



**ADVERTISING STANDARDS
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ASA CODES AND COMPLAINTS UPDATE MARCH 2015



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Self Regulation

- Industry has supported standards in advertising for 42 years**
- Consumer-focused complaints process**
- Complaints Board meets twice a month**
- Seven day deadline for responses**
- Prompt decision compliance is essential for a credible process – 13 day turnaround**

Codes

Therapeutic Products Advertising Code

Therapeutic Services Advertising Code

**Code for Advertising Weight Management Products
and Services (*revised Feb 2015*)**

Code of Ethics (*taste - decency / safety*)

Code for People in Advertising (*sexual appeal*)

Code for Comparative Advertising (*denigration*)



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Context
Medium
Audience
Product



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Good Responses

- **Address the issue raised by the complainant with reference to the relevant Codes of Practice**
- **Provide context for the advertisement without trying to justify the entire marketing strategy**
- **Ads subject to complaint must comply on their own merits – not solely rely on supporting material in other media.**



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Good Responses

- **Quality substantiation of claims that are challenged. The complainant does not have to provide proof you are wrong, you have to provide proof you are right.**



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Claim substantiation

Please refer to Guidance Note on responding to a complaint about misleading claims.

When referring to research, highlight the key sections, and include an explanation as to the relevance to the issue at hand.



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Claim substantiation

Do not just provide the extract which supports the claim – it is the totality of good scientific evidence available that is important. While the Complaints Board is not an arbiter of scientific fact, it will make an assessment as to whether the evidence applies to and supports the advertised claim.



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Responding to a Complaint

- **Take a breath – read the complaint – check the codes listed**
- **Take it seriously – sooner rather than later – 7 days**
- **Tell us your story – most advertisers make a significant investment in compliance – why is this ad ok?**
- **If you have made a mistake – there is a copy error / put your hand up and fix it**



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TIPS

- **Think about ad placement as well as content – will those outside your target audience react negatively?**
- **If you are breaking new ground - test the market /get an outside perspective / check early the media will accept**
- **If you are going to quote facts / figures – you must have a credible source**
- **Have you also considered the requirements of relevant sector codes?**



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