

COMPLAINT NUMBER	18/038
COMPLAINANT	P Nuku
ADVERTISER	Sanitarium Health and Wellbeing
ADVERTISEMENT	Television
DATE OF MEETING	5 February 2018
OUTCOME	No Grounds to Proceed

Advertisement: The Up and Go television advertisement shows a crowded bus with an elderly passenger boarding. A voiceover representing a male passenger's thoughts states in part "...Joe, this is your moment. Give that lady your seat. You have the right type of energy to stand. Don't rub your nose. Just stand, do it, do it, do it..."

The Chair ruled there were no grounds for the complaint to proceed.

Complainant, P Nuku, said: This advertisement shows a male on a full public bus, making the decision to stand and give up his bus seat for an elderly lady who gets on.

I believe this ad is appalling because it shouldn't take people that long to give up their seat for elderly people or people who need to sit down. Up & Go are actually making a joke of it, to sell their product.

It shows society that it is not normal to offer your seat for someone in need & that is not the tikanga here in Aotearoa!

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 4;

The Chair noted the Complainant's concern the advertisement undermined the etiquette of giving up a seat on public transport for elderly or less able passengers.

The Chair said the Advertiser was using humour to suggest the need for an energy boost from the Up and Go drink. The Chair said the delay in standing up for another passenger reflected an everyday scenario where some passengers may wait to see if another person will give up their seat.

While this was offensive to the Complainant, the Chair confirmed that humour and satire were permissible under the Advertising Codes. The Chair said the advertisement was not likely to cause serious or widespread offence and ruled the advertisement did not reach the threshold to be considered a breach of Basic Principle 4 or Rule 4 of the Code of Ethics.

Accordingly, the Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint **No Grounds to Proceed**