

<b>COMPLAINT NUMBER</b>	16/407
<b>COMPLAINANT</b>	N. Anderson
<b>ADVERTISER</b>	ApplianceSmart
<b>ADVERTISEMENT</b>	Appliance-smart.co.nz Digital Marketing
<b>DATE OF MEETING</b>	5 December 2016
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The website [www.appliance-smart.co.nz](http://www.appliance-smart.co.nz) included a page promoting quiet rangehoods. The page included information on the noise levels generated by rangehoods and noted different testing methods are used by manufacturers. The page details a testing approach taken by ApplianceSmart.

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

**Complainant, N. Anderson, said:** I believe that the claim in the advertisement is misleading because the testing conditions are not sufficiently described and the product advertising does not contain enough information to ensure that customers know how to achieve the advertised performance. Since several types of ducting are available, the testing conditions should be revealed to allow customers to know how to get the advertised performance (i.e., 44db) from the product. The manufacturers performance rating is 58db - as shown on the box - but not on the product's advertising page.

**The relevant provisions were Code of Ethics - Basic Principle 4, Rule 2.**

**The Chair** noted the Complainant's concerns about the lack of information on the testing conditions. The Chair also took into account information received from the Advertiser. The Advertiser confirmed it had installed a number of rangehoods at its premises to check noise levels and published the results on its website along with ducting requirements.

The Chair said the advertisement was not misleading. The Advertiser had provided information in addition to that available from manufacturers, to assist their customers. The Chair considered the detail about the different ratings from the Advertiser and the manufacturer would be a matter for a consumer to discuss as part of the purchase process.

The Chair ruled the advertisement had been prepared with a due sense of social responsibility to consumers and there was no apparent breach of Basic Principle 4 or Rule 2 of the Code of Ethics.

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

**Chair's Ruling:** Complaint **No Grounds to Proceed**