

COMPLAINT NUMBER	21/467
ADVERTISER	Hair Plus
ADVERTISEMENT	Hair Plus Email
DATE OF MEETING	24 September 2021
OUTCOME	Settled

Advertisement: The addressed email from Hair Plus promotes Cloud Nine products. The email states that Hair Plus has "officially partnered" with Cloud Nine. They explain this means, "if you're a Cloud Nine fan (who isn't?!) and you want to purchase one of their nifty stylers online and you're in New Zealand we're the people in the know. You can only get 'em through us." The email contains a link to their blog post about Cloud Nine, and several deals such as a free drink bottle or free gift set for certain purchases. The email also includes a gallery view of different Cloud Nine products. Below is a link to "Shop our entire range".

The Chair ruled the Complaint was Settled

Complaint: This advertiser sent out an email today saying if you wanted to get cloud nine hairstylers in NZ "you can only get 'em from us". There are a number of stockists of the product in NZ, including companies based in NZ such as synergy hair

(<https://www.synergyhair.co.nz/brand/cloudnine/>), adore beauty (who are based in aus but have an NZ arm to their business), and Rodney Wayne. I reached out to the company and they admitted that other people sell them but suggested no one else sells online which they do. They refused to correct it. I'm not a competition buy cloud nine's are expensive and these guys aren't always the cheapest so to suggest they are the only people selling it is wrong and would possibly make but from them when they wouldn't otherwise.

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b)

The Chair noted the Complainant was concerned the advertisement made misleading claims in relation to Hair Plus being the only New Zealand online supplier of Cloud Nine Products.

The Chair accepted the complaint to go before the Complaints Board to consider whether the Advertising Standards Code had been breached. As part of the self-regulatory process, Advertisers have the option of amending or removing their advertising to comply with the Advertising Codes.

Upon receipt of the complaint, the Advertiser confirmed they would amend the wording in future advertisements and not use the advertisement again in its current form.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action to remove and amend the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board.

The Chair ruled that the matter was Settled.

Chair's Ruling: Complaint **Settled**

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 with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.