

COMPLAINT NUMBER	20/405
ADVERTISER	Sealord NZ
ADVERTISEMENT	Sealord, Television
DATE OF MEETING	14 September 2020
OUTCOME	No Grounds to Proceed

Advertisement: The Sealord NZ Classic Crumb fish fillets television advertisement begins with a girl asking her father “Dad, why do I suck at swimming?” The father is shopping for fish at the supermarket and replies “There’s plenty of good stuff in fish and maybe it will help you swim like one.” The father repeats the mantra “Remember be like a fish” and the story arc shows the girl improving at swimming. The advertisement ends with the father also taking swimming lessons and the daughter repeating the line “Be like a fish”.

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

Complaint: In this current ad, Sealord make the ludicrous claim that eating fish enables you to swim like one. Is this magical property unique to the consumption of fish or does it extend to other animals and perhaps the plant kingdom too? Are we to assume that eating chicken, beef, goat bestows similarly species-related beneficial properties to humans? I do wish the good people at Sealord will continue to educate us accordingly. They have got away with it thus far by using a facade of a cute video depicting a clear, strong bond between father and daughter. Tug at those emotional strings won’t you. It’s no excuse for false and blatantly manipulative and deceptive advertising.

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 the advertisement is misleading by claiming “that eating fish enables you to swim like one”.

The Chair said her task is to consider whether the claim was likely to mislead consumers in the context of the Advertising Standards Code. The Chair considered the likely consumer takeout to be fish is a good option for a family meal.

The Chair noted the father in the advertisement says to his daughter: “There’s plenty of good stuff in fish and maybe it will help you swim like one”. In the Chair’s view, this statement is clearly hyperbole and made in the context of a father providing encouragement to his daughter for her swimming lessons. The Chair said this is reinforced by the wider story

in the advertisement and that children who are good swimmers are often praised for “swimming like a fish”.

The Chair said the advertisement was not likely to mislead consumers and was not in breach 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.