

COMPLAINT NUMBER	20/352
ADVERTISER	Antares Restaurant Group Ltd
ADVERTISEMENT	Burger King, Digital Marketing
DATE OF MEETING	11 August 2020
OUTCOME	No Grounds to Proceed

Advertisement: The Burger King digital advertisement on www.nzherald.co.nz promotes their new Rebel BK Chook, a plant based burger with 0% chicken. The advertisement shows an image of the burger and states it is 100% plant based, contains no chicken and is vegetarian.

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

Complaint: Burger King is advertising it's Rebel Chicken products as being 100% plant based, the 'chicken' contains milk products so is not plant based making this advertising misleading.

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's concern the advertisement referred to the burger being plant-based when it contained milk products.

In the Chair's view, the advertisement promoted the BK Rebel Chook burger with no chicken in the ingredients and was vegetarian. The Chair did not consider the reference to "plant-based" meant the product was also dairy-free and this was not likely to be the takeout of the advertisement for most consumers. She noted the burger is served in a bun with mayonnaise.

The Chair said the advertisement was not likely to mislead or deceive consumers and was not in breach of 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 via email or letter within 14 calendar days of receipt of this decision.