

COMPLAINT NUMBER	20/538
ADVERTISER	Brand Developers Ltd
ADVERTISEMENT	Transforma Ladder, Television
DATE OF MEETING	27 October 2020
OUTCOME	No Grounds to Proceed

Advertisement: The Brand Developers television advertisement promotes the Transforma ladder. The voiceover says in part: "It solves the problem of storing and transporting big and bulky ladders by offering an amazing compact, portable, easy to use ladder system." The advertisement shows the ladder being used in a variety of scenarios, including a woman retrieving the ladder from a cupboard under the stairs.

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

Complaint: In this case the advertisement shows a woman who appears to be extracting a folded up ladder from a small door alongside a staircase. The inference is to show that the ladder can be simply stored and retrieved from a small attic door. In this case, when taking a careful view of the advert the ladder could not have fitted through the door without significant effort, possibly requiring two persons of similar build to the one woman seen in the advert. This advertiser appears to be intent on obscuring matters that may be important to some viewers. It often uses vague comments or quickly covers legally required phrases in a manner likely to confuse a viewer.

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 consumers by misrepresenting the size of the space required to store the ladder.

The Chair carefully reviewed the advertisement and noted the issue regarding the height of the ladder and the door height of the cupboard the woman is standing in front of. However, she said the depth and interior height of the cupboard the ladder is removed from is not clear from the advertisement. In the Chair's view the scene was intended to illustrate the ladder is compactable and can be stored in your house.

The Chair said the image in question was a fleeting moment within a two-minute advertisement and was not of sufficient substance to make the advertisement misleading.

The Chair said the advertisement did not reach the threshold to breach 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.