

<b>COMPLAINT NUMBER</b>	18/175
<b>COMPLAINANT</b>	P. McLaren
<b>ADVERTISER</b>	Heinz Wattie
<b>ADVERTISEMENT</b>	Watties Steam Fresh, Television
<b>DATE OF MEETING</b>	6 June 2018
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The television advertisement for Steam Fresh microwavable vegetables featured Olympian, Hamish Bond, talking about the taste and nutritional benefits of snap frozen vegetables. The advertisement showed the cooked vegetables being emptied from the bag and included peas, carrots and broccoli.

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

**Complainant, P. McLaren, said:** “The advert shows a frozen steamed vegetable pack with equal portions of broccoli, carrots and peas. If anything the advert shows it weighted in favour of more broccoli. I have bought several of these and the broccoli is usually very under represented in the actual packs so therefore I say it is misleading advertising.

**The relevant provisions were Principle 1 and 2 and Guideline 2(d) of the Code for Advertising Food.**

**The Chair** noted the Complainant’s concern the advertisement was misleading as the amount of broccoli shown was not representative of the actual product in their experience.

The Chair noted that advertisements for food products from time to time employed a level of hyperbole to demonstrate the range of ingredients and showed them in their best light. The Chair noted a precedent Decision (13/282) which concerned a similar issue and was Not Upheld by the Complaints Board. That Decision stated in part:

“The Complaints Board noted that the ingredients advertised in the pictures on the website appeared to be included in the actual burger purchased, albeit presented in a much less attractive style. The Complaints Board was of the view that the advertisement before them intended to inform the consumer about the range of ingredients in the Bourbon Snack Burger and presented the burger in its best light in a manner that did not meet the threshold to be said to be misleading.”

The Chair said the Complainant’s experience with the amount of broccoli they received did not make the advertisement misleading. The Chair said the Complainant was concerned the product did not meet their expectations and this was a service issue best addressed by the Advertiser directly.

The Chair said that nothing in the advertisement itself reached the threshold to be considered misleading and had been prepared with the due sense of social responsibility. Therefore, the Chair said the advertisement was not in breach of the Code for Advertising Food.

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

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

**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.