

COMPLAINT NUMBER	21/470
ADVERTISER	Wet & Forget
ADVERTISEMENT	Rapid Application Moss Mould Lichen and Algae Remover, Television
DATE OF MEETING	7 December 2021
OUTCOME	Not Upheld No Further Action Required

Summary of the Complaints Board Decision

The Complaints Board did not uphold a complaint about a Wet and Forget television advertisement for an exterior cleaning product. The Complaints Board said the information provided by the Agency on behalf of the Advertiser had supported that the product did not require the use of special safety equipment and the demonstration did not portray a situation which encouraged or condoned a disregard for safety.

Advertisement

The Wet and Forget television advertisement promotes the Rapid Application Moss Mould Lichen and Algae remover. The advertisement features former All Black player and coach, Alex 'Grizz' Wyllie who states that "it's the season, so it's time to sort out your kit. I'm not talking rugby - I'm talking moss, mould and gunge". The advertisement shows Alex Wyllie spraying the product on various surfaces such as his driveway, deck chairs, and roof. The advertisement ends with a shot of the product atop a fence post with a graphic of New Zealand showing store locations.

Summary of the Complaint

The Complainant was concerned the advertisement showed a disregard for safety for himself and others by spraying the product everywhere in windy conditions. The Complaint was concerned there was no safety equipment used to protect against the chemicals in the cleaning product.

Issues Raised:

- Social Responsibility
- Safety

Summary of the Response from the Agency on behalf of the Advertiser

The Agency said advertisement does not provide advice to home users around safety equipment or conditions. It said the special spray nozzle is designed so consumers can apply the product without using ladders. There have been decades of using these products in cleaning with no complaints. The product coming out of the nozzle is PH neutral with household disinfectants containing higher levels of ammonium compounds

Due to the commercially sensitive nature of the product's formulation, the Agency provided an affidavit from Azelis, an independent manufacturer and distributor of chemicals, confirming the response is a fair representation of the situation.

Relevant ASA Codes of Practice

The Chair directed the Complaints Board to consider the complaint with reference to the following codes:

ADVERTISING STANDARDS CODE

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.

Relevant precedent decisions

In considering this complaint the Complaints Board referred to two precedent decisions, Decision 20/007 and 21/317, both of which were Not Upheld.

The full versions of these decisions can be found on the ASA website:

<https://www.asa.co.nz/decisions/>

Decision 20/007 concerned a television advertisement from Brand Developers promoting the Does It All Drill Bit by showing a man wearing gloves while drilling holes. The Complainant was concerned the advertisement portrayed an unsafe practice as wearing gloves risks entanglement.

The Complaints Board said the advertisement was not an instruction video on how to use the drill bit, but rather a demonstration of what the product can do. The Board said the advertisement did not encourage or condone a disregard for safety.

Decision 21/317 concerned a television advertisement from Brand Developers promoting the Transforma Ladder. The advertisement shows the ladder being used in a variety of scenarios and configurations. The Complainant was concerned the ladder was shown being used in unsafe ways such standing on the top rungs and positioning the ladder at too steep an angle.

The Complaints Board said the purpose of the advertisement was to show the versatility of the product and was not intended as an instruction manual. The Board said the average consumer for this product was likely to be the home user and the Advertiser's focus on safety was adequate for its intended audience.

Complaints Board Discussion

The Chair noted that the Complaints Board's role was to consider whether there had been a breach of the Advertising Standards Code. In deciding whether the Code has been breached the Complaints Board has regard to all relevant matters including:

- Generally prevailing community standards
- Previous decisions
- The consumer takeout of the advertisement, and
- The context, medium, audience and the product or service being advertised, which in this case is:
 - Context: A competitive outdoor cleaning product market
 - Medium: Television
 - Audience: Television audience
 - Product: Outdoor cleaning product

Consumer Takeout

The Complaints Board agreed the likely consumer takeout of the advertisement was it promoted an easy-to-use outdoor cleaning product by demonstrating it being used. The Kiwi ownership of the company is emphasised and there is an endorsement from Alex Wylie, a former All Black player and coach.

Does the advertisement portray situations which encourage or condone a disregard for safety?

The Complaints Board unanimously agreed the advertisement did not encourage or condone a disregard for safety. Instead it demonstrated the product being used. The Complaints Board noted the confirmation of the neutral PH formula of the Wet and Forget cleaner. It also noted there were no historic safety issues with consumers using the quarternary ammonium compounds for house cleaning purposes and this had been corroborated through the affidavit from Azelis; an independent company.

The Board noted the product label said to wear protective clothing and this was reflected in the advertisement with Alex Wylie wearing a long sleeve shirt and work boots along with the neutral PH balance product formulation coming out of the nozzle. The Board noted the Complainant was concerned about windy conditions and endangering other people. The Board said the advertisement did not show the product being used in windy conditions and there were no other people featured in the advertisement other than a Wet and Forget employee giving advice on the use of the product in-store.

Has the advertisement been prepared and placed with a due sense of social responsibility?

The Complaints Board said the advertisement was socially responsible, given the Agency had confirmed the product did not require safety equipment for home use. The Complaints Board said the advertisement was Not Upheld, taking into account context, medium, audience and product and was not in breach of Principle 1 or Rule 1(e) of the Advertising Standards Code.

Outcome

The Complaints Board ruled the complaint was **Not Upheld**.

No further action required.

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.

APPENDICES

1. Complaint
 2. Response from the Agency on behalf of the Advertiser
 3. Response from Media
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Appendix 1

COMPLAINT

Under code 1e. An add featured regularly on NZ TV channels and noted at 21.30 saturday 11 Sept, shows the bloke spraying 'Wet & Forget' fungus cleaner, all over the place He is placing himself and others in danger from 'splash back' in windy conditions. There is zero safety taken to avoid this and the product will no doubt contain chemical additives. Safety glasses are not featured, showing total disregard for any eye protection. Neither is safe clothing protection worn.

Appendix 2

RESPONSE FROM AGENCY, OMD, ON BEHALF OF THE ADVERTISER, WET & FORGET

RE: Wet & Forget Complaint 21/470, Advertising Standards Code - Principle 1, Rule 1(e)

I am writing on behalf of Wet & Forget in response to the below complaint:

Under code 1e. An add featured regularly on NZ TV channels and noted at 21.30 Saturday 11 Sept, shows the bloke spraying 'Wet & Forget' fungus cleaner, all over the place He is placing himself and others in danger from 'splash back' in windy conditions.

There is zero safety taken to avoid this and the product will no doubt contain chemical additives. Safety glasses are not featured, showing total disregard for any eye protection. Neither is safe clothing protection worn.

Our response to the claims is as follows:

- 1) Home use is outside the regulatory control of Worksafe, hence it does not provide advice to home users around safety equipment or conditions. Based on this, it is up to the consumer to make sensible choices, e.g. don't use a steel ladder in the wet or in a thunderstorm, or don't water you garden when it's windy as the water will miss your plants, etc. Using common sense is the company's recommendation, however the label recommends "protective clothing" which is the only legally required.
- 2) Wet & Forget has always had the objective of making jobs around the home easier and safer. We have made considerable investment into our spray nozzles (up to 8m range/two story home) to apply the product without the need of a ladder (ladders are a major cause of household accidents).
- 3) There have been decades of trouble-free use of quat (quaternary ammonium compounds) and surfactant in house cleaning. Likewise, since its inception there has also been 9+ years of use of Wet & Forget Rapid in NZ, Australia, UK and US, and there have been no problems whatsoever. All markets are advertised in the same way with nil complaints to date, including the US which is a notoriously litigious market.

- 4) The product coming out the nozzle is pH 7-8, so essentially neutral (7 = neutral). By comparison, Shampoo is usually pH 4-5, so moderately acid and that is applied to the head. Most household kitchen cleaners are moderately alkaline at up to pH 10 and that is happily sprayed “all over the place” without “eye protection” or “safe clothing protection wore”. Household disinfectants contain higher levels of quat (quaternary ammonium compounds) than Wet & Forget products.
- 5) Please also be aware that the Wet & Forget SDS (Safety Data Sheet) and label cautions apply to the concentrated product in the bottle, not the product (mixed with water) coming out the nozzle. The dilution of the product is commercial in confidence, however for context to this argument you can be assure that it is heavily diluted from its concentrated form in the bottle.

Based on the aforementioned facts, examples and the Wet & Forget company safety ethos, we believe the complaint is pedantically misguided. Wet & Forget is extremely proud of the science, design and effort that has been put in over the last 28 years, right here in New Zealand. Some would say a true New Zealand success story.

Please don't hesitate to contact me should you like to discuss or require any further information.

Appendix 3

RESPONSE FROM MEDIA, COMMERCIAL APPROVALS BUREAU

Complaint 21/470 Wet & Forget Key: WFS3021GRS Classification: G

This advertisement for Wet & Forget was approved on 21/07/21 with a 'G' general classification.

The ad features All Blacks sporting legend Alex 'Grizz' Wylie applying the Wet & Forget Rapid Application product to his driveway, garage, and other outdoor surfaces.

A complainant has pointed to the absence of hazardous protection wear, based on the belief that 'this product will no doubt contain chemical additives'. No specific details about the product were provided by the complainant.

To remedy the balance of information, CAB will defer to the advertiser for details of their product and its requirements and recommendations for use.