

<b>COMPLAINT NUMBER</b>	18/183
<b>COMPLAINANT</b>	E Townsend
<b>ADVERTISER</b>	Brand Developers Ltd
<b>ADVERTISEMENT</b>	Brand Developers Ltd, Television
<b>DATE OF MEETING</b>	28 June 2018
<b>OUTCOME</b>	Settled – advertisement removed

**Advertisement:** The Brand Developer television advertisement for the Tactical Atomic Lighter, which is a fuel free, rechargeable lighter, shows various scenarios where the lighter can replace traditional matches or lighters and said in part: "...from lighting birthday candles, to cleaning up a rope or firing up a stogie, it's the best!" The advertisement shows an image of a cigar being lit with the Atomic lighter and a man smoking the cigar.

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

**Complainant, E Townsend, said:** The advertisement showed an "Atomic Lighter" which could be used to light cigarettes. Midway through, the advertisement showed a cigarette being lit and a person in the advertisement smoking in a couple of shots. I consider this inappropriate given New Zealand's stance on advertising regarding cigarettes and would like this portion of the advertisement removed.

**The Advertiser, Brand Developers Ltd, said:** "This product and its advertisement no longer appear on New Zealand television.

"It ran for a very short time as a test for sales. Unfortunately, an "uncut" international version of the advertisement was inadvertently delivered to station, rather than our standard NZ "edited" version. This is why two brief cigarette scenes appeared in the TVC.

Due to this very short run, there was no reason to deliver a replacement edit to station – we simply pulled the advertising. We have no immediate plans for further advertising of this product, however if it was to be advertised, we would ensure there would be no tobacco or smoking scenes included."

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

**The Chair** noted the Complainant's concern the advertisement showed images of smoking which appeared to breach the Smoke-free Environments Act.

The Chair accepted the Advertiser had acknowledged an error had been made by running an international version of the advertisement rather than an edited version removing the smoking images.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in removing the advertisement and agreeing it would not be broadcast again, 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 removed**

**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.