

COMPLAINT NUMBER	22/052
ADVERTISER	Grins NZ
ADVERTISEMENT	Grins, Instagram
DATE OF MEETING	16 March 2022
OUTCOME	Settled

Advertisement: The advertisement on Grins NZ Instagram page showed a video of a person wakeboarding and drinking from a can of Grins. The post appeared to be in response to a post from Grins, at <https://www.instagram.com/p/CZQrOOjLWvB/>: “WIN* Show us how you’re spending your long weekend with Grins & go in the draw to win a Grins prize pack.”

The Chair ruled the Complaint was Settled.

Complaint: This complaint concerns the advertising of Grins drinks on the company’s Instagram account.

Rule 1e of the Alcohol Advertising and Promotion Code states the following:

Rule 1(e): Safety: Advertisements must not, unless justifiable on educational or social grounds, encourage or condone dangerous, illegal or unsafe practices, or portray situations which encourage or condone a disregard for safety.

Guidelines

1. Alcohol Advertising and Promotion must not:
 - i. Link Alcohol consumption with hazardous or unsafe practices or behaviour that is risky, for example, but not limited to:
 - a) the use of potentially dangerous machinery, equipment or when driving;
 - b) swimming and other water sports which would be unsafe when combined with Alcohol consumption.
 - ii. Associate, allude to or portray Alcohol with tobacco, vaping, drugs or volatile substances such as glue, petrol, explosives and weaponry.
2. Sporting or other physical activities may be represented in Alcohol Advertising and Promotion, providing there is no implication that Alcohol will be consumed before or during the activity, or after endurance events or injury.

However, this Instagram post below (<https://www.instagram.com/p/CZdbRZZpQ0C/>) shows a video of a person wakeboarding and consuming a product that appears (or gives the impression) to be Grins. Consumption of alcohol appears to be endorsed by the alcohol producers. The post appears to be the winner of the following Grins promotion at <https://www.instagram.com/p/CZQrOOjLWvB/>: WIN* Show us how you’re spending your long weekend with Grins & go in the draw to win a Grins prize pack 🏆

I ask that the Complaints Board consider whether this advertisement breaches Principle 1 of the Code.

The relevant provisions were Principle 1, Rule 1(e) of the Alcohol Advertising and Promotion Code.

Principle 1: Social Responsibility- Alcohol Advertising and Promotion must be prepared and placed with a high standard of social responsibility to consumers and society.

Rule 1(e): Safety: Advertisements must not, unless justifiable on educational or social grounds, encourage or condone dangerous, illegal or unsafe practices, or portray situations which encourage or condone a disregard for safety.

The Chair noted the Complainant was concerned the advertisement promoted irresponsible behaviour with an alcohol product, in breach of the Alcohol Advertising and Promotion Code.

The Chair accepted the complaint to go before the Complaints Board to consider whether the Alcohol Advertising and Promotion 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 removed the post and confirmed it would not be used in the future.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in removing the advertisement, the Chair said it would serve no further purpose to place the matter before the Complaints Board.

Chair's Ruling: Complaint **Settled - advertisement removed**

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.