

COMPLAINT NUMBER	18/410
COMPLAINANT	R Harper
ADVERTISER	National Brands Ltd
ADVERTISEMENT	Nitro, Digital Marketing
DATE OF MEETING	11 December 2018
OUTCOME	Settled – advertisements removed and amended

The Nitro Facebook advertisements said in part:

Advertisement 1: "We've heard there's a fair bit of love going round for our new NITRO VENGENCE. So don't be shy...wrap ya lips around the mean green energy flour and chug it till ya can't chug no more."

Advertisement 2: Showed a woman leaning back against a pole beside bottles of Nitro Vodka and said in part "3 Day bender? Who's ready for 3 days of whatev's you freakin like?!!..."

The Chair ruled the complaint was Settled.

Complainant, R Harper, said: Nitro is clearly breaking the Principle 2 Guideline 2(b) of the Code for Advertising and Promotion of Alcohol by promoting immoderate drinking with the slogans "chug it till ya cant chug no more" and "3 Day Bender". Both of these are explicitly about problematic drinking behaviour and are particularly targeted at encouraging young people to drink immoderately. Their website even emphasises that they are targeting young people with dubious marketing tactics by saying "if you have any concerns about any NITRO images or message, please ask your mumma to drop us a letter."

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 advertisements promoted immoderate drinking.

The Chair acknowledged the Advertiser had made changes to the Facebook posts. She confirmed the Advertiser had removed the advertisement which suggested a "3 day bender" and had amended the wording on the advertisement which had previously said 'chug it till ya can't chug no more' to the following text: "LOVE VENGENCE - We've heard there's a fair bit of love going round for our new NITRO VENGENCE. So don't be shy... wrap ya lips around the mean green energy flavour and enjoy this nectar of the gods."

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in amending or removing the Facebook posts, 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 – advertisements removed and amended**

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.