

<b>COMPLAINT NUMBER</b>	19/193
<b>COMPLAINANT</b>	J Turner
<b>ADVERTISER</b>	Mondelez NZL
<b>ADVERTISEMENT</b>	Cadbury, Television
<b>DATE OF MEETING</b>	27 May 2019
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The television advertisement for Cadbury shows a girl in the local dairy while her mother is outside. The girl says to the man behind the counter “I would like to buy a chocolate please, it’s for my Mum.” The staff member sees the girl’s mother on her phone outside the Dairy. The staff member picks a family block of Dairy Milk chocolate and places it on the counter. The girl places a coin, two buttons, a sparkly ring and a toy unicorn (which she clearly treasures) on the counter to pay for the chocolate. The staff member nods to show she has ‘paid’ enough for the chocolate and gives her back the unicorn and says “your change”. The girl smiles and runs out to her mother to give her the chocolate. The advertisement ends with the words “There is a glass and a half in everyone.”

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

**Complainant, J Turner, said:** “It offends against good taste and decency by using images of homeless or poor children or family member as all requiring chocolate but unable to pay money. It also misrepresents vendors of chocolate being as if they give the product away without charge, as if being a likely or real occurrence. It is a sham.”

**The relevant provisions were Advertising Standards Code – Principle 1 and Rule 1(c).**

**The Chair** noted the Complainant’s concern the advertisement offended against good taste and decency by using images of homeless or poor children to get chocolate without being able to pay for it.

The Chair said the advertisement illustrated a play on the well-known ‘glass and a half of milk’ claim about Cadbury chocolate. In this case the advertisement said “there is a glass and a half in everyone”, referring to the ‘milk of human kindness’. In the Chair’s view, the advertisement showed a girl wanting to use things that were precious to her to buy her mother a treat and the staff member in the Dairy kindly allowed her to do this.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the use of the illustrations in this context was likely to cause serious or widespread offence in light of generally prevailing community standards. The Chair acknowledged the genuine concerns of the Complainant but said in this case the threshold to cause serious or widespread offence had not been reached.

The Chair said the advertisement had been prepared with the due sense of social responsibility required and ruled it was not in breach of Principle 1 or Rule 1(c) of the Advertising Standards Code.

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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 days of receipt of this decision.