

COMPLAINT NUMBER	20/219
ADVERTISER	Lotto NZ
ADVERTISEMENT	Lotto NZ, Television
DATE OF MEETING	8 June 2020
OUTCOME	No Grounds to Proceed

Advertisement: The Lotto NZ television advertisement promotes its Powerball draw by showing two cartoon emojis talking about what they would spend their Powerball winnings on. One says they would eat Bluff oysters all year round. When questioned about what they would do when they aren't in season, the other emoji replies "Whitebait and crayfish in between?". The voiceover states the jackpot total and purchase information.

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

Complaint: The advertisement in question encouraged the eating of copious amounts of whitebait upon winning Lotto. As 4 of 5 species of Whitebait in New Zealand are endangered, I believe this breaches the ASA rule Rule 1 (i) Protecting the environment by encouraging New Zealanders to further deplete our already in danger Whitebait species.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(i);

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1(i) Protecting the environment: Advertisements must not depict or encourage environmental damage or degradation.

The Chair noted the Complainant's concern the advertisement was encouraging environmental damage by promoting whitebait consumption.

The Chair said the likely consumer takeout of the advertisement is a fantasy scenario with the characters imagining what they might treat themselves to if they won a large Lotto draw. She said the advertisement refers to three products difficult to source and subject to limits which can be very expensive and are seen as luxury items or a treat: whitebait, crayfish and Bluff oysters.

The Chair said that whitebait was only mentioned briefly in the advertisement, in an imaginary scenario that was unlikely to encourage environmental damage to any of the species. The Chair said the hyperbolic line in the advertisement about only eating whitebait, crayfish and oysters did not reach the threshold to breach Principle 1 or Rule 1(i) 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 calendar days of receipt of this decision.