

COMPLAINT NUMBER	18/353
COMPLAINANT	C Tawera
ADVERTISER	Real Groovy
ADVERTISEMENT	Real Groovy, Print
DATE OF MEETING	22 October 2018
OUTCOME	Settled – advertisement changed

Advertisement: The print advertisement for Real Groovy records says in part “New Zealand’s largest range of vinyl records- now online.... Free shipping over \$50.”

The Chair ruled the complaint was Settled.

Complainant, C Tawera, said: shipping free with purchase made over \$50.00
When spoken to staff at Real Groovy this offer only applies to website purchases only. This advert does not say that. Also it does not say visit website for full details either. This is the answer given by Real Groovy so it makes the advert to be very misleading.

The Advertiser, Real Groovy, said: “It looks like this advert could be misconstrued, as we’ve forgotten the shipping disclaimer. Seeing as it is a bit ambiguous, so we will happily refund the postage cost for the customer in question if they have indeed made a purchase.

The advert is specifically for the www.realgroovy.co.nz website. I see it has the Auckland store address on there too, which might have contributed to the confusion. We will make sure any future adverts are less generalised, and include “for online orders only”.

The website and the Auckland store operate separately, (something which our in-store customers are aware of, and is also explained on our website), we have a limited range on our website, tailored for items that *can* be sent via courier.

Some items cannot be shipped, and so are not available for purchase on the website. That is one of the reasons we cannot offer free shipping for everything in the store.

This advert was run on Saturday 15th of September on the herald back page, and has not been shown again since that date.

We have run other ads in the herald back page that have the disclaimer, so we apologise unreservedly for this oversight on the advert in question.”

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

The Chair noted the Complainant’s concern the advertisement did not specify free shipping was for online orders only, which is misleading.

The Chair acknowledged the Advertiser had apologised for the missing shipping disclaimer in the advertisement. The Chair noted the advertiser’s assurance that future advertisement will be more specific and include the words “for online orders only.”

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken with regards to future advertising, 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 changed**

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.