

COMPLAINT NUMBER	18/326
COMPLAINANT	Z Balfour
ADVERTISER	Woolworths New Zealand Limited.
ADVERTISEMENT	Countdown Digital Marketing, Television
DATE OF MEETING	1 October 2018
OUTCOME	No Grounds to Proceed

Advertisement: The Countdown price and product television advertisement promoted a range of savings on alcohol brands including Heineken and Speights and 20% off all bottled wine, if four or more bottles were purchased. The advertisement finished with the statement “only until Sunday.”

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

Complainant, Z Balfour, said: Countdown advertised a deal where you buy 4 bottles of wine and get one (free or cheaper), I don't remember the specific detail. This is encouraging binge drinking! Should not be shown on tv. Should not be a deal either.

The relevant provisions were Code for Advertising and Promotion of Alcohol - Guideline 2 (b), Principle 1, Principle 2.

The Chair noted the Complainant's concern the television advertisement promoting a wine and beer sale which encouraged binge drinking and should not be allowed.

The Chair reviewed the complaint and the advertisement and noted the price and product advertisement for Countdown included sale prices and discounts. In considering the issue raised by the Complainant, the Chair referred to Decision 15/211, which in turn quoted Decision 92/2 and said in part:

“The Board ruled that discount prices whether for bulk purposes or otherwise is a normal trading practice in a competitive market. The Board observed that if discounts were not allowed this could be contrary to the provisions of the competition laws which encourage competition.”

Taking into account the above precedent, and while noting the sincere concerns of the Complainant with regard to the responsible sale and use of alcohol, the Chairman was of the view that the advertisement before her made a straightforward statement about a discount on alcohol prices.

With regard to the quantity required to be purchased in order to achieve the discount, the Chairman said a purchase of six bottles did not reach the threshold to encourage immoderate consumption of alcohol. She was of the view that this was an invitation to consumers to stock up, rather than drink to excess.”

Turning to the complaint before her, the Chair said these Decisions directly applied to the complaint before her and there was nothing in the television advertisement to suggest the Advertiser was encouraging binge drinking.

Therefore, while acknowledging the Complainant's genuine concern about responsible alcohol promotions, the Chair ruled the advertisement had met the requirement for a high standard of social responsibility and there was no apparent breach of the Code for Advertising and Promotion of Alcohol.

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