

COMPLAINT NUMBER	22/245
ADVERTISER	Westland Milk Products
ADVERTISEMENT	Westgold Digital Marketing
DATE OF MEETING	22 August 2022
OUTCOME	No Grounds to Proceed

Advertisement: There are two advertisements for Westgold butter on www.trademe.co.nz. The first advertisement shows a block of butter in the Westgold packaging, with the text "New Zealand Grass-Fed Butter - Traditionally churned from fresh cream". Above the image is the text "Lush grass". The second advertisement shows a cow eating grass. On the image is the text " 'Plant based' since 7000BC."

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

Complaint: The company makes a spurious claim its animal based product is in fact plant based. Seen on Trademe.co.nz on Thursday 11 August 2022

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's concerns the advertisements contained spurious or inaccurate claims that Westgold butter is plant based.

The Chair said the text "Lush grass", "New Zealand Grass-Fed Butter" and " 'Plant based' since 7000BC" are references to the food eaten by the dairy cows that produce the Westgold butter. The Chair said the advertisements do not suggest that the butter itself is a plant product.

The Chair said the advertisements were not likely to mislead or confuse consumers and did not meet the threshold to breach 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 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.