

COMPLAINT NUMBER	20/473
ADVERTISER	Eqalis Pharmaceuticals
ADVERTISEMENT	Eqalis Pharmaceuticals, Radio
DATE OF MEETING	29 September 2020
OUTCOME	No Grounds to Proceed

Advertisement: The Eqalis radio advertisement promotes the company and its vision to grow what it believes is the “best medicinal cannabis in the world”. It invites listeners to “learn more at eqalis.co.nz”.

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

Complaint: I believe the timing of this advertising for a drug such as Cannabis (although it does state medicinal) is inappropriate in its reference to Cannabis at this time, when a referendum on the recreational use of this drug is about to be held in October. Other health agencies do advertise their products that are available only through a doctor’s prescription but these products do not selectively highlight a named ingredient that is ambiguously presented to the listening public. I object to the word Cannabis in use in the presentation by Eqalis. I have listened to this advertisement on several occasions and believe this is subliminal promotion of Cannabis in that ones attention is drawn to this word.

The relevant provisions were Advertising Standards Code - Principle 1, Principle 2.

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

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

The Chair acknowledged the Complainant’s concern it was inappropriate for a medicinal cannabis company to advertise in the period leading up to the vote on the Cannabis Legalisation and Control referendum.

The Chair said the content is a brand advertisement for a company that has a vision to grow medicinal cannabis, a product subject to regulation under the Medicinal Cannabis Agency. The Chair did not consider the advertisement was a subliminal promotion for a yes vote in the Cannabis Legalisation and Control referendum.

The Chair said the advertisement was not in breach of Principles 1 or 2 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.
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