

COMPLAINT NUMBER	19/113
COMPLAINANT	T Rossiter
ADVERTISER	Brand Developers Ltd
ADVERTISEMENT	Health Massage Chair, Television
DATE OF MEETING	11 March 2019
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for the Health Centre massage chair describes how the massage chair is helpful for stress, pain and muscle tension. One of the descriptors used in the advertisement is "as smooth, soft and gentle as a woman's touch."

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

Complainant, T Rossiter, said: The ad is for the Health Centre massage chair and several times during the infomercial it says the chair can give a massage "as light as a woman's touch", or like a professional sports massage. It is sexist, and unnecessary to say the massage is like a woman's touch when it could just say it can be light or firm, regardless of the gender of the person giving it! It also implies that women cannot give a firm sports massage, which is incorrect.

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

The Chair noted the Complainant's concern the reference "like a woman's touch" was sexist and the advertisement implied that women cannot give firm sports massage.

The Chair agreed the wording could be interpreted as sexist, assigning particular attributes on the basis of gender.

The Chair reviewed the infomercial and noted it is 28 minutes long. It used a number of similes to describe the various kinds of massage offered by the chair, such as "like a genuine Swedish massage", "like ancient Eastern medicine" and "as vigorous as a professional sports massage" and the reference to "as smooth, soft and gentle as a woman's touch" was made in this context. The Chair did not accept the consumer takeout from the advertisement would be that women could not provide a firm sports massage.

The threshold to breach Rule 1(c) of the Advertising Standards Code was serious or widespread offence. The Chair confirmed that while offensive to the Complainant, this threshold had not been reached when the whole context of the advertisement was considered. The Chair said the advertisement had been prepared with a due sense of social responsibility and was not in breach of Principle 1 or Rule 1(c) of the Advertising Standards Code.

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.