108)
Presence of humans and/or pets	43.4%	44.8%	42.8%
Emotional content	30.7%	33.6%	30.6%
Reference to a season	8.8%	10.3%	8.3%
Presence of a public figure or influencer	4.2%	5.2%	3.7%

### 3.4.2 ADVERTISING THEMES

Myriad themes are broached in HAE advertisements, chief among them one or more activities, product-related improvements or innovations, and product uniqueness. Table 3 shows the range and prevalence of the themes contained in HAE advertisements, distributed between the two product categories.

**Table 3. HAE advertisement themes**

Themes	Percentage of all advertisements (238)	Percentage of household appliance advertisements (116)	Percentage of electronics advertisements (108)
Activity, recreation or occupation	22.7%	9.5%	39.8%
Improvement or innovation	21.9%	19.0%	26.9%
Uniqueness	20.6%	25.0%	17.6%
Pleasure or simplicity of daily tasks	18.5%	22.4%	15.7%
Reference to friends or family	10.1%	14.7%	5.6%
Luxury	2.5%	5.2%	0.0%

The most common theme is **activity, recreation or occupation**, but it is far more present in electronics advertisements. Among these activities, **school** leads the way (48.2% of the 54 advertisements featuring an activity), suggesting that young people are targeted most. Electronics advertisements are more likely to feature this occupation.

Among the other activities featured, video games rank first (16.7% of advertisements featuring an activity), followed by several activities at once (16.7%), sports (9.3%), a concert (3.7%), work or principal occupation (3.7%) and a shared meal (1.9%). Associating these devices with multiple recreational pursuits would suggest they are useful for a variety of occupations and target audiences. Annex 3 presents examples of advertisements featuring activities or occupations.

While **improvement or innovation** ranks second (22%), it should be pointed out that the attractiveness of a newer model's novelty and new features is one of the leading reasons why consumers replace an HAE<sup>16, 62 and 63</sup>. Researchers<sup>64</sup> maintain that short production cycles and new features are more of a trigger for replacing a smartphone than breakage. A French study conducted in 2021<sup>65</sup> indicated that one quarter of people who had updated their smartphone even though it was still

working had done so for “fun”, with 11% stating that they had been tempted by a latest-generation model. According to another French survey in 2022<sup>66</sup>, 35% of respondents who replaced their television even though it still worked did so because they wanted a newer model. The emphasis advertisements place on new models and new features can thus contribute to consumers’ desire to replace their device prematurely. This theme is more prevalent in advertisements for electronics (26.9%) than for household appliances (19%).

The other themes identified in HAE advertisements are product **uniqueness**, **pleasure or simplicity of daily tasks**, reference to **friends or family** and **luxury**. All four themes are more common in advertisements for household appliances than for electronics (see Table 3).

### 3.4.3 PRODUCT CHARACTERISTICS SHOWCASED

Among the product characteristics presented in the advertisements, the product’s **extra functions and features** (e.g. screen size, image quality, artificial intelligence) lead the way with 42.4%. They receive more attention than the product’s **main features and functions** (28.6%) or its **performance** (18.9%), even though these are two core informational elements.

Elements allowing consumers to make a more sustainable choice, such as **reliability, durability and repairability**, receive very little if any attention for certain products. And yet, according to a Canadian survey in 2024, reliability and durability are among the leading self-reported purchasing criteria for a household appliance or a computer<sup>67</sup>. Table 4 details the presence of the various product characteristics highlighted in advertisements.

**Table 4. Product characteristics highlighted in HAE advertisements**

Characteristics	Percentage of all advertisements (238)	Percentage of household appliance advertisements (116)	Percentage of electronics advertisements (108)
Extra features	42.4%	35.3%	50.9%
Main functions	28.6%	44.8%	14.8%
Performance	18.9%	19.0%	21.3%
Esthetics	9.7%	10.3%	10.2%

Award-winning or receiving special recognition	2.5%	3.5%	1.9%
Reliability	2.5%	2.6%	2.8%
Durability and/or repairability	2.5%	5.2%	0.0%

The tendency to tout extra features is more pronounced for electronics, whereas household appliance advertisements zero in more on the product's main functions. In addition, durability and/or repairability feature only in electronics advertisements.

### 3.4.4 FINANCIAL INFORMATION

HAE advertisements also present various types of financial information. Mention of a **promotional offer**<sup>iii</sup> is by far the most common type (43.3%) and will be discussed later. The product's **good value**<sup>iv</sup> ranks second (20.2%), followed by **product price** (15.1%) and **financing arrangements**<sup>v</sup> (14.3%). Table 5 breaks down the prevalence of this financial information in the advertisements.

**Table 5. Financial information presented in HAE advertisements**

Financial information	Percentage of all advertisements (238)	Percentage of household appliance advertisements (116)	Percentage of electronics advertisements (108)
At least one promotional offer	43.3%	28.5%	56.5%
Good value	20.2%	10.3%	28.7%
Product price	15.1%	6.9%	18.5%
Financing arrangements	14.3%	3.4%	25.0%

<sup>iii</sup> The promotional offers identified are found in Table 6.

<sup>iv</sup> The notion of good value includes mention of low price and/or best price on the market or sale price.

<sup>v</sup> The financing arrangements identified in the advertisements include the option of payment by installments, deferred payments or cancelled payments (11.3%), little money down (2.5%) and an attractive interest rate (2.1%).

While **product price** is often the key element in the decision to purchase certain HAE<sup>67</sup>, this information is rarely presented, giving way instead to promotional offers and mentions of good product value. It appears less in advertisements for household appliances than for electronics, despite the former usually being more expensive than the latter. For electronics, the advertisements pay more attention to financing arrangements, promotional offers and good value than to the product's total price.

As for **financing arrangements**, the most common are payment by installments, deferred payments or cancelled payments (79.4% of the advertisements mentioning financing arrangements). Financing arrangements are far more common in advertisements for electronics than for household appliances, suggesting that these offers are not solely for high-price items. Half of the advertisements mentioning one or more financing arrangements do not mention the total price of the product. For advertisements specifically mentioning the option to pay by installments, 40% do not mention the total price of the product.

**50%** of ads featuring at least one financing arrangement do not mention the price of the device.

**40%** of ads featuring the possibility of paying in instalments do not mention the price of the device.

It is no secret that **payment by installments, such as BNPL (Buy Now Pay Later), drive up consumption and spending**<sup>68 and 69</sup>. According to Klarna, one of the BNPL services operating in Canada, use of its services increases sales by 20%, and 44% of its users would abandon their purchase if the option to pay in four installments were not available<sup>70</sup>. According to an American survey<sup>69</sup>, nearly half the respondents say they spend between 10% and 40% more with a BNPL service than with a credit card, and two-thirds say they buy items they probably would not have otherwise bought. BNPL services are used very frequently to purchase HAE, in fact<sup>71 and 72</sup>. And so, by presenting these types of payments by installments, deferred payments and cancelled payments, and especially by leaving out the price in most cases, HAE advertisements can drive up overconsumption of these goods.

In addition, 18.1% of the advertisements mention a **limited-time sale**, which can lead to impulsive buying in the hope of getting the best price<sup>73</sup>.

#### 3.4.4.1 Promotional offers

Featuring one or more **promotional offers** is the most common strategy in the advertisements analyzed, on a par with the presence of humans and/or pets. The advertisements for electronics present such offers (56.5%) more than those for household appliances do (28.5%). Table 6 shows the range and prevalence of promotional offers among the 103 advertisements presenting at least one such offer.

**Table 6. Types of promotional offers featured in the 103 advertisements that mention at least one<sup>VI</sup>**

Promotional offer	Percentage of all advertisements featuring at least one offer	Percentage of household appliance advertisements featuring at least one offer	Percentage of electronics advertisements featuring at least one offer
Discount on the product price	60.8%	60.6%	54.1%
Discount on purchase of one or more additional products	22.6%	42.2%	11.5%
Gift on purchase	19.6%	3.0%	26.2%
Discount on a specific plan	10.8%	0.0%	18.0%
Discount on return of older model	9.8%	0.0%	16.4%
"We pay the tax" scheme	5.9%	12.1%	0.0%

<sup>VI</sup> The total exceeds 100%, since certain advertisements mention more than one type of promotional offer.

A **discount** applied directly to the price of the product is the most common type of offer and is very often featured in advertisements for both types of products. It should be pointed out that less than a third (31.1%) of the advertisements featuring at least one promotion indicate the price of the product, a strategy that can make the product seem more affordable.

A **discount on the purchase of one or more additional products** is featured mainly in advertisements for household appliances (e.g. larger discount on the purchase of more than one appliance), while a **gift on purchase** is more common with electronics (e.g. headphones offered on purchase of a phone). Both types of offers can lead consumers to replace a product that is still in working order or to acquire an unnecessary product, a contributing factor to overconsumption.

Advertisements offering a **discount on return of an older model** or a **discount on a specific plan** are used for smartphones. Annex 3 provides examples of the discount on return.

While mention of a promotional offer is a very prevalent strategy, the literature shows that promotions often contribute to premature replacement of an HAE. In 2022, 31% of French consumers who replaced a television that still worked did so because they had received a promotional offer on a newer model<sup>65</sup>. Offers of a discount on the return of a consumer's existing product also led to the product's replacement<sup>74, 75 and 76</sup>. As for cellphones, a sale price on a newer model coinciding with contract renewal encourages consumers to replace their product<sup>76 and 77</sup>.

These messages can influence public perception of a product's normal useful lifespan and thus lead to its premature replacement. In a European study<sup>78</sup>, just over a quarter of the respondents who were asked about the normal useful lifespan of a cellphone pegged it at only one year, while referencing a popular ad campaign that leads consumers to replace their device each year.

Of the advertisements that feature a promotional offer, 24% mention a particular **time of the year**, the most common being the **back to school period** (24.6% of the advertisements featuring a seasonal promotional offer). The category "other particular times of the year" ranks second (22.8% of the advertisements featuring a seasonal promotional offer). This includes special days of the year known for deep discounts, like black Friday, but advertised at a different time of the year (e.g. "Black Friday in Summer", or "Pre-Labour Day sale"), as well as sales tied to a specific event (e.g. the Super Bowl). This suggests that the industry looks for any opportunity to run these promotions.

It should also be pointed out that seasonal references are far more likely to be accompanied by a promotional offer (61.9%) than not (38.1%), which means that such references serve mainly as a pretext for advertising a promotion. Mention of a season together with a sale can encourage impulse buying, since consumers may fear missing out on the sale price if they do not act fast<sup>73</sup>.

### 3.4.5 SERVICES OFFERED AND ENVIRONMENT

Various services offered by the retailer or manufacturer are featured in advertisements, albeit somewhat rarely. Of these, delivery service is the most common (13.9%), usually in the form of free delivery. A factory or store warranty and the duration thereof are mentioned very rarely (6.7%).

Certain HAE advertisements (especially ones for appliances) include elements related to the environment (5.5%). These environmental references usually tie in with the brand rather than the product being advertised (e.g. tree planting or reaching net-zero by 2030). There has not been a detailed analysis of these environmental elements, but it would be wise to explore them further to determine whether they simply amount to **greenwashing**. In fact, two of the advertisements frame the recycling of the current appliance and the purchase of a new one as positive for the environment, despite it causing more pollution than extending the product's lifespan<sup>79</sup>.

**Greenwashing:** when an entity misrepresents the environmental attributes of its activities, products or services<sup>80</sup>.

#### **What can we take away from the content analysis of HAE advertisements?**

- The prevalence of certain advertising elements, such as emotional content, innovation, product uniqueness and the myriad activities, helps normalize the idea that possessing these goods is a gateway to a specific, enviable lifestyle or to a certain quality of life. This type of messaging can lead to overconsumption and premature replacement of these products.
- The prominence and variety of appealing promotional offers in HAE advertisements can also encourage overconsumption and, above all,



premature replacement of these products, leading to their **obsolescence**.

**Obsolescence:** premature depreciation of a product. This can take several forms (e.g. technological, psychological and economic)<sup>81</sup>.

## 3.5 Analysis of regulatory framework for advertising

The most important statutes that regulate advertising in Quebec and Canada are the *Consumer Protection Act* (CPA), a provincial law,<sup>vii</sup> and the Competition Act, a federal law. Other acts and regulations targeting specific goods and services also regulate their advertising. The following sections discuss the ways in which these legislative texts regulate advertising, namely the duties and prohibitions on advertising, before examining the various constitutional limits on regulating advertisements.

### 3.5.1 DUTIES TO INFORM

The primary means of regulating advertising outlined in Canada's acts and regulations is to regulate part of its content by creating a duty to provide certain information or to do so in a certain way. Acts and regulations imposing this duty to inform are numerous. They provide for the communication of all "important facts" or of a number of "specific facts." At times there is a duty to inform from the outset, while at other times there is a duty to communicate additional information to complement certain information that has already been made public.

#### 3.5.1.1 Duty to communicate all "important facts" and certain "specific facts"

The duty to communicate the most important and the most general information is certainly set out in section 228 of the CPA, which states that any "**important fact**" must be communicated to consumers: "No merchant, manufacturer or advertiser may fail to mention an important fact in any representation made to a consumer."

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<sup>vii</sup> Most of the other provinces have laws similar to the CPA on the books. While they do not necessarily have the same scope or set out the same principles, they do share one thing in common: they seek to regulate certain consumption relationships. In this context, our analysis of the CPA is not necessarily transposable to all similar statutes in the other Canadian provinces.

The concept of “important fact” has a very broad scope, including all facts that may influence a consumer’s decision to purchase a good or enter into a contract<sup>82</sup>. Elements the courts find important relate to the material or economic characteristics of a good or service. Thus, the “important fact” that must be disclosed is one that concerns “a determinative element of the contract [...], such as price, warranty, payment terms, quality of the good, nature of the transaction and any other decisive consideration that the consumer has agreed to as part of the transaction with the merchant”<sup>82</sup>.

While price is generally considered an “important fact” to mention in accordance with section 228 of the CPA, it is present in only a **sixth (15.1%) of the advertisements** analyzed in this report. In the case of household appliance advertisements, price is mentioned only **6.9% of the time**.

In a 2019 decision<sup>83</sup>, however, the Quebec Court of Appeal indicated “important facts” can include effects or risks to people’s health caused by use of a good. In so doing, the Court acknowledged that an element extrinsic to the good can constitute an important fact that must be disclosed. Following this logic, information on the environmental effects of the manufacture of certain goods could potentially constitute an important fact that must be disclosed.

This duty to communicate “important facts” is complemented by the duty to communicate certain “**specific facts**”, set out in various statutes. For example, the *Act to prevent skin cancer caused by artificial tanning* requires advertisements to mention the prohibition against providing these services to minors. As for tobacco advertising, the *Tobacco Control Act* indicates that where permitted, an advertisement must contain warnings<sup>viii</sup> prescribed by regulation. These texts may also prescribe the manner in which to present these facts so as to facilitate comprehension (size, legibility, etc.).

#### 3.5.1.2 Duty to inform from the outset and duty to communicate additional facts

Whether the facts that must be communicated are “important” or “specific”, the duty to inform is twofold: there is a duty to inform from the outset and a duty to communicate additional information. The **duty to inform from the outset** applies to an advertisement from the moment it is disseminated. A typical example is

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<sup>viii</sup> These warnings are as follows: “Tobacco kills”, “Many of these products contain nicotine” and “Smoking kills”.

found in section 228 of the CPA (see above), which prohibits failure to mention any “important fact”.

This initial duty to inform can be replaced or complemented by a **duty to communicate additional information**. This duty exists only when a fact determined by the statute appears in the advertisement. For example, the CPA requires that any advertisement disclosing terms and conditions of credit must contain the particulars prescribed by regulation. Also, any advertisement indicating that no credit charges are payable during a certain period must specify the credit rate that will apply at the end of that period if the net capital has not been repaid.

Other examples concern mention of the price of a good or of installments. Section 224 of the CPA prohibits disclosing “the amount of the installments to be paid [...] without also disclosing [...] the total price of the goods or service.”

Despite the existence of the duty to disclose the total price of a good if the amount of the installments is indicated, the content analysis of the advertisements in this report reveals that **40% of the advertisements mentioning the option to pay by installments do not mention the price of the appliance or device**. At first glance, these advertisements seem to violate the CPA.

### 3.5.2 PROHIBITIONS AGAINST INFORMING

The second means of regulating advertising prescribed by Canadian acts and regulations is to impose limits on the content that a company may make public. These limits constitute prohibitions against communicating a certain amount of information or against doing so in a certain manner. Canadian and Quebec statutes create four main types of prohibitions against informing:

1. Prohibition on **false or misleading advertising of any type of goods**;
2. Prohibition on any type of advertising **directed at a particular audience**;
3. Prohibition on the advertising of **certain types of goods**; and
4. Prohibition on the advertising of **certain wording regarding certain goods**.

The scope of these four prohibitions varies according to the particular statute in question.

Regarding the first type of prohibition, section 219 of the CPA creates a prohibition against **making false or misleading representations** that applies to all representations, including advertisements, regarding goods acquired by consumers. An advertisement is considered false or misleading if the general impression it gives the consumer does not conform to reality, which is to say to what the merchant is truly offering<sup>84</sup>. In terms of federal legislation, sections of the Competition Act prohibit communicating false or misleading information on important things, i.e. elements that could lead the consumer to acquire the good.

The second type of prohibition outlaws **any advertising directed at a certain audience**. Sections 248 and 249 of the CPA prohibit advertisements aimed at persons under the age of 13. Other statutes prohibit the dissemination of advertisements of specific goods or services (e.g. alcohol, tobacco, tanning) to persons under the age of 18.

The third type of prohibition outlaws the **advertising of certain types of goods**. There are three ways this works:

- Certain acts prohibit against advertising a type of good but provide for exceptions or the authority to create exceptions by regulation. These exceptions establish the conditions for advertising the good in question and the scope of the message allowed (e.g. the *Tobacco and Vaping Products Act* and the *Cannabis Act*, two federal laws).
- Certain acts allow advertisements of a type of good but limit to some degree or other the opportunity to do so and the scope of the message allowed, by creating a cumulative number of conditions that must be met (e.g. alcohol, artificial tanning and the provincial tobacco legislation, namely the *Tobacco Control Act*).
- A few acts allow advertisements of a category of goods but prohibit advertising certain specific goods (e.g. the federal *Food and Drugs Act*, which prohibits advertisements of prescription drugs not listed in the act's schedule).

The fourth type of prohibition outlaws the dissemination of **certain wording regarding certain goods**. The acts allow advertisements of a type of good or certain of these goods but creates exceptions prohibiting against communicating certain information or doing so in a certain manner. First, certain legislation prohibits promising or suggesting that the good will have specific effects. For example, the *Act respecting offences relating to alcoholic beverages* indicates that, where permitted, an alcohol advertisement may not represent "that an alcoholic beverage is beneficial to health or possesses nutritive or curative value." Meanwhile the *Regulation respecting promotion, advertising and educational*

*programs relating to alcoholic beverages* forbids advertising of alcoholic beverages where the advertising portrays their consumption “as an element that enhances the importance, social prestige or success of a person; as a means of improving athletic performance; as an essential element in a person’s participation in activities; or as an aid in surmounting personal problems.” As for tobacco, the federal *Tobacco and Vaping Products Act* states that the advertising of these products may not associate tobacco with a “way of life”, and Quebec’s *Tobacco Control Act* prohibits against “directly or indirectly associating the use of tobacco with a particular lifestyle.”

Other legislation is more specific and prohibits the use of certain phrases or images. For example, with regard to advertising credit to finance the purchase of goods, the CPA addresses the use of certain terms prescribed by regulation, such as “available credit”. The *Food and Drug Regulations* restricts advertising messaging for prescription drugs to certain terms. As for images, the *Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages* prohibits advertising that shows “a person or persons engaged in the consumption of alcoholic beverages in an irresponsible manner.” Regarding credit financing of furniture, the CPA and its regulations prohibit the use of a credit card illustration.

### 3.5.3 CONSTITUTIONAL LIMITS ON REGULATING ADVERTISING

Advertising regulations, no matter the type, are not unlimited in scope. Ottawa and the provinces can enact rules only in their own areas of jurisdiction, and these rules must not do undue harm to the core rights and freedoms entrenched in the Canadian and Quebec charters.

The **jurisdiction in which advertising is regulated** is neither federal nor strictly provincial. It is “shared” between the two. Both levels of government may legislate in the same area by virtue of their respective jurisdiction.<sup>85</sup>

The provinces may regulate advertising aimed at consumers much the same as they may regulate consumption relationships more broadly<sup>86</sup>, i.e. upon an exchange between a merchant and an individual. It is on this basis that Quebec may regulate advertising, including in the CPA and the *Tobacco Control Act*.

The Parliament of Canada may regulate certain types of advertising pursuant to its areas of jurisdiction (e.g. crime, commerce and federally regulated business activities, including banks and telecommunications)<sup>85</sup>. For example, it was by virtue of Ottawa’s jurisdiction over criminal law that regulatory provisions on advertising were included in the *Food and Drugs Act*.

Even while conforming to their respective jurisdictions, the legislative provisions adopted by the provinces and Ottawa are constrained by a second limitation, imposed by the **Canadian Charter of Rights and Freedoms**. In Quebec, the rules enacted must also conform to the **Charter of Human Rights and Freedoms**.

Each charter protects **freedom of expression**. The scope of this freedom of expression, which seeks to ensure "that we can convey our thoughts and feelings in non-violent ways without fear of censure"<sup>87</sup>, is broad. Thus, freedom of expression protects the freedom to say nothing or the right to refrain from saying certain things<sup>88</sup>. Texts that seek to regulate advertising can therefore infringe upon this freedom of expression. Those that prohibit advertising often limit this freedom, since their objective is specifically to control the dissemination of a commercial message. Those that impose a duty to communicate certain facts can also limit this freedom, since freedom of expression protects the right to say nothing and thus communicate nothing. Therefore, **freedom of expression significantly limits the ability to regulate advertising**.

Nevertheless, certain infringements on freedom of commercial expression may be justified if their objective is "**pressing and substantial**" and if the means used to achieve it **does not infringe on freedom of expression disproportionately**.

Numerous objectives have been deemed pressing and substantial in the past. For example, in 2007, the Supreme Court upheld the validity of the *Tobacco Act* by validating the pressing and substantial nature of health protection.

### **Protecting the environment and limiting taxpayer debt: pressing and substantial objectives?**

Current conditions could warrant environmental protection being deemed a pressing and substantial objective by the courts, and this could therefore make the case for regulating advertisements that lead to overconsumption.

- Six of the nine planetary boundaries have already been exceeded and a seventh is about to be<sup>89</sup>. Planetary boundaries are global limits that must not be exceeded if humanity is to live in a safe ecosystem.
- The pace of natural resource extraction is rising exponentially<sup>90</sup>.
- Environmental protection and a decline in waste were recognized in 2023 by the Quebec Court of Appeal as objectives that can be deemed

pressing and substantial. The court's decision upheld the City of Mirabel's regulations prohibiting distribution of print advertising.<sup>91</sup>

Given the impact on Canadians of crushing household debt and inflation, the objective of limiting household debt could potentially warrant certain measures to regulate advertising, although to date there have been no court rulings establishing the pressing and substantial nature of this reality.

As for proportionality, the means deployed to achieve the desired objective must have a rational connection to this objective, infringe as little as possible on freedom of expression and generate more benefits than disadvantages. In general, the degree of the prohibition (full or partial) constitutes a major factor in determining whether the degree of infringement is reasonable<sup>92</sup>. It is often because this proportionality requirement is not met that a text aimed at regulating advertising is overturned. For example, in 1995 the provisions of the initial *Tobacco Act* were quashed because Ottawa was unable to demonstrate that a prohibition of all advertising constituted an infringement that was proportional to the objective.

#### **What can we take away from the analysis of the regulatory framework for advertising in Canada?**

- Any text limiting or requiring the communication of certain information must provide for means of implementation that meet various requirements and must be justified by a "pressing and substantial" objective.
- Freedom of expression is a significant limit on advertising regulations, but this limit is not absolute. It does not preclude the creation of acts and regulations that allow the regulation of advertising.
- In fact, numerous methods of regulating advertising have been justified and are already in place for a range of goods and services.

# 4. Recommendations

This research paper highlights the size of Canada's advertising market and the many aspects of advertising that induce consumers to purchase or replace a product. Since the research has also demonstrated a degree of openness on the part of the advertising industry and the public to the idea of regulating commercial advertising, as well as the possibility of legislation in this area, Équiterre is proposing various measures to that end.

## 4.1 Tighten the regulatory framework for commercial advertising

Regulations governing the commercial advertising of consumer goods should be given more teeth, to ensure that advertisements disclose more important information and that messages inducing consumers to replace a product are less prevalent. These measures could be justified by the pressing and substantial objective of protecting the environment or of limiting consumer debt.

Stricter regulations on commercial advertising are being proposed, because in light of this industry's sizeable economic impact, it must contribute to the green transition. As mentioned by the advertising agency representatives, the power these agencies could wield over their clients is minimal. In fact, these representatives opined that a mandatory mechanism introduced by governments would have more of an impact than voluntary mechanisms. Some of the representatives added that industry is used to working within certain existing legislative frameworks (e.g. tobacco, alcohol, advertising aimed at children) and that it is resilient to this type of change.

Most of the legislative changes proposed below involve Quebec's CPA, but to ensure uniformity across Canada, a more detailed analysis of the other Canadian provinces' consumer protection laws could be carried out to determine whether



these changes could be applied to all the provinces. Also, subject to constitutional limits, these proposals can apply to certain federal statutes, including the Competition Act. Lastly, the proposed requirements and prohibitions should apply to all advertising formats, wherever possible<sup>ix</sup>.

#### 4.1.1 REQUIRE DISCLOSURE OF ENVIRONMENTAL FOOTPRINT OF ADVERTISED PRODUCT

Commercial advertisements for consumer goods should include information on the product's environmental impacts. This proposal would give consumers more information so they can make more sustainable choices. It could also encourage manufacturers to adopt eco-design or circular economy practices if they know that the impact of their products is being communicated in all their advertising.

A number of the advertising industry representatives interviewed expressed an interest in a clearer, stricter framework to help them adopt greener practices. As for the views expressed by consumers, while support for such information was not terribly strong, a quarter of the Canadians interviewed indicated that this information could impact their purchasing decisions. Very few of the advertisements analyzed mentioned things relating to the environment or the durability of the product, and even when such mentions were made, they were of a questionable nature. The analysis of the legal framework surrounding advertising also showed that such a measure was feasible: a duty to inform consumers of a good's environmental footprint could be created by adding the environmental impacts of the product's manufacture to the "important facts" cited in the CPA.

In concrete terms, it could take the form of a colour-coded aggregate score that takes account of all the environmental impacts of the product (impacts on biodiversity, GHG, natural resource extraction, etc.)<sup>93</sup>. The data would be provided by a credible source on the basis of a life cycle analysis of the good in question. As mentioned by some of the advertising industry representatives interviewed during this study, the manner in which this information would be presented should be strictly regulated to ensure that it is visible, legible and easily understood by consumers.

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<sup>ix</sup> Radio advertising has often been treated differently when advertising control measures have been adopted, and this could also be the case for the measures proposed here.



### **Inspiring example: environmental requirements for European advertisements of various goods and services**

A European Union directive requires data on new-vehicle fuel consumption and CO<sub>2</sub> emissions to be included in all advertising on the part of the 27 member countries<sup>94</sup>.

In France, section L229-64 of the Environmental Code will eventually require advertisements of certain products and services to disclose, in a visible and comprehensible manner, information on their environmental impact<sup>95</sup>. At the time of this writing, the methodology for determining this environmental impact and the testing of the modes of disclosure were still in development, and the goods and services to be covered had yet to be determined. However, textiles and food products are likely to be the first products covered<sup>96</sup>.

This requirement could be phased in for a variety of goods, starting with popular consumer goods whose manufacture is very polluting or requires vast quantities of resources, or products with a high replacement rate (e.g. smartphones and clothes).

In fact, if Canada adopted a durability index for certain products, as proposed by Équiterre<sup>97</sup>, this index could be made mandatory in advertisements for the products in question.

#### **4.1.2 REQUIRE A MENTION PROMOTING SUSTAINABLE MATERIAL CONSUMPTION**

To help balance out the myriad commercial messages encouraging the public to consume an ever-higher quantity of goods, a requirement could be created to display a mention promoting more sustainable consumption modes for certain products. The advertising agency representatives interviewed were not opposed to the idea, and according to the legislative analysis, this could be achieved by imposing a duty to communicate certain specific facts, as is already the practice with other products like tobacco. Various mentions from which to choose could be included in the CPA regulations, or, subject to constitutional limits, in the Competition Act regulations. These mentions could take the form of phrases encouraging the following: repair, extending the lifespan of the advertised product, purchase of used or reconditioned goods, and, quite simply, less consumption.

Again, as indicated by several of the advertising representatives interviewed, the manner in which this information would be presented must be properly regulated so that the mention is legible.



### **Inspiring example: mandatory advertising mentions to promote sustainable mobility in France**

Since 2022, France's Highway Code has required all companies advertising a vehicle to include the following hashtag in their advertisement:

*#SeDéplacerMoinsPolluer (#GetAroundWithLessPollution)*, as well as one of these three messages: « *Pour les trajets courts, privilégiez la marche ou le vélo* » (for short trips, choose walking or biking), « *Pensez à covoiturer* » (consider ridesharing) and « *Au quotidien, prenez les transports en commun* » (make public transit your daily choice).<sup>98</sup>

While it is too early to gauge the impact of such a measure on people's mobility choices, including messages promoting more sustainable modes of transportation is a good way to counter advertisements that are constantly touting personal vehicles and to promote a greener lifestyle.

#### **4.1.3 REQUIRE PRODUCT PRICE TO BE INDICATED WHEN ITEM IS ON SALE OR FINANCING ARRANGEMENTS ARE MENTIONED**

To provide consumers with comprehensive financial information, there should be a requirement to indicate the product's price when it is on sale or when financing arrangements are mentioned (e.g. down payment, interest rate).

The advertisement analysis revealed that just under a third (31.1%) of the ads mentioning one or more promotions include the price of the appliance or device. In the case of ads mentioning financing arrangements, half fail to mention the price of the good. Most of the consumers surveyed (78%) supported a measure requiring the price to be mentioned if the advertisement states that the item is on sale, and 60% believe that advertisements do not provide enough information on the product's main characteristics, including price. The advertising agency representatives mentioned that product price is an important piece of information to include in an advertisement. According to the legislative analysis, this requirement can be met by creating a duty to communicate additional information. A section could be added to the CPA that would require advertisements that mention a sale or financing arrangements for a particular product or service to indicate its full price. Requirements to communicate

additional information on personal finances already exist (when it comes to credit, for example). This measure could be justified by the objective of limiting consumer debt.

#### 4.1.4 PROHIBIT “GIFT” OFFERS ON PURCHASE AND PROMOTIONAL OFFERS ON PURCHASE OF MULTIPLE PRODUCTS

To limit overconsumption, the CPA should prohibit advertisements offering a gift upon the purchase of the product or a bulk discount when multiple products are purchased (e.g. 20% off the price of two household appliances, 30% off the price of three, and so forth). According to the analysis conducted for this study, gift offers appeared in 20% of all the advertisements, but in 26% of the advertisements for electronics. Bulk discount offers appeared in 23% of the advertisements analyzed, but in 42% of the ads for appliances. According to the analysis of the legal framework surrounding advertising, this could take the form of a prohibition against certain wording regarding certain goods. To ensure uniform legislation in Canada, there should be a more detailed study of the Competition Act to determine whether such provisions could be included in this federal statute.

#### 4.1.5 PROHIBIT INDUCEMENTS TO REPLACE A FUNCTIONING PRODUCT

To limit premature replacement of certain goods, there should be a prohibition on advertising that induces consumers to replace a product that remains in working order. What prompted this proposal is the strategy of offering a discount upon return of the old item, found in 16.4% of electronics advertisements. The advertising agencies also mentioned that promoting a new model to get consumers to change their appliance or device is a strategy used in advertisements for these products, so it is clear that the industry is using this idea to sell more goods, which can lead to overconsumption of certain products. The Canadian consumers surveyed were fairly supportive (44%) of this prohibition. The agencies were not necessarily opposed to the idea, so long as the rules and prohibited practices were clear, as is the case with existing frameworks regulating such things as tobacco, alcohol and ads targeted at children. According to our analysis of the legislative frameworks regulating advertising, this could be done in the CPA in the form of a prohibition against using certain wording about certain goods. Again, a review of the Competition Act is in order to determine whether such a provision could be included.

The legislative texts should identify and spell out the prohibited terms and phrases so that the industry has a clear understanding of what is considered an

inducement to replace a product. For example, messages like “trade in” your product, “switch to the latest model” or offering a discount upon return of the old product appear frequently in the advertisements analyzed in the course of this study, and could be outlawed. Images showing people trading in their still-functioning appliance or device for a new one could also be prohibited (for an example, see Box 3 in Annex 3). A more in-depth analysis should be carried out to identify wording or images to be prohibited. This prohibition could also be phased in, starting with advertisements for the most oft-replaced products.

#### 4.1.6 REGULATE PROMOTIONAL OFFERS LINKED TO SEASONAL SALES EVENTS (E.G. BLACK FRIDAY)

To curb overconsumption, advertised promotions linked to seasonal sales events like Black Friday, Cyber Monday or Boxing Day should be better regulated, if not banned outright. As mentioned earlier, such offers can lead consumers to buy things on impulse, due to a fear that they will miss out on the lower prices if they don’t act fast. These are the days and weeks during which Canadians consume and spend the most. According to the content analysis of these advertisements, these events are often used to advertise a promotional offer, but are also used off-season (e.g. “Black Friday in July”). Advertisements for these offers could be restricted to set dates, i.e. a few days bookending the actual day of the event; or they could be prohibited outright. The CPA could be amended to limit or prohibit the advertising of such offers, but an analysis of the Competition Act could also be undertaken.



#### **Inspiring example: Prohibition against Black Friday advertising enacted in French law**

In 2020, France passed the Anti-Waste Law for a Circular Economy, one of whose provisions seeks to prohibit Black Friday promotions in advertising. Although the government has yet to implement this provision, a lapse denounced by a variety of groups and several members of parliament, the legislation’s intent is clear: prohibit against advertising such promotions at the national level.<sup>99</sup> In any event, this constitutes a legal precedent that Quebec and Canada can draw inspiration from.

The duties to inform and the prohibitions created must be precisely set out for ease of application and to leave little room for discretion. The type of goods subject to the requirements and the nature of the necessary or prohibited information must be spelled out clearly.

It should also be pointed out that these regulatory proposals would apply solely to advertising. The offers and practices prohibited in advertising could still be available to consumers; only the advertising thereof would be outlawed. Consequently, these recommendations target only one of the factors leading to overconsumption.

## 4.2 Looking into limiting the display of commercial advertising in public places

To reduce consumers' exposure to advertising, consideration should be given to the place commercial advertising has in public spaces. For example, municipalities could look into prohibiting commercial advertising on their premises or certain forms of advertising (e.g. billboards) within their boundaries. They should limit their thinking to commercial advertising, while maintaining advertising for cultural or artistic events, government initiatives or public service announcements (e.g. public health messages).

An argument can certainly be made for such deliberations on the place that commercial messages have in the public square by virtue of the size of the industry and, above all, its growth in recent years. This observation suggests that commercial messages will maintain an increasing presence in citizens' daily lives, without them even perceiving the influence of these advertisements. In fact, 65% of the Canadians surveyed acknowledge that the number of advertisements they take in has increased in recent years.

Billboards could be a good jumping-off point. Although there is not a great deal of spending on this form of advertising, the analysis conducted as part of this study shows that it has regained much of its pre-pandemic popularity. Also, the influence wielded by certain types of this outdoor advertising is real. For example, in the case of Montreal billboards, a company offering such services estimates that they reach 97% of the population, and that 83% of consumers have seen such an advertisement before they make their purchase<sup>100</sup>. Lastly, there are several

examples of jurisdictions that have banned outdoor advertising, either in whole or for certain products only.



### Inspiring examples: municipal outdoor advertising bans and restrictions around the world

In Quebec, Montreal's Plateau-Mont-Royal district decided in 2010 to ban giant billboards. Following a protracted legal battle, the Quebec Court of Appeal upheld the ban in 2019<sup>101</sup>. Since then, other Montreal districts have adopted or proposed the ban.

Many cities and territories the world over have prohibited some or all forms of outdoor advertising, including Sao Paulo in Brazil, several cities in France and four US states<sup>102</sup>.

Lastly, certain cities, regions or municipalities have prohibitions in place against advertisements for specific polluting products. In the Netherlands, the city of Haarlem prohibits advertisements for meat<sup>103</sup>. The Hague and Amsterdam prohibit ads for fossil fuels.<sup>104 and 105</sup> Edinburg also prohibits advertising for fossil fuels and polluting vehicles<sup>106</sup>. In Canada, the *Société de transport de Montréal* adopted new guidelines that will limit oil-and-gas-related advertising in the subway or on buses. Similarly, Toronto City Council passed a motion to explore a ban on misleading fossil-fuel advertising in the city's buses, subways and streetcars.<sup>107</sup>

**These examples demonstrate municipalities' power and willingness to take on the presence and influence of commercial advertising.**

## 4.3 Re-centre marketing around more sustainable modes of production and consumption

The industry certainly has its role to play by showcasing modes of production and consumption conforming to planetary boundaries. Marketing agencies should use their talents, resources and creativity to help drive and participate in the normalization of sustainable habits such as buying used items, repairing products, engaging in product sharing or rental, buying fewer things and keeping things longer. Advertisers could favour companies with more circular business

models (e.g. companies that offer repair and rental services for their products) and highlight these services in their advertisements.

Governments can also help normalize more circular consumption habits by developing and operating advertising/awareness campaigns to promote these habits.



### **Inspiring example: French government advertisements encouraging people to change their consumption habits**

In 2023, the ADEME, a French government agency, ran advertisements aimed at changing people's consumption habits. It ran three different spots: one promoted product repair, another encouraged consumers to rent a tool rather than buying a new one, and the third advised against buying new clothes. In 2024, it ran a fourth advertisement encouraging consumers to refrain from buying fast fashion clothes. In fact, these ads were developed with the help of an advertising agency.<sup>108</sup>





# 5. Conclusion

Given its influence on consumption choices and its contribution to rising consumption, commercial advertising must address the imperatives of today's ecological crises. Consumerism and materialism have been sold for years as an ideal to attain. It is time to sell people on a different lifestyle, one that respects our planet's boundaries.

Although this report offers a case study on household appliances and electronic devices, a number of the proposals could be adapted to advertisements of products with very rapid production and consumption cycles, such as fast-fashion items.

And finally, we must recognize that commercial advertising regulations will not prevent consumers from overconsuming. They will simply reduce incentives to overconsumption. It is imperative that they be combined with government and business measures to ensure that our production and consumption modes remain within line with our planet's boundaries.

# Annex 1. Summary of studies demonstrating a link between advertising and increased consumption

Theme/ sector	Reference	Main results
Overall consumption	Dupré and Fossard, 2022	<ul style="list-style-type: none"> <li>→ This macroeconomic French study covers the period between 1989 and 2019. Over these 30 years, <b>the level of spending on advertising led to a 5.3% increase in overall consumption by French households.</b></li> <li>→ This spending also led to a 5% rise in gross domestic product and a 4% increase in investment --lower rates than the 5.3% rate for consumption. <b>Thus, advertising deepened the relative impact of consumption within economic growth, to the detriment of that of personal savings.</b></li> </ul>
	Chaters and <i>al.</i> , 2021	<ul style="list-style-type: none"> <li>→ This report looks at spending by 105 brands in four Canadian sectors and shows that <b>29% of sales are attributable to advertising in the media.</b></li> <li>→ Of these sales, 21% occur in year one and 8% in subsequent years, proving the <b>effectiveness of advertising to spur sales in both the short and long term.</b></li> </ul>

		<p>→ On average, <b>the return on invested capital (ROIC)<sup>x</sup> for media sales is \$11.79 for year one, but can reach as high as \$16.69</b> over the four years following the ad spending.</p>
	Molinari and Turino, 2018	<p>→ This macroeconomic study looks at advertising's effects on the US market between 1976 and 2006. For this period, <b>the presence of advertising drove up overall US consumption by 7%.</b></p> <p>→ The authors found that <b>advertising increased consumption in both the short and long term.</b></p>
Household appliances and electronics	Insider Intelligence, 2023 based on a <u>study</u> by Sellics, 2022	<p>→ Between 2021 and 2022, sales of electronics devices attributed to advertising on Amazon rose by 267% and the return on ad spend (ROAS)<sup>xi</sup> for these goods rose by 11%. <b>One dollar spent on advertising on the Amazon platform yields \$5.31 in electronics sales.</b></p> <p>→ As for household appliances, sales attributed to advertising on Amazon rose by 11% and ROAS rose by 4%. <b>For these products, one dollar spent on advertising on Amazon yields \$4.90 in sales.</b></p>
	Frick and <i>al.</i> , 2020	<p>→ The authors studied the impact of advertisements on the purchase of a number of goods and services, including electronics devices, in Germany. <b>The purchase of electronics devices was linked to exposure to digital advertising and other messages favourable to consumption of these products.</b> This consumption, conversely, was independent of exposure to environmental messages, which means that individuals did not consume less if they were exposed to environmental messages.</p>

<sup>x</sup> ROIC is a financial metric used to evaluate the return on an investment in relation to the capital invested. When used in marketing, it takes account of advertising spending in the broad sense or of the total advertising cost, rather than simply the cost of one or more advertising campaigns.

<sup>xi</sup> ROAS measures the effectiveness of advertising. It helps determine how one or more advertising campaigns theoretically impacts revenues. ROAS is generally expressed as a ratio and can be considered as the amount of revenues generated for each dollar (or other unit of currency) spent on advertising.

	Brulle and Young, 2007	→ A <b>positive causal relationship exists between advertising spending and personal consumption, in particular for household appliances</b> , since the only variable for these products in the study impacting on consumption spending is spending on advertising.
Automobiles	Kasser and <i>al.</i> , 2021	→ <b>Exposure to SUV advertisements has a significant positive correlation with consumers' desire to purchase such a vehicle.</b> Conversely, their exposure to environmental messages about mobility did not correlate with their desire to buy or not to buy an SUV.
	Davison and Essen, 2020	→ An advertising campaign by a well-known automobile company in the United Kingdom between 2015 and 2017 led <b>sales to increase by 133,000 cars.</b>
Food	Boyland and <i>al.</i> , 2022	→ This analysis of nearly 80 articles on food marketing revealed that <b>exposure to this marketing correlated with unfavourable food attitudes and behaviours, health outcomes and food behaviours.</b>
	Cranfield and Goddard, 1999	→ A <b>significant positive correlation was observed between increased advertising for beef and the demand for this product</b> in Canada and the United States between 1971 and 1991.
	Brester and Schroeder, 1995	→ Based on quarterly advertising spending and quarterly per capita consumption of pork and poultry from 1971 to 1993, the authors found a <b>link between the rise in advertising spending for both types of meat and the increased consumption of all types of meat</b> , showing that advertising for a specific product can also lead to an increase in demand or consumption for similar products.

Other products and services	Frick and <i>al.</i> , 2020	→ In addition to assessing the influence of advertising on consumption of electronics devices in Germany, the authors measured its influence on the purchase of clothing and air flights. As with electronics devices, <b>exposure to advertising for clothing and air flights was positively correlated with their purchase.</b> This consumption was, again, independent of exposure to environmental messages.
	Ritson, 2019	→ An advertising industry representative recalled the case of a brand of body care products whose sales had declined after the withdrawal of a long-term mass communication campaign aimed at building the brand. A study showed that <b>for each dollar spent on the campaign, the company recorded 4.42 sales.</b> This case illustrates advertising's effectiveness in driving up sales, even when it does not target a particular product.

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# Annex 2. Detailed methodology

## 1. Profile of advertising spending in Canada

The data on advertising spending in Canada were drawn from various marketing databases, such as E-marketer. More specifically, this analysis is based on 2,502 data points from 41 sources concerning such things as macroeconomic conditions, historical advertising market trends, historical trends for each media versus other media, reported revenues of the leading advertising creators and estimates by research firms.

The growth in this spending in recent years was also included to identify the various media trends. The year 2018 was chosen as the baseline in order to assess trends in recent years and because certain data were unavailable for previous years. Also, the most recent data as at the writing of this report were included, namely those for the year 2023.

Where possible, data specific to HAE were researched and extracted.

### 1.1 LIMITS

This analysis does not include data from 2024, as they were unavailable as at the writing of this report. Further, it was not possible to determine the amount of advertising spending for HAE specifically. Thus, the results included are our best approximations regarding these goods, including any related goods and services, such as telecommunications services, or relative to a broader category, such as retail commerce.

## 2. Interviews with advertising agencies

Interviews were held with 10 Quebec or Canadian advertising agencies between February and April, 2024. These agencies were recruited either directly (the report's authors were acquainted with employees working for a particular agency), or by finding their contact information on the *Association des Agences de Communication Créative (A2C)* website, targeting those dealing with HAE retailers, brands or manufacturers. Since this association represents Quebec agencies only, additional research was necessary to reach out to agencies active

in the rest of Canada. Despite these steps, most of the agencies recruited are active only in Quebec. Social impact agencies (agencies whose primary objective is to maintain a strong social position with positive impacts and long-term benefits – e.g. messaging on social or environmental values)<sup>1</sup> were also targeted to have a range of opinions and see whether their views differ from those of traditional agencies. In all, 21 agencies operating in Canada and/or Quebec were contacted, and of those, 10 sat for an interview (three social impact and seven traditional). Everyone interviewed was a manager or executive (president, vice-president or director of a service).

An interview manual was developed on the basis of studies or reports dealing with the link among consumption, environment and advertising and with the various possible means of regulating advertising. The themes and issues raised were developed according to the specific objectives of this part of the research, to wit:

- Assess the advertising industry's vision of its role in Canadian (over)consumption and the current environmental crises;
- Gain a better understanding of the issues identified by the advertising agencies having to do with regulating advertisements of certain products in Canada (obstacles, motivations, potential impacts, etc.).

The interviews were recorded, transcribed and analyzed, and the most significant and frequent themes were identified. Differences between traditional and social impact agencies were also identified.

## 2.1 LIMITS

Two primary limits emerged from the interviews with advertising agencies. The first is that the majority of the participating agencies are active only in Quebec, which may have skewed the results. The second is that since the recruitment was handled directly by the Équiterre team, the individuals and agencies that agreed to take part in the interviews may have had a favourable bias toward the organisation's mission or toward the environmental cause more broadly, which also may have skewed the results. Lastly, since only 10 interviews were conducted, the results paint a picture of an industry perspective that might not necessarily lend itself to extrapolation to the industry as a whole.



### 3. Survey of consumers

Seven statements were formulated on the basis of previous research on the subject and the results from other sections of the research that were carried out at the same time (content analysis of the advertisements and interviews with the agencies). These statements were given to a sample of the population, who were asked to rate their level of agreement with these statements according to a scale.

A Web survey incorporating these seven statements was conducted by Léger Marketing with 1,536 Canadians aged 18 and over who were conversant in French or English, between June 14 and 17, 2024. A Léger panel devised the sample, and a scale ranging from “Completely Disagree” to “Completely Agree” was used. The results were weighted according to gender, age, native language, region, education and presence of children in the household to ensure that the sample was representative of the population insofar as these dimensions are concerned.

#### 3.1 LIMITS

The survey's main limit is a risk of social desirability, where respondents' responses could have been influenced by what is socially or morally acceptable. The small number of statements is another limit, because it precluded a deeper dive into some of the subjects broached.

### 4. Content analysis of the HAE advertisements

The content analysis of the advertisements occurred in three stages. A sample of 238 advertisements was collected from a variety of sources, an analysis grid was developed, the advertisements were coded with the help of this grid and, lastly, a frequency analysis was developed on this database to identify the various messages and elements featured in the HAE advertisements.

#### 4.1 SAMPLE OF ADVERTISEMENTS

To create a sample of recent HAE advertisements disseminated in Canada by various media, a number of sources were used based on what was available to the research team at the time. A summary of the various sources used and of the period covered by each of these sources is found in Table 1.

To obtain advertisements in **print format**, Canadian newspapers and magazines were chosen based on certain criteria. By order of importance, they are as follows: 1) be national or provincial in scope, 2) have a good likelihood of containing HAE

advertisements, and 3) have a good readership. They were reviewed with the help of the online platform PressReader to extract the advertisements.

**Social networks** were also used with the help of the META ad library to gain access to advertisements placed on Facebook and Instagram by the country’s leading HAE brands and retailers.

To sample **advertisements broadcast on television**, AdsSpot, Adforum and YouTube were used.

To expand the research coverage, “naturalistic” observation was also used during the data collection period by recording the advertisements appearing on social media and webpages consulted by the research team, as well as during the television programs the team watched. This made it possible to increase the number of digital and tv ads in the sample and to be exposed to the same advertising content and strategies to which consumers would actually be exposed.

The last method used was to directly approach various industry actors and ask them for access to their advertisements (advertising agencies, brands/manufacturers, retailers, broadcasters, media, etc.). Digital and tv ads were obtained using this technique.

The period covered for each advertising source varied according to the availability of the advertisements for these various sources. For newspapers and magazines, these dates also varied according to the number of issues available. Generally, since the aim was to collect recent advertisements, it was decided to go back no further than three years, so, 2020 (the sample was developed in summer 2023).

**Table 1. Summary of advertising sample**

Type of ads obtained	Source of ads	Summary of methodology	Period covered
Print	Canadian newspapers	Selection of the five most-read newspapers in the country ( <i>The Globe and Mail</i> <sup>xii</sup> , <i>Toronto Star</i> , <i>National Post</i> , <i>Ottawa Citizen</i> ) and the most-read	July 1, 2022 to June 30, 2023

<sup>xii</sup> The British Columbia edition was selected to cover another of Canada's populous regions and provinces, as Ontario and Quebec were already covered by other newspapers.

		newspaper in Quebec ( <i>Le Journal de Montréal</i> )	
	Canadian magazines	Selection of Canadian or provincial magazines with a large readership and belonging to the categories most likely to contain HAE ads ( <i>Azure, Food and Drink</i> and <i>Style at Home</i> )	July 1, 2022 to June 30, 2023
Televsual	AdsSpot and Adforum	Selection of ads via the filters available on these platforms, to wit: activity sector (electronics and household appliances) and region (Canada)	October to July 2023
	YouTube	Search by keywords, i.e. HAE brand names, manufacturers or retailers (the leading ones in the world, in Canada and/or in Quebec) and verification of the broadcast of these ads in Canada	October 18, 2021 to August 31, 2023
	Advertising agency	Contact advertising agencies and obtain ads created for brands, manufacturers or retailers	By availability (2021)
Digital	META	Consult the ad library pages pertaining to the targeted HAE brands, manufacturers and retailers (the leading ones in the world, in Canada and/or in Quebec)	By availability (March 18 to August 23, 2023)
Televsual and digital	Observational research	Research team recorded ads they viewed during their daily activities	June 30 to August 26, 2023

The end of the sampling was determined by a combination of saturation (i.e. when the new ads reprised messages and strategies appearing in older ones) and data availability.

The research objective being to concentrate on new goods for domestic use, advertisements promoting appliances/devices meant for an industrial or professional use (e.g. cooking appliances for restaurants, office printers, mobile telephones for a business) and those featuring used or reconditioned appliances were excluded.

The final sample contains 26 different products, from large household appliances to small household appliances and various electronics devices. Nearly 30 HAE brands or manufacturers, some 20 retailers and 3 telecommunications firms are represented in the sample.

## 4.2 ANALYSIS GRID

The advertising analysis grid was designed using a deductive and inductive process. The studies by Chong and Druckman led the way in developing this grid<sup>2</sup>.

First, categories and variables were established with the help of the literature on advertising content, including the study by Équiterre<sup>3</sup> on automobile advertising. Second, informative and persuasive advertising strategies were considered in creating variables (e.g. information on the product, and appeal to emotion, logic, reason or credibility, such as the use of well-known figures)<sup>4</sup>.

However, given the lack of studies focusing specifically on the content of HAE advertisements, an inductive strategy (as proposed by Chong and Druckman) was used. Thus, variables were added by simply considering seemingly relevant elements concerning the subject in question (e.g. Which messages come to mind when we think of a smartphone advertisement? Or a washing machine advertisement?). How to identify each variable within an advertisement was also determined, and each variable was defined so that the coding could be as objective and unequivocal as possible.

Two types of coding were used: binary and specific. Binary coding is used to measure an element's presence or absence, while specific coding is used to identify all the specific forms of certain variables; each code refers to a different element according to the variable. A case in point: for the variable "Discount or savings linked to a season or a specific time of the year", its presence or absence was initially coded using binary coding, and then, using specific coding, each statutory holiday, season or time of the year linked to the advertised discount was coded.

To consolidate the analysis, refine the coding development procedure and develop the coding scheme, a preliminary analysis of 30 advertisements was carried out by two coders. During this process, variables from the analysis grid were added, adapted or deleted based on elements appearing frequently in the advertisements. The coding of certain variables was also adjusted. The final analysis grid contained 41 variables and was divided into several sections: general context of the ad; themes addressed; product features highlighted; financial information; services offered; and environmental mentions.

### 4.3 CODING THE ADVERTISEMENTS

After building, testing and adjusting the analysis grid, two coders simultaneously (but individually) coded the 238 ads in the sample with the help of this grid. Since this type of manual coding makes it necessary to verify the coding reliability, the rates of agreement between the two coders for each variable were calculated to compare their respective coding and thus ensure uniform comprehension and perception of the variables. The threshold for rejecting the conclusions for a variable was arbitrarily set at a minimum of 75% agreement. All the variables were kept, because the rate of agreement turned out to be 88%. Next, the two coders discussed the differences observed in their coding to reach a unified, harmonized database.

### 4.4 FREQUENCY ANALYSIS

Once the coding was harmonized, the unified database thus created was used to identify the occurrence of the different variables. The frequency analysis was executed using the Excel software. The number of occurrences of each of the 41 variables was identified, i.e. the percentage of ads featuring each of these variables. The occurrence of variables was also identified among the ads for both types of products separately, namely electronics and household appliances, to determine whether certain variables were more prevalent for one or the other product type. Lastly, according to certain assumptions issued by the research team in advance of this portion of the study, occurrences were sometimes calculated for a sub-series of specific advertisements. For example, the percentage of ads featuring the "product cost" variable among those featuring a discount was identified, because an assumption that the cost was not often present when a discount was featured had been issued by the researchers.

### 4.5 LIMITS

Although a variety of ad types was researched, the sample of advertisements does not necessarily reflect the overall supply of Canadian advertisements, given the difficulty accessing advertisements and the time required to catalogue them. Further, the sample contains more advertisements disseminated in Quebec, since the researchers responsible for this stage of the research live in Quebec. This may have skewed the sample, since Quebec is a rather distinct province whose communications and marketing references differ at times from those in the rest of Canada. That being said, an effort was made to collect advertisements appearing throughout the country or in the other provinces. Also, since the advertisement analysis grid was not exhaustive, variables or themes may have been forgotten.

## 5. Legislative analysis

The study on regulating consumer goods advertising has two stages. In the first stage, the legislative and judicial framework surrounding advertising in Quebec and Canada was defined and then summarized so as to explain the laws in effect, identify applicable legislative approaches and determine the limits of this regulatory process.

In the second stage, this exhaustive documentary study of Quebec and federal laws and regulations was complemented by a study of certain statutes or bills in other provinces and by a study of the principles or provisions applicable in other countries or territories. The choice of these provinces, countries and territories depends on the language of the studies discussing the relevant principles or provisions (French or English) and on their compatibility with Quebec's and Canada's legal frameworks.

### 5.1 LIMITS

The second portion of the study dealing with international texts, whose objective was to discover other approaches to regulating advertising, is not exhaustive, due to the language barrier and the aforementioned compatibility limit. Also, at the provincial level, only the Quebec *Consumer Protection Act* was analyzed.

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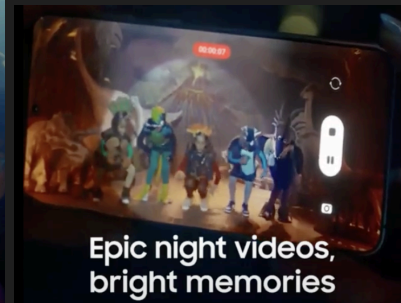
# Annex 3. Examples of HAE advertisements analyzed

## Box 1. Examples of HAE advertisements featuring humans and emotional content



This ad for a dishwasher features a couple of young mothers taking advantage of a quiet evening. An off-camera voice says that despite the arrival of twins, their relationship is “much, much better now that they wash their dishes with a quiet dishwasher”. This ad suggests that the tranquility this couple is enjoying and, by extension, the improvement of their love life, were made possible by their new appliance, whose low noise level ensures that their children won't wake up.

This ad shows a mom filming her child's performance with her smartphone. The other parents, visibly impressed, ask her to send them the video. The message suggests that the device's camera is great for capturing memories.



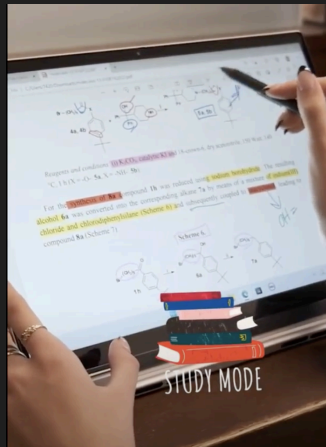
**Box 2. Examples of advertisements featuring activities, recreation or occupations**



This ad for a smartwatch shows someone swimming while wearing a watch, suggesting that the device is useful for tracking and potentially improving their performance. A foot race is also shown in the same ad.



Both these screen captures are from two digital ads each showing a student using her laptop for school.

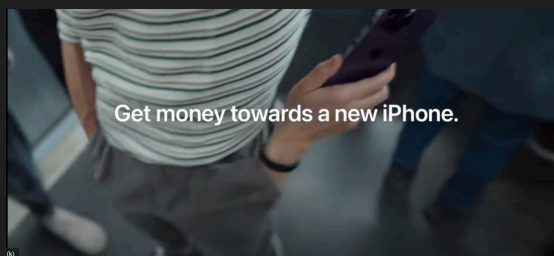
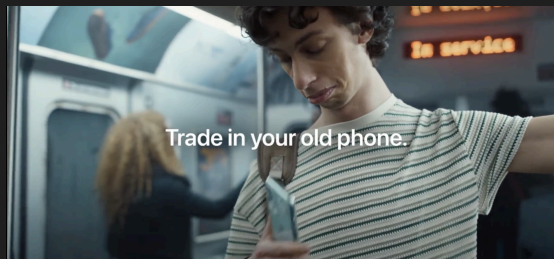


**Box 3. Examples of advertisements offering a discount on a new phone when the old one is traded in**

SAMSUNG Galaxy Z Fold5 | Z Flip5

**Trade-in & save up to \$400 on the Galaxy Z Flip5 and Z Fold5.\***

\*Conditions and exclusions apply.



Obtenez en extra **240\$** sur un nouveau téléphone Android en échange de votre appareil actuel.

Avec les Paiements intelligents Bell<sup>SM</sup> sur un forfait admissible de 2 ans. bell.ca/5G

This televised ad shows a man placing his phone in his pants pocket. At which point a new phone emerges from his other pocket, and everyone around him then does the same thing. The following written message appears in the ad: "Trade in your old phone. Get money towards a new iPhone."

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Advertising and overconsumption:  
Regulating advertisements to transition toward a  
lower-consuming society  
MARCH 2025

Équiterre's offices are located on Indigenous lands that have not been ceded by treaty, which we now call Montreal and Quebec City, where different Indigenous peoples have interacted with each other. We recognize that Indigenous peoples have been protecting their territories since immemorial times and have been using their traditional knowledge to guard the lands and waters. We are grateful to live on these lands and are committed to continuing our efforts to protect them. As an organization concerned with environmental and social justice, Équiterre respects the important links between the past, the present and the future. We recognize the road ahead in implementing our mission, while building relationships with Indigenous peoples in humility, respect and dialogue.

Équiterre<sup>o</sup>