

COMPLAINT NUMBER	20/047
COMPLAINANT	K Adams
ADVERTISER	Antares Restaurant Group Ltd
ADVERTISEMENT	Burger King Television
DATE OF MEETING	24 February 2020
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for Burger King has a voiceover which begins “The people of Bulls love their beef, so we conducted an experiment to test just how well they know their beef.” Several people are shown eating Rebel Whopper plant alternative burgers in front of a Burger King restaurant.

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

Complainant, K Adams, said: Burger King are asking the people of Bulls what they think of their new vegan burger, this ad gives the impression that Bulls has a BurgerKing, by interviewing persons from Bulls outside a BurgerKing premises! This is impossible as they dont have one!!!

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 concerns the advertisement gave a false impression that there is a Burger King in Bulls.

The Chair said that while some viewers might get the impression the advertisement was filmed in Bulls, the voiceover in the advertisement does not actually state this. The voiceover refers to “the people of Bulls” and shows people standing in front of a Burger King. The location of the Burger King is not specified.

The Secretariat said a spokesperson from Burger King said they wanted people from the Bulls beef farming community to be among the first to try the Rebel Whopper. They visited the town and locals who were interested in trying the new burger were invited to the Upper Hutt Burger King restaurant for filming. She said there are no plans at present to open a Burger King in Bulls.

The Chair said the advertisement did not reach the threshold to be considered 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 calendar days of receipt of this decision.