

COMPLAINT NUMBER	18/397
COMPLAINANT	G Wong
ADVERTISER	Husquarna New Zealand Ltd
ADVERTISEMENT	Gardena Water Computer, Digital Marketing
DATE OF MEETING	29 November 2018
OUTCOME	Settled – advertisement changed

Advertisement: The Gardena website advertisement for the Maxcontrol Water Computer, www.gardena.com, describes the product specifications and said it part:... “Water Frequency: Every 24 hours, every 2nd,3rd,4th, 5th,6th or 7th day or individual selection of irrigation days.”

The Chair ruled the complaint was Settled.

Complainant, G Wong, said: I wish to make a complaint regarding the advertising of the Gardena Water computer MaxControl on the NZ website - url supplied.

The claim is that the watering frequency can be programmed for amongst other things "every 2nd, 3rd, 4th, 5th 6th or 7th day". This is false (or at least misleading) as although there is capacity to select every 2nd or 3rd day (see bottom left hand corner of MaxControl screen) there is no function to be able to easily programme every 4th, 5th, 6th or 7th day..It can be done but involves setting up different watering programmes and selecting the right programme each week. The whole idea of a controller is to make things easy!

I emailed Garden 3 times via their website with my query and did not get any response at all. In the last email I did say that if I didn't get a response I would make a complaint.

I note that on the Bunnings and Mitre 10 sites, the above claim is not mentioned and on the packaging the controller came in it also does not make the claim.

I hope the Board agrees with me and can make Gardena amend their ad.

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

The Chair noted the Complainant's concerns the advertisement was misleading to claim the watering frequency of its product could be programmed for certain watering cycles when it couldn't.

The Chair noted the Advertiser had confirmed that the incorrect specification had been uploaded to its website advertisement. The Advertiser advised that on 27 November 2018 it had amended its web page listing to read: “Water Frequency: Every 2nd/3rd day or free selection of days.”

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in amending the website, 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.