

COMPLAINT NUMBER	21/489
ADVERTISER	Otis Oat Milk
ADVERTISEMENT	Otis Oat Milk Countdown Website
DATE OF MEETING	21 October 2021
OUTCOME	Settled

Advertisement: The advertisement for Otis oat milk appeared on the Countdown online shopping website. The advertisement includes an image of a hand holding a carton of the oat milk with the caption "Try NZ's first homegrown oat milk". There is a button to "Shop Now" and a flag to highlight that the product is "New".

The Chair ruled the Complaint was Settled

Complaint: Otis Oat Milk claims it is NZ's first homegrown oat milk, but it is made in Sweden.

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

The Chair noted the Complainant was concerned the advertisement was misleading consumers to believe the product was being produced in New Zealand when that was not the case.

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.

The Advertiser confirmed that prior to receiving the complaint, they had removed the advertisement and would not use the phrase "NZ's first homegrown oat milk" in the form and context in which it was used in the advertisement complained about.

The Advertiser confirmed that it used the term "homegrown" in the advertisement to communicate the fact that the oats in its oat milk are grown in New Zealand. The advertiser also confirmed it didn't intend to indicate anything other than this.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action of removing 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**

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 with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.