

COMPLAINT NUMBER	20/268
ADVERTISER	Magicseal
ADVERTISEMENT	Magicseal, Website
DATE OF MEETING	6 July 2020
OUTCOME	No Grounds to Proceed

Advertisement: The Magicseal website advertisement promotes their double glazing and insect screen installations. The Magicseal website shows the various benefits of double glazing with Magicseal and labels themselves as "Leading provider of magnetic insect screening and retrofit double glazing solutions for windows and doors". The Magicseal double glazing is said to be "Acrylic secondary glazing panels" which "are retrofitted to your existing joinery."

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

Complaint: Magic seal are advertising a product they refer to as 'double glazing'. Double glazing consists of two layers of glass sealed into one unit and filled with an inert gas. This is the standard used in New Zealand and worldwide. What Magicseal are offering is a single sheet of plastic attached to a window frame by magnets. This is not double glazing but a far inferior product. Although they do make this clear in their marketing, I believe that they should not be using the term 'double glazing' anywhere on their website to describe their product.

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

Principle 2: Truthful Presentation: Advertisements must be truthful, balanced and not misleading.

Rule 2(b) Truthful Presentation: Advertisements must not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise. Obvious hyperbole identifiable as such is not considered to be misleading.

The Chair noted the Complainant's concern the advertisement was misleading to use the term "double glazing" when it is a different product entirely.

The Chair carefully reviewed the advertisement and did not consider the likely consumer takeout of the advertisement would be that the product on offer was traditional double glazing. The Chair said the advertisement clearly described the Magicseal system as "acrylic secondary glazing panels are retrofitted to your existing joinery."

The Chair said consumers were unlikely to be misled by the advertisement and would conduct research before committing to the considerable financial outlay of the various window treatments on offer.

The Chair said it was not unreasonable for the Advertiser to use the term double glazing as a general term in order to make potential consumers aware of the existence of secondary glazing options.

The Chair ruled the advertisement had not reached the threshold to be considered misleading and 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 calendar days of receipt of this decision.