

COMPLAINT NUMBER	18/117
COMPLAINANT	B. Smith
ADVERTISER	The Vape Shed
ADVERTISEMENT	The Vape Shed, Digital Marketing
DATE OF MEETING	9 May 2018
OUTCOME	Settled – advertisement amended

Advertisement: The Facebook post advertisement for the Vape Shed promoted the Smok T-Priv 3 Kit for \$130 including batteries. The advertisement said, in part: "Available in 4 colours. Close @7pm."

The Chair ruled the complaint was Settled.

Complainant, B Smith, said: "This company are advertising products on their social media page, the adverts seem to be for instore only, yet it does not state that anywhere on their page and they have the website listed which makes the customer assume they are available online. This store is out of my "local area" so thought would get the specials via their website. The advert was also for 1 day only but that was not stated in the adverts either. Only comments on the post from store staff made these facts clear."

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

The Chair noted the Complainant's concern the advertisement was misleading as it was not clear the sale only applied instore and that it was for one day only.

The Advertiser said it did not intend to mislead people and it would ensure its future advertising clearly referenced whether the sale was instore or online and clearly identify the limited time the product would be available for.

The Chair, noting the self- regulatory actions of the Advertiser and their undertaking to be clearer in future, said it served no further purpose to place the matter before the Complaints Board for consideration and ruled the matter was Settled.

Chair's Ruling: Complaint **Settled**

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. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.