

COMPLAINT NUMBER	19/137
COMPLAINANT	R looyenga
ADVERTISER	Subway New Zealand Limited
ADVERTISEMENT	Subway New Zealand Limited, Television
DATE OF MEETING	1 April 2019
OUTCOME	No Grounds to Proceed

Advertisement: The Subway television advertisement shows a couple having a romantic dinner. The man says “Wait, there’s more” and the woman responds saying “Oh my God!”, in anticipation of a marriage proposal. Instead, the man produces a large subway sandwich for the couple to share.

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

Complainant, R looyenga, said: During the subway add the man plus out a sub and the women exclaims "oh my god" I these dark days this is inappropriate. This add is offensive to Christians, Muslims and people of all faiths.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c);

The Chair noted the Complainant’s concern the use of the phrase “Oh my God” was offensive to people of faith.

The Chair referred to a previous Complaints Board Decision (04/052) that stated, in part:

“... the phrase [Oh my God] had, through frequent use, lost its strictly religious meaning and become generally accepted as part of everyday language.”

The Chair said the above Decision was directly applicable to the complaint before her.

The Chair acknowledged the Complainant was offended by the use of the phrase “Oh my God” by by the actress in the advertisement, in a moment of anticipation that her boyfriend may propose during a romantic dinner.

The Chair said Rule 1 (c) of the Advertising Standards Code required her to consider whether the use of the phrase in this context was likely to cause serious or widespread offence in light of generally prevailing community standards. The Chair said while people of faith may be disappointed that those words had become part of the New Zealand vernacular, in this case the threshold to cause serious or widespread offence had not been reached.

The Chair said the advertisement had been prepared with the due sense of social responsibility required by the Advertising Standards Codes and ruled the advertisement was not in breach of Principle 1 or Rule 1(c) 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 days of receipt of this decision.