

COMPLAINT NUMBER	19/484
COMPLAINANT	J Waldon
ADVERTISER	Edgewell New Zealand
ADVERTISEMENT	Television
DATE OF MEETING	9 January 2020
OUTCOME	No Grounds to Proceed

Advertisement: The voiceover for the television advertisement for Banana Boat “Simply Protect” sunscreen said “And the zinc helps reflect the sun...”

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

Complainant, J Waldon, said: Banana boat Sunscreen was being advertised before the weather on one news. Banana boat sunscreen always comes back with the the Sunscreen not living up to the SPF on the front of the bottle. I'm all for advertising Sunscreen but I would never buy banana boat for myself or my children.

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b):

Principle 2: Truthful Presentation: Advertisements must be truthful, balanced and not misleading.

Rule 2 (b) Truthful Presentation: Advertisements must not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise. Obvious hyperbole identifiable as such is not considered to be misleading.

The Chair noted the Complainant’s concerns that Banana Boat sunscreen may not contain the sun protection factor (SPF) as recorded on the bottle.

The Chair said the claim being made in the advertisement, that “the zinc helps reflect the sun”, is a low-level claim, and not misleading in itself.

The Chair noted the Banana Boat product in the advertisement, “Simply Protect”, was not the same product as that recently tested by Consumer NZ, “Dry Balance”, which was found not to meet the SPF claim on the label.

The Chair said the advertisement was not in breach of Principle 2 or Rule 2 (b) 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. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.