

John F. Robins, Secretary, Save Our Seals Fund, C/O Animal Concern, Post Office Box 5178,
Dumbarton G82 5YJ. Tel: 01389-841-639, Mobile: 07721-605521.

Scottish Charity: No. SC025489

E-MAIL: sosf@jfrobins.force9.co.uk website: <http://www.saveoursealsfund.org/>

Best number to get me on 01389841111 or 07721605521'

Please find below details of our complaint to the ASA regarding what we believe is a misleading television advertisement currently being run by Aldi. Attached is a letter from the ASA acknowledging our complaint and confirming that they are taking our complaint further. Please note I have been unable to attach the "Complaint Notification" referred to in the letter from Aldi as the "Complaint Notification" is marked "Confidential". Our reply e-mail (below) highlights our misgivings in the way the ASA deal with cases like this which are often concluded without the public being made aware that they have been misled.

You can view the advert here:

<https://www.marketingweek.com/2016/09/08/aldi-insists-customers-are-not-returning-to-the-big-four-as-it-unveils-everyday-amazing-campaign/>

This is a revolving web page and, if the picture of the sky-diving granny (on which you click to play the advert), is not there when you first access the page you may have to refresh the page to bring it up. Also, if you scroll down the page, you will come to a still picture, taken from the advert, which clearly shows that the salmon depicted are not in a salmon farm. Ironically that picture carries the message "Aldi says the 'Everyday Amazing' campaign will retain a sense of humour despite ads now focusing on more ethical issues".

You will see that the ad depicts a few salmon swimming free and wild and not the huge numbers of salmon held in the floating factory fish farm cages approved by the RSPCA (note this is the English RSPCA and not the Scottish SPCA).

If you want any comments please use anything from: John Robins of Save Our Seals Fund said; "I am pleased the ASA has taken our complaint seriously and is investigating the matter. However it could be many more weeks before we get a final ruling from the ASA and I think consumers should know now that this advert could be misleading. The ad shows a few free-swimming wild salmon and not the thousands of salmon held in the floating factory farm fish cages used on RSPCA approved farms. Aldi claim this advertising campaign focuses on ethical issues. If it was ethical and truthful it would not replace reality with myth. Instead it would show the thousands of salmon swimming around and around inside the cage nets on their floating factory farms. It might also admit that the RSPCA Assurance Scheme allows salmon farmers to shoot seals. I await the ASA adjudication and action with interest."

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To the ASA

Dear Mr. Lane and Ms Crowe,

Thank you for your communications of 19th October in response to my complaint of 16th September concerning what I believe to be a misleading television ad for Aldi which appears to show wild salmon when in fact the chain sells factory farmed salmon.

I note that you will be taking the complaint forward and that the outcome might be an agreement by Aldi to drop or modify the advertisement in question.

It is regrettable that it has taken over a month to get to this stage and that it might be several more weeks before the matter is resolved and that the resolution may simply be for the advertiser to edit or withdraw the advertisement. As you know most television advertisement campaigns for food retailers have a fairly short shelf life and I would expect Aldi, like most supermarkets, will soon switch to their Christmas marketing promotions.

Many millions of people have watched and, before any action is taken, several millions more will have viewed this advertisement which I believe misleads consumers by depicting one product, factory farmed Atlantic Salmon, as a far superior product, wild caught Atlantic Salmon. If the advert is quietly edited or dropped or is withdrawn at the end of its intended broadcast period shoppers may never be aware that they have received misleading information on the product in question.

Would it be possible for the ASA to fast track the initial appraisal of complaints of this nature and, if you agree the complaint deserves further deliberation, for you to ask that the advertisement be suspended until your deliberations are completed? I would be grateful if you would draw this e-mail to the attention of the CEO and each member of the Council of the ASA.

Meanwhile I look forward to hearing further from you in due course regarding the outcome of case reference A16-355257.

Yours sincerely,

John F. Robins,
Secretary to Save Our Seals Fund.

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SOSF is a recognised Scottish charity: RCNo. SC025489.

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Dear Sirs,

Re my complaint reference A16-355257.

I write regarding my complaint regarding the Aldi television advertisement which I believe to be misleading in that it uses images of wild, uncaged salmon when in fact the store sells intensively farmed salmon reared in floating fish farm cages.

In my initial complaint I gave this link to the advertisement in question:

<https://www.marketingweek.com/2016/09/08/aldi-insists-customers-are-not-returning-to-the-big-four-as-it-unveils-everyday-amazing-campaign/>

I have since been made aware that this is a revolving web page and, if the picture of the sky-diving granny (on which you click to play the advert), is not there when you first access the page you may have to refresh the page to bring it up. Also, if you scroll down the page, you will come to a still picture, taken from the advert, which clearly shows that the salmon depicted are not in a salmon farm.

Yours faithfully,

John F. Robins,
For Save Our Seals Fund