

<b>COMPLAINT NUMBER</b>	19/209
<b>COMPLAINANT</b>	C Huriwai
<b>ADVERTISER</b>	DairyNZ
<b>ADVERTISEMENT</b>	DairyNZ, Print
<b>DATE OF MEETING</b>	26 June 2019
<b>OUTCOME</b>	Settled – advertisement amended

**Advertisement:** The DairyNZ print advertisement said in part: “Over the past few years, dairy farmers have been getting stuck in to improving our waterways. 97.2% of waterways on New Zealand dairy farms are now fenced off from stock – and initiatives like planting trees, restoring wetlands and good farming practices are all helping.”

#### **The Chair ruled the complaint was Settled**

**Complainant, C Huriwai, said:** The text states that 97.2% of waterways on farms are fenced. However this only includes 'waterways' that the industry itself deems a 'waterway' with completely arbitrary definitions. I'd like to see an \* and fine print added to this claim that DairyNZ are constantly making.

**The Advertiser, DairyNZ, said:** “The print advertisement referred to was first published on 7 January 2019. It has since run 22 times.

In early June, one of the DairyNZ 'The Vision is Clear' project members noticed that the word 'significant' was missing from the print ad. This word is crucial as the independently audited [Sustainable Dairying: Water Accord](#) provides evidence that 97% of dairy farmers have voluntarily fenced-off their 'significant dairy waterways'. The word 'significant' is important because the Water Accord defines waterways as permanently running waterways that are larger than a step and deeper than a gumboot. We are extremely proud of this environmental effort by farmers, and understand that the context of the word 'significant' is important. In early June when we identified that the word 'significant' was not in the original advert text, we immediately requested that our agency pull the advert while updates were made. From July onwards, this advert will run with the text that includes the word 'significant' and we are happy to provide an asterisk as evidence for the source of the information to support this figure.

Please note that radio advertising referring to the fencing effort by farmers does reference the term 'significant waterway'.

#### The original wording:

Over the past few years, dairy farmers have been getting stuck in to improving our waterways. 97.2% of waterways on New Zealand dairy farms are now fenced off from stock – and initiatives like planting trees, restoring wetlands and good farming practices are all helping.

But we can't do it alone – that's why we're asking all Kiwis to play their part too. Because if everyone does their bit it adds up to healthier waterways – for all of us.

The amended wording that has not been published yet:

Over the past few years, dairy farmers have been getting stuck in to improving our waterways. Over 97% of significant\* waterways on New Zealand dairy farms are now fenced off from stock – and initiatives like planting trees, restoring wetlands and good farming practices are all helping. But we can't do it alone – that's why we're asking all Kiwis to play their part too. Because if everyone does their bit it adds up to healthier waterways – for all of us.

\* *Independently audited Sustainable Dairying: Water Accord 2016-17*

We have a thorough approvals process at DairyNZ for all 'The Vision is Clear' creative and content, to ensure that our information is factual and credible. Whilst we are disappointed that the word 'significant' was not included in the print advertisement, we don't believe that it seriously misleads in terms of the intent of the campaign; that we all have a role to play in improving New Zealand's waterways."

**The Media, NZME, said in part:** "Firstly, the identity of the advertiser is clear, in respect of advocacy advertising.

Secondly, in respect of the advertisement being capable of misleading, deceiving or confusing to consumers, DairyNZ alerted us in early June as to the omission in collateral of the word "significant". This is important as the evidence underlying the 97% claim relates to the voluntary fencing of 'significant dairy waterways'.

The omission was inadvertent. The original collateral has now been pulled and will no longer run. The corrected collateral is now in use."

**The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b), Rule 2(e);**

**The Chair** noted the Complainant's concern about the arbitrary definition of the term waterways used in the advertisement which could be misleading.

The Chair acknowledged that the Advertiser had already amended the advertisement from 'waterways' to "significant waterways' and had now added an asterix with the source of the definition for future advertisements. The Chair said the Media had confirmed the omission of the word 'significant' from the advertisement before her was inadvertent and the amended version with the word 'significant' and asterix with the definition source would be used in any future advertising.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in amending the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board. The Chair ruled that the matter was settled.

**Chair's Ruling:** Complaint **Settled – advertisement amended**

#### **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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 days of receipt of this decision.