

<b>COMPLAINT NUMBER</b>	20/326
<b>ADVERTISER</b>	Goodman Fielder NZL Limited
<b>ADVERTISEMENT</b>	Meadow Fresh, Television
<b>DATE OF MEETING</b>	21 September 2020
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Meadow Fresh television advertisement shows a girl going to the local dairy by herself to buy milk. At the beginning of the advertisement the girl is shown walking her bike across a pedestrian crossing. She is wearing a cycling helmet. Once she has purchased the bottle of milk, the girl is shown riding her bike on the footpath, carrying the milk in the basket on the front of the bike.

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

**Complaint:** This relates to an advert where a young girl Lily goes to a dairy to pick up milk. In previous adverts she walked, but the advert has changed. I first saw the new advert last month and sent the company an email, no response.

I have now seen the new advert 7 times, all on TV1 where Lily rides a bicycle on a footpath - this is against the law and dangerous as cars backing out can hit bikers, who are faster and less likely to hear the car.

I saw the advert again 2 September, I emailed them again, (cac@goodmanfielder.co.nz) and received a response saying that my email was sent to the marketing division, but I have heard nothing.

Thursday, 3 September, I saw 3 of the second advertisement in one day, on TV 1 at 1215 (Midday News), 1546ish on Tipping Point and again in the evening News at 1818 hrs.

On Sunday 6 September on TV1, @2041 hrs, I saw this advert again, but caught only part of what I have seen on earlier occasions. It was during the programme 'The Salisbury Poisoning'.

.Again, I saw it Sunday 6th on TV1, @2041, and Tuesday 8 September (the 7th time), on TV1 at 2141 hrs during 'The Salisbury Poisonings'.

I know that some people are advocating that children should be allowed to ride bikes on footpaths, but as far as I am aware, the legislation is still in force. This is inappropriate, of MeadowFresh and I suggest a breach of Rule (1)(e) - safety. My concern is that this will confuse not only children, but parents, who will assume that it is ok to let their children break traffic rules and ride on footpaths, when it is not.

It is over a week since I raised my complaint for the second time, the advert has appeared several times since it was referred to the marketing division, but I have heard nothing back. I am unsure how much time is reasonable to wait for a response, but certainly the ads seem more frequent now. I could not put the dates in the 'advertisement details' form and nor earlier on, .did I know which programme the adverts appeared.

**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 showed a child riding a bike on the footpath.

The Chair acknowledged that it is currently illegal to ride a bike on the footpath in New Zealand. The Chair noted that the New Zealand Transport Agency/Te Waka Kotahi has undertaken a review of this law, in response to public opinion and current practices.

The Chair said the advertisement does not show, encourage or condone a disregard for safety. Rather, it reflects the reality that some parents encourage their children to ride their bikes on the footpath, believing it to be safer.

The Chair said while she acknowledged the concerns raised by the Complainant, the advertisement did not reach the threshold to 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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.