

COMPLAINT NUMBER	22/160
ADVERTISER	Pete's Natural Ltd
ADVERTISEMENT	Pete's Natural Drinks Facebook
DATE OF MEETING	8 June 2022
OUTCOME	Settled

Advertisement: The sponsored Facebook advertisement by Pete's Natural promotes their Lemon and Manuka Switchel drink. The caption is framed itself as a "health message" and states, "we all want to stay healthy and Covid-Free this winter, which means... it's more important than ever to look after your health and one of the best ways to do this, is by boosting your immunity....". The graphic shows the product and uses arrows to highlight three key ingredients, lemons, manuka honey and apple cider vinegar. Text on the image states "Immunity boosting, natural goodness."

The Chair ruled the Complaint was Settled.

Complaint: In the ad referred to in the screenshot, the advertiser attempts to market its product as 'healthy' and immunity boosting. My complaint regarding this is that none of the ingredients mentioned in their advertisement have been scientifically proven to boost immunity, and apple cider vinegar in particular has been linked to a number of negative side effects from consumption (noting that the complete list of ingredients is not available on their website); additionally each serving contains 26% of an adult's recommended daily intake of sugar (30g RDI as noted on Health Navigator NZ website; 7.8g sugar per serving as noted on Pete's Natural website). The Health Navigator NZ page <https://www.healthnavigator.org.nz/healthy-living/s/sugar-how-to-cut-down/>, also specifically lists honey as a type of sugar that consumers should be cutting down on.

As such, I believe that the advertiser is making false and misleading claims in their promotion of this product, and the advertisement in question should be taken down.

The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(h), Rule 2(b); Therapeutic and Health Advertising Code - Principle 2, Rule 2(a)

The Chair noted the Complainant was concerned the advertisement is making unsubstantiated therapeutic claims which could be misleading.

The Chair accepted the complaint to go before the Complaints Board for adjudication as to whether the advertising breached the Therapeutic and Health Advertising Code. 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 removed the advertisement that had been complained about. Given the self-regulatory action taken in 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.