

<b>COMPLAINT NUMBER</b>	18/039
<b>COMPLAINANT</b>	A Ellington
<b>ADVERTISER</b>	Lovely Smiles
<b>ADVERTISEMENT</b>	Lovely Smiles, Digital Marketing
<b>DATE OF MEETING</b>	2 March 2018
<b>OUTCOME</b>	Settled – advertisement changed

**Advertisement:** The Lovely Smiles teeth whitening Google listing categorises the Advertiser as "Cosmetic dentist in Auckland." The Instagram advertisement, [www.instagram.com/lovelysmilesnz/](http://www.instagram.com/lovelysmilesnz/) states the Advertiser has "Only pain and sensitivity free system."

**The Chair ruled the complaint was Settled.**

**Complainant, A Ellington, said:** Lovely Smiles are a teeth whitening company and the owner is the president of the New Zealand Cosmetic Teeth Whitening Association. They are making false claims in their advertising.

- 1) Lovely Smiles are NOT cosmetic dentists and should not be allowed to portray themselves as such. In their Google Business listing they have selected to be displayed as cosmetic dentists.
- 2) Lovely Smiles do not have 'the only pain and sensitivity free' teeth whitening system on the market. I raised this with the NZCTWA and they advised me that this claim is not true. I have raised this complaint already directly with Lovely Smiles yet nothing has been done

**The relevant provisions were Code of Ethics - Basic Principle 4, Rule 2.**

**The Chair** noted the Complaint's concern that the Advertiser's Google classification listing and Instagram post contained incorrect and unsubstantiated claims, which were misleading.

The Chair acknowledged the Advertiser had made changes to the Google classification status for its website as a teeth whitening service and refined its Instagram post to say "Only pain and sensitivity free system made in NZ".

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in amending the website classification and Instagram post, the Chair said that it would serve no further purpose to place the matter before the Complaints Board. The Chair ruled that the matter was settled.

**Chair's Ruling:** Complaint **Settled – advertisement changed**

#### **APPEAL INFORMATION**

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website [www.asa.co.nz](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 days of receipt of this decision.