

COMPLAINT NUMBER	20/024
COMPLAINANT	S Catchpoole
ADVERTISER	Aotearoa Nutrients
ADVERTISEMENT	Bluebell, Digital Marketing
DATE OF MEETING	13 February 2020
OUTCOME	No Grounds to Proceed

Advertisement: The sponsored Bluebell Instagram post published by *lovefromyourdads* on their Instagram page is about two Dads sharing their journey of fatherhood. The photo shows a young child holding a bottle in a plane travel cot. The supporting commentary talks about giving a bottle at bedtime as part of a self-soothing routine.

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

Complainant, S Catchpoole, said: This baby formula ad advocates for the unsafe use of the product -

1. giving a baby a bottle in bed is a SIDS risk
2. leaving a bottle of formula at room temperature for hours is a huge risk of bacterial overgrowth and subsequent risk of infection to the infant.

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

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

Rule 1(e) Safety: Advertisements must not, unless justifiable on educational or social grounds, encourage or condone dangerous, illegal or unsafe practices, or portray situations which encourage or condone a disregard for safety.

The Chair noted the Complainant's concern the advertisement was encouraging unsafe practices in regard to bottle feeding babies.

The Chair noted the advertisement is a sponsored post written by two Dads sharing their story about the bedtime routine used for their child. The tone of the post was illustrative, rather than instructive. The Chair said the child in the photo was not a baby and was awake. She said although the child has the bottle in its mouth, there is no evidence of how long the formula has been in the bottle or how long the child has been holding it. The Chair said the fact that the photo had been taken while on a plane meant that a parent would have been in close proximity.

While acknowledging the genuine concerns of the Complainant, the Chair said the image and the text in the advertisement did not reach the threshold to encourage a disregard for safety.

The Chair ruled the advertisement did not breach Principle 1 or Rule 1(e) 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 calendar days of receipt of this decision.