

COMPLAINT NUMBER	18/378
COMPLAINANT	C. Robinson
ADVERTISER	Beiersdorf
ADVERTISEMENT	Nivea Television
DATE OF MEETING	19 November 2018
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement voiceover for Nivea Sun says: “Ultra-violet cameras show what the New Zealand sun is really doing to our skin. UV doesn’t just cause burning and ageing, it also dries out the skin.” The advertisement ends with the voiceover saying “Nivea Sun. Protect and Moisture. Take care out there with Nivea Sun.” Images throughout the advertisement show adults and children on a beautiful white sand beach.

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

Complainant, C. Robinson, said: I believe that the claim in the advertisement about Nivea sunscreen is misleading because it says that the New Zealand sun is harsh on skin, yet the ad is shot at Bondi beach in Australia.

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

The Chair acknowledged the Complainant’s concerns the advertisement was misleading, as it referred to damage caused by the New Zealand sun while showing scenes the Complainant said were filmed at Bondi Beach in Australia.

The Chair considered the likely consumer takeout of the advertisement and said it promoted a Nivea sunscreen product with UV protection that included a moisturiser. The Chair noted that New Zealand and Australia have similar challenges regarding high exposure to UV radiation. In the Chair’s view, most consumers would consider the advertisement showed a generic summer scene of people at the beach when people are often most exposed to sun damage and the actual location did not make the statements in the advertisement misleading.

The Chair noted the Complainant’s concern that the location and message were not consistent but in her view the advertisement was not likely to mislead or deceive consumers and had been prepared with a due sense of social responsibility. The advertisement was not in breach of Basic Principle 4 or Rule 2 of the Code of Ethics.

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.