

COMPLAINT NUMBER	21/252
ADVERTISER	Coca-Cola Amatil New Zealand Ltd
ADVERTISEMENT	Coca-Cola, Digital Marketing
DATE OF MEETING	17 May 2021
OUTCOME	No Grounds to Proceed

Advertisement: The Facebook advertisement for Coca Cola shows a person drinking the beverage from a glass bottle, coca-cola in a glass with ice and an image of a glass bottle of Coke No Sugar.

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

Complaint: In all cokes advertising they show just glass bottles, yet they are always in plastic. I think it is not reflective of their actual product and shows a more "caring" side to their business which is misleading. They are the biggest users of single use plastic and show be showing their product in plastic, not glass

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 was concerned the advertisement was misleading to show glass bottles when the product is always in plastic bottles.

The Chair carefully reviewed the short video advertisement and noted it contained two images of a glass bottle of Coke No Sugar. The Chair confirmed that Coke No Sugar in glass bottles could be purchased in New Zealand. The Chair did not consider the likely consumer takeout of the advertisement was the product was only available in glass bottles. The Chair said the advertisement did not create a misleading impression or make a misleading claim.

The Chair said the advertisement was not in breach of Principle 2 and Rule 2(b) of the Advertising Standards Code.

The Chair said 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.