

COMPLAINT NUMBER	20/334
ADVERTISER	Nespresso New Zealand
ADVERTISEMENT	Nespresso Television
DATE OF MEETING	11 August 2020
OUTCOME	No Grounds to Proceed

Advertisement: The voiceover for the Nespresso television advertisement says "At Nespresso exceptional coffee comes from care - care for farmers as they develop more sustainable practices with four hundred agronomists, for the ecosystem, with the planting of over 500,000 trees a year, and for the future, which is why the aluminium in Nespresso capsules can be recycled infinitely...".

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

Complaint: They state on their advert that they care about the ecosystem and go on to say as main selling point that the aluminium in the espresso capsules can be recycled infinity. On further investigation only 5% of 28 billion capsules are recycled making this just as bad as single use plastic bags. See this web page <https://www.google.co.nz/amp/s/amp.theguardian.com/sustainable-business/2015/may/27/nespresso-sustainability-transparency-recycling-coffee-pods-values-aluminum>

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 concern the advertisement was misleading.

The Chair said the statement "Nespresso capsules can be recycled infinitely" is not misleading as it is possible for Nespresso capsules to be recycled. The Chair noted the comment from the Complainant, that 5% of 28 billion capsules are recycled. The Chair said while the Advertiser encourages the practice of recycling, it is up to the consumer to do it.

The Chair said the advertisement was not likely to mislead or deceive consumers and 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 calendar days of receipt of this decision.