

COMPLAINT NUMBER	18/347
COMPLAINANT	A Edwards
ADVERTISER	Smartfox New Zealand
ADVERTISEMENT	Smartfox New Zealand Digital Marketing
DATE OF MEETING	12 October 2018
OUTCOME	No Grounds to Proceed

Advertisement: The advertisement for Smartfox New Zealand Halloween products was on the TradeMe website. There are photos of two of the “toy” products, “Standing Wolf” and “Skinless Dog”, both of which are baring their teeth.

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

Complainant, A Edwards, said:

...The following are links of so-called toys, fun, scary for NZ Halloween
I think that they are far from any of that, the wolf has had his claws cut off so he cannot walk [thats is also done in real life]
They do the same to dogs, this is the revolting fur and meat trade with dogs and cats
Shara a team manager said there isn't anything wrong with these, they are fun, toys, to scare? ...
Is this what Halloween is about?

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 4and Rule 5.

The Chair noted the Complainant's concerns that it was inappropriate to sell and promote products such as “toy” skinless dogs or wolves that have had their claws removed.

The Chair said while she recognises the Complainant's concerns about the products for sale, the Advertiser is legally entitled to promote and sell these products. She also took into account the audience for the TradeMe website is predominantly adult.

Therefore, while she noted the concerns of the Complainant, she said the advertisement did not reach the threshold to be considered offensive, taking into account the context, medium, audience and product.

In light of the above, the Chair said there was no apparent breach of the Code of Ethics.

Accordingly, the Chair ruled that 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.