

<b>COMPLAINT NUMBER</b>	19/264
<b>COMPLAINANT</b>	J Ford
<b>ADVERTISER</b>	Brand Developers Ltd
<b>ADVERTISEMENT</b>	Thin Lizzy, Television
<b>DATE OF MEETING</b>	19 August 2019
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The television advertisement for Thin Lizzy liquid foundation showed “before and after” photos of several women who had used the product. The women used the foundation on their faces to conceal freckles, a skin condition called rosacea and a ‘port wine’ birthmark. The voiceover said the new full coverage foundation “delivers a flawless complexion” and “can blur out some of the most extreme imperfections”.

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

**Complainant, J Ford, said:** In the advert I saw for Thin Lizzy foundation make-up, a young girl was shown covering her face in foundation in order to cover up her freckles. She was a redhead and had a natural amount of freckles. Freckles aren’t blemishes and we shouldn’t be telling impressionable young girls that freckles are blemishes that need covering up. The girl in the ad even said excitedly about how good it was to be able to cover up her freckles. Not cool

**The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c);**

**Principle 1: Social Responsibility:** Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

**Rule 1(c): Decency and Offensiveness:** Advertisements must not contain anything that is indecent, or exploitative or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt abuse or ridicule.

**The Chair** noted the Complainant’s concern the advertisement shows freckles being covered up with makeup as if they are blemishes, which could portray a negative message for some viewers.

The Chair referred to precedent Decision 18/246 which considered a similar advertisement and complaint and was ruled no grounds to proceed.

The Chair said it was reasonable for the Advertiser to show viewers examples of when the product might be used. These examples help demonstrate to potential consumers how the product works on a range of skin pigmentations including freckles.

While acknowledging the language “extreme imperfections” used in the advertisement was not ideal, the Chair said it was aimed at some of the more serious examples shown. The Chair said the examples and language used in the advertisement did not reach the threshold to cause serious or widespread offence.

The Chair ruled the advertisement had been prepared with a due sense of social responsibility to consumers and was not in breach of the 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.