

COMPLAINT NUMBER	22/228
ADVERTISER	Milked Film
ADVERTISEMENT	Milked Film Out of Home
DATE OF MEETING	8 August 2022
OUTCOME	No Grounds to Proceed

Advertisement: The billboard advertisement for the film “Milked” had an image of a trophy labelled “NZ Dairy”, with a poo emoji placed on top of it. Below this was the text “See milked.film”. To the left of this was the text “CONGRATS NZ DAIRY! OUR #1 POLLUTER”.

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

Complaint: My wife and I were in Wellington recently and saw the attached advertising statement above Cuba St.

We are dairy farmers and like much of society are aware of what negative impacts we are having on the environment.

Feel this form of advertising which is probably paid for by people in glasshouses is too simplistic, too negative especially for those doing the mahi, not factual, not informative enough, too broad brush, creates a flawed division between urban and rural, bland and many other words. Just think it creates bad feeling .

Certainly believe in free speech but this is a fixture not a face to discuss with.

A more accurate fact would be people are the root cause of pollution that’s an undeniable fact.

The no 1 polluters contributing to global warming in nz is actually carbon emitters not the methane and water polluting and carbon sink that farming contributes., fact

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 because it is too simplistic and negative and inaccurate.

The Chair noted the advertisement included a reference to the website for the film, which includes information in support of the opinion presented in the advertisement, that the dairy industry is the number one polluter in New Zealand.

The Chair said the advertisement was promoting a locally made documentary film investigating the impacts of dairying on the environment.

The Chair said in the context of an advertisement promoting a documentary film, which is presenting a particular viewpoint about a matter of public debate, the advertisement was not misleading.

The Chair said advertisement 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.