

COMPLAINT NUMBER	21/234
ADVERTISER	Mocka
ADVERTISEMENT	Mocka Stacking Boxes, Website
DATE OF MEETING	14 June 2021
OUTCOME	No Grounds to Proceed

Advertisement: The Mocka Home Furniture website advertisement, www.mocka.co.nz, promotes the “Mod Stacking Boxes - Crosses CLEARANCE sale and promotes a further 20% off at checkout.

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

Complaint: Mocka are advertising a product as plural- stacking boxes - and using a lead product image of 3 boxes stacked to sell their product.

However, the product turns out to be a single box, not boxes as advertised.

I ordered two different patterns in the stacking boxes, expecting 2 sets of 3 boxes to arrive as per the images shown for the product listing, and as per the plural name of the product. On arrival however, only one box arrived for each pattern I ordered. I have been in touch via online chat and was told I was wrong, the product listing made it very clear it was just one box by a comment immediately under the picture depicting 3 boxes. However on your mobile website this is not the case. The 'add to cart' button appears after the product name and product image. I simply did as they desired me to do, and I added each pattern to my cart. Only on review of the product page via mobile, I see a drop down menu further down the page which talks of description, specifications etc. In the small print of the description menu, it says something about a single box. This shows that the product name (stacking boxes- i.e. plural, more than one box) plus the lead image shown of 3 boxes stacked is very misleading and is not truthful representation of the product being sold.

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 was concerned the advertisement was misleading to show three boxes when the actual product on offer was a single box.

The Chair acknowledged the complainant's concerns, and she carefully reviewed the advertisement. The Chair said the likely consumer takeout would be the offer was for one box. The advertisement details the Mod Stacking Boxes-Crosses version as part of the sale promotion. She noted the advertisement states the boxes are purchased singularly. The Chair said the website makes clear the other styles can also be purchased and the product

details only describe one box. The Chair said it was reasonable for the advertiser to show multiple boxes in the illustration in order to demonstrate how the stacking boxes can be mixed and matched.

The Chair said the advertisement did not reach the threshold to be 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.