

COMPLAINT NUMBER	19/217
COMPLAINANT	D Jane
ADVERTISER	Mondelez NZL
ADVERTISEMENT	Cadbury Television
DATE OF MEETING	24 June 2019
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for Cadbury chocolate shows a girl in the local dairy while her mother is waiting outside. The girl says to the man behind the counter “I would like to buy a chocolate please, it’s for my Mum.” The man sees the girl’s mother waiting outside the Dairy. He selects a family block of Dairy Milk chocolate and places it on the counter. The girl places a coin, two buttons, a sparkly ring and a toy unicorn on the counter, to pay for the chocolate. The man nods to show she has “paid” enough for the chocolate. He gives her back the unicorn saying: “your change”. The girl smiles and runs out to give her mother the chocolate. The advertisement ends with the words “There is a glass and a half in everyone.”

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

Complainant, D Jane, said: This ad uses the tag line ‘Theres a pint and a half in everyone’ This is grammatically incorrect and not factual. They cannot know that everyone contains a pint and a half of milk. However their chocolate may contain a pint and a half. They need to change the bad grammar to ‘Theres a pint and a half in every one’, so it refers to the chocolate bar.

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b).

The Chair noted the Complainant’s concern the advertisement is grammatically incorrect because it says “there’s a pint and a half in everyone”.

The Chair referred to precedent decision 19/193 which concerns the same advertisement and was also ruled No Grounds to Proceed. In that decision the Chair said:

“the advertisement illustrated a play on the well-known ‘glass and a half of milk’ claim about Cadbury chocolate. In this case the advertisement said “there is a glass and a half in everyone”, referring to the ‘milk of human kindness’.

Returning to the case before her, the Chair said while the advertisement is referring to previous advertising campaigns for Cadbury chocolate, which emphasised the milk content of Cadbury chocolate (“a glass and a half of pure full cream milk in every 200gm of Cadbury Dairy Milk milk chocolate”), it is also referring to a new meaning, the “milk of human kindness”.

In the Chair’s view, the advertisement showed a girl wanting to use things that were precious to her to buy her mother a treat and it was the kindness of the man in the dairy which enabled her to do this.

The Chair said the phrase “there is a glass and a half in everyone” is not misleading or grammatically incorrect as it refers to “the milk of human kindness” which is present in every person.

The Chair said the advertisement was not in breach of Principle 2 or Rule 2(b) 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.