

COMPLAINT NUMBER	19/010
COMPLAINANT	J Neave
ADVERTISER	Brand Developers Ltd
ADVERTISEMENT	Television
DATE OF MEETING	14 January 2019
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for a Cobracoil cell phone charging cable included shots of the Cobracoil holding a cell phone in position on the dashboard of a moving car.

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

Complainant, J Neave, said: The advertisement for COBRACOIL demonstrates its usefulness in using a cellphone while driving. This surely encourages people to break the law and should not be allowed.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(e).

The Chair noted the Complainant's concerns the advertisement encourages people to break the law.

The Chair referred to a previous decision, 18/336, about a similar product, the Mighty Grip. In that decision the Complaints Board referred to the Land Transport (Road User) Amendment Rule 2009 which says a driver may, while driving, briefly use a mobile phone to make, receive or terminate calls if the phone is secured in a mounting fixed to the vehicle.

The Chair said the phone in the advertisement is secured in a mounting fixed to the vehicle and did not appear to be mounted in a manner which impeded the driver's view.

The Chair ruled there was no apparent breach of Principle 1 or Rule 1(e) of the Advertising Standards Code and the advertisement did not encourage dangerous, illegal or unsafe practices.

Accordingly, the Chair ruled 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.