

COMPLAINT NUMBER	19/212
COMPLAINANT	A Mezei
ADVERTISER	JH Whittaker & Sons Ltd
ADVERTISEMENT	JH Whittaker & Sons Ltd Television
DATE OF MEETING	17 June 2019
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for Whittakers chocolate features brand ambassador Nigella Lawson introducing the story of Whittakers chocolate “From Bean to Bar”. Nigella starts the journey in Ghana, where the cocoa beans are grown. She then travels to Switzerland “the home of precision” and Porirua “the chocolate capital of the world” where each bean is roasted “to perfection” and refined to produce chocolate “that simply couldn’t be creamier”.

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

Complainant, A Mezei, said: The advert states Porirua is the chocolate capital of the world, this is not true as I could not ratify this on any website.
This statement is untrue.

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b)

The Chair noted the Complainant’s concerns the advertisement is untruthful because it states that Porirua is the chocolate capital of the world.

The Chair said the overall tone of the advertisement is upbeat and expressive, and the advertisement uses hyperbole and puffery to tell the story of Whittakers chocolate. The Chair said in the same way the Advertiser uses artistic licence to call Porirua “the chocolate capital of the world”, it also uses exaggeration to say each bean is roasted “to perfection” and the refined chocolate “simply couldn’t be creamier”.

The Chair said the use of obvious hyperbole in this advertisement meant the claim about Porirua is not likely to be misleading.

The Chair said the advertisement 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 days of receipt of this decision.