



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0023-20
2. Advertiser :	Mitchell's Quality Foods
3. Product :	Food/Bev Groceries
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	22-Jan-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Food and Beverages Code\2.1 Truthful Honest Not Misleading or deceptive

DESCRIPTION OF ADVERTISEMENT

Series of TV commercials promoting the Lite n' Easy Jump Start weight loss program. It features multiple Lite n' Easy testimonials who have lost weight using Lite n' Easy.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

It is appears to be false and misleading advertising, making claims of weight loss without any proof.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

The complainant's claim that the people featured in the Lite n' Easy commercials are actors is incorrect. All of the testimonials featured in Lite n' Easy TV commercials are real customers who have lost weight as a result of eating the Lite n' Easy meal plans. They have each supplied a signed declaration for CAD confirming their weight loss and remarks in the commercials are truthful and correct.



We choose not to use “before” images of our testimonials in our TV commercials because we want viewers to focus on the positive life experiences they enjoy now after losing the weight. Each of the testimonials featured in our commercials can be found in the Success Stories page on our website. It is there that “before” photos can also be viewed. Direct links to each testimonial are provided below –

<https://www.liteneasy.com.au/success-story/caroline/>

<https://www.liteneasy.com.au/success-story/dom/>

<https://www.liteneasy.com.au/success-story/gillian/>

<https://www.liteneasy.com.au/success-story/katijah/>

<https://www.liteneasy.com.au/success-story/frances/>

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code).

The Panel noted the complainant’s concerns that the advertisement makes claims which aren’t substantiated.

The Panel viewed the advertisement and noted the advertiser’s response.

The Panel noted that the product advertised is ready made meals and that therefore the provisions of the Food Code apply. In particular the Panel considered section 2.1 of the Food Code which provides:

'Advertising or marketing communications for food ...shall be truthful and honest, shall not be or be designed to be misleading or deceptive or otherwise contravene prevailing community standards, and shall be communicated in a manner appropriate to the level of understanding of the target audience of the Advertising or Marketing Communication with an accurate presentation of all information including any references to nutritional values or health benefits.'

The Panel noted the Practice note for the Food Code states: “In testing the requirement that an advertising or marketing communication should be truthful and honest, the Community Panel will consider whether the information most likely to be taken from the advertisement by an average consumer in the target market would be reasonably regarded as truthful and honest.”

The Panel noted the advertiser’s response that the people featured in the Lite n’ Easy commercials are real customers who have lost weight through using the product.

The Panel noted that testimonials from each of the people from the commercials are available on the advertiser’s website. The Panel noted there is no requirement for advertiser’s to feature ‘before’ photos in advertisements for weight loss products.



The Panel considered that an average consumer viewing the advertisement would understand that the people featured in the advertisement were real people who had used this product, and that this is a truthful and honest portrayal.

The Panel considered that the claim made in the advertisement was truthful and honest and was not misleading or deceptive.

In the Panel's view the advertisement was not misleading or deceptive or otherwise contravenes prevailing community standards, and did not breach Section 2.1 of the Food Code.

Finding that the advertisement did not breach the Food Code or any other grounds the Panel dismissed the complaint.