

<b>COMPLAINT NUMBER</b>	21/066
<b>ADVERTISER</b>	@gemflynn
<b>ADVERTISEMENT</b>	@gemflynn, Instagram
<b>DATE OF MEETING</b>	2 March 2021
<b>OUTCOME</b>	Settled – Ad identification

**Advertisement:** Influencer @gemflynn posted an Instagram story referencing the Moorhouse Orangetheory fitness centre. The advertisement showed the image of a pair of legs in exercise gear with the text “Love starting my day with @orangetheorymoorehouse. Great workout, great people & always enjoy the endorphins after.”

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

**Complaint:** Gemma uploaded a story promoting orange theory moorehouse for which she is a paid ambassador (as per her bio) without indicating it is an advertisement

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

**The Chair** noted the Complainant was concerned the advertisement had not been clearly identified as such.

The Chair accepted the complaint to go before the Complaints Board to consider whether the Advertising Standards Code had been breached. As part of the self-regulatory process, Advertisers have the option of amending or removing their advertising to comply with the Advertising Codes.

Upon receipt of the complaint, the Advertiser apologised for the error made on the Instagram story which is no longer active. The Advertiser confirmed she understood the rules for identifying advertisements and expressed her commitment to labelling future posts.

Given the Advertiser’s co-operative engagement with the process and the self-regulatory action to label future advertisements, 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 – Ad identification**

#### **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 calendar days of receipt of this decision.