



Mr J Robins  
Save Our Seals Fund  
c/o Animal Concern

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Advertising Standards Authority  
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**Ref: A16-355257/LC/ts**

**18 October 2016  
By email**

Dear Mr Robins

### **Your complaint – Aldi**

Thank you for confirming that you do not contemplate legal action in this matter and that you are happy to be named in any published report. We have carried out an initial assessment of your complaint and have decided that further investigation is needed. This means that we will now contact Aldi and Clearcast, the clearance body for TV ads, for their comments on the points of complaint that we are taking forward, which we have rephrased to mirror the language of the BCAP Code (the Advertising Code that we administer) and which are set out in the attached Complaint Notification.

Once the advertiser responds to us we will decide the next steps for the case. In many cases we are able at that stage to resolve the complaint by having the advertiser agree to make changes to their advertising that we consider bring it into line with the CAP Code. If those changes are made, there is often little to be gained from continuing with a formal investigation. These informally resolved cases are closed without being referred to the ASA Council and usually have the advantage of dealing with matters quickly. Although we do not publish rulings on these cases, advertisers who work with us to resolve cases informally are listed on our website. These cases are also taken into account if we receive further complaints about the advertiser.

If the advertiser wants to defend their advertising or if we decide that it would still be most appropriate to do so, we will continue to deal with the case formally and draft a recommendation for the ASA Council. We can often do this following the advertiser's initial response but in some cases we require further information from them or views from third parties. If we continue with a formal investigation you will have an opportunity to comment on the recommendation before it is referred to the Council for a ruling. Once the Council has made a decision, a report of the outcome will be published on our website.

**Legal, decent, honest and truthful**

Chairman Rt Hon Lord Smith of Finsbury Chief Executive Guy Parker  
ASA Council (Broadcast) Kate Bee, Alan Bookbinder, Rachel Childs, Roisin Donnelly, Ray Gallagher, Wesley Henderson, John Mayhead, Suzanne McCarthy, Sir Martin Narey, Shireen Peermohamed, Hamish Pringle and Sam Younger

The Advertising Standards Authority (Broadcast) Limited, registered in England No 05130991, Mid City Place, 71 High Holborn, London WC1V 6QT.

If you have any information in support of your complaint that you wish the ASA Council to rely on when making a ruling, and if we consider it to be relevant to the investigation, we will require your permission to disclose it to the advertiser; they must have an opportunity to see and respond to the case being made against their marketing. We will make an assessment during the investigation of what information is relevant and needs to be passed on. Please let me know by **25 October** whether you have any information that you want us to consider and that you consent for it to be disclosed to the advertiser.

In some circumstances we may take the decision to informally resolve a case that has progressed to a more advanced stage, including, where appropriate, after a draft of our recommendation has been sent to you. This would most likely be if the advertiser recognises in the course of the investigation that changes could be made to their advertising that would resolve the issue and agrees to make those changes. Whatever stage it is at, we will let you know if we decide to deal with this case informally.

We aim to keep complainants informed throughout the process of investigation and will contact you again as soon as we can provide a substantive update on how the case is progressing. You should however feel free to contact us at any time if you would like to check on the status of your complaint.

You should have already received a copy of our leaflet '*Making a complaint*' which explains our complaints procedure and what action we may take. If you would like another copy please let us know, or download the leaflet from our website [www.asa.org.uk/Consumers/How-to-complain.aspx](http://www.asa.org.uk/Consumers/How-to-complain.aspx).

Yours sincerely



**Lucy Crowe**  
Investigations Executive  
[lucyc@asa.org.uk](mailto:lucyc@asa.org.uk)  
020 7492 2141

*Please note my normal working hours are 8.00am to 4.00pm Mondays, Tuesdays and Fridays*