

COMPLAINT NUMBER	18/109
COMPLAINANT	P. Kriel
ADVERTISER	GO Healthy New Zealand Ltd
ADVERTISEMENT	GO Healthy New Zealand Ltd, Television
DATE OF MEETING	16 April 2018
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for Go Healthy supplements showed people participating in various activities such as playing music, getting ice cream and participating in a school play. Two people are briefly shown naked jumping into a pool. The advertisement said, in part: Go Healthy. Go be you.”

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

Complainant, P. Kriel, said: My children saw the ad and were mortified that the beginning consisted of naked people. In their words "ewe mum you can see their actual bums"..... Implied nudity would have been better for TV ads before 8;30 not actual nudity in which you can see a full rear view.

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 4, Rule 5; Code for People in Advertising - Basic Principle 5;

The Chair noted the Complainant’s concern the advertisement showed inappropriate nudity at a time when children could be watching television.

The Chair reviewed the advertisement and identified the scene of concern. The Chair considered the time the advertisement played and noted it was during Shortland Street which had a PGR (Parental Guidance Recommended) rating.

The Chair also referred to Complaints Board Decision 09/088. This advertisement showed a woman stepping out of her bathrobe into the shower in an advertisement for window adhesives. Her naked back view is briefly visible. In that decision, the Complaints Board stated, in part: “The Complaints Board agreed that while a female body entering the bath was clear in part of the advertisement, it was not gratuitous and not likely to cause serious or widespread offence...”

The Chair said the above precedent was directly applicable to the complaint before her. Taking into account the naked back view of the woman was not considered explicit nudity and, given the product being advertised was a health supplement which promoted general wellbeing, the brief scene was acceptable.

While the Chair acknowledged the offence the advertisement caused the Complainant, she said taking into account the precedent decision, the advertisement did not reach the threshold to be considered exploitative or degrading to women, nor was it likely to cause serious or widespread offence when taking into account generally prevailing community

standards. Therefore, the Chair said there was no apparent breach of the Advertising Codes.

Accordingly, she ruled that 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 days of receipt of this decision.