

<b>COMPLAINT NUMBER</b>	20/186
<b>ADVERTISER</b>	Hell Pizza
<b>ADVERTISEMENT</b>	Hell Pizza Out of Home
<b>DATE OF MEETING</b>	11 May 2020
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Hell Pizza outdoor roadside advertisements in Carterton promote their Unholy Donut product and the Lust de Luxe pizza.

The Unholy Donut advertisement shows a cartoon woman with horns and a devil's tail serving donuts at a stand. The text says "A warm donut freshly fried & sinfully pumped full of decadent salted caramel plus your choice of dark, milk or white chocolate."

The Lust de Luxe pizza shows a meat cleaver inserted into a few pieces of meat. The text says "Our meatiest pizza just got meatier". Both advertisements have the address and contact details of Hell Pizza Masterton .

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

**Complaint:** This advert is using adult themes in public. This sign is out side my house, which is right next to a primary school. It is also advertising for a shop that is in the next town, so is encouraging people to travel while we have been told to restrict travel as much as possible.

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

**Principle 1: Social Responsibility:** Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

**Rule 1 (c) Decency and Offensiveness:** Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

**The Chair** noted the Complainant's concerns the advertisements used adult themes in a public place and encouraged people to travel during the lockdown for the COVID-19 Pandemic.

The Chair said while she noted the Complainant's concerns, the advertisements did not reach the threshold to be considered offensive or socially irresponsible under the Advertising Standards Code.

The Chair said while the cartoon woman in the first advertisement was portrayed as a "she-devil" she was fully clothed as she sold donuts from a road-side stall. The reference to "unholy" could also be seen as a reference to the fact that a donut usually has a hole in the center, but the advertiser's product does not.

In the second advertisement the reference to the meatiest pizza getting "meatier" was on one level a simple reference to the amount of meat contained in the pizza. While the word "lust" is generally used to refer to sexual desire, it can also mean having a hunger for something, for example having a "lust for power" or a "lust for food".

The Chair said the Advertising Standards Authority (ASA) does not have any jurisdiction over the name of an advertiser's product. The Chair referred to a precedent decision, 18/419, regarding a complaint about the name of a kid's meal on the menu at the Burger Cartel restaurant. The burger was called "Trafficking". A full copy of this decision can be found on the ASA website: <https://www.asa.co.nz/decisions/search-browse-decisions/> The Chair said this precedent applies to the complaint before her and the product names "Unholy donut" and "Lust de Luxe" pizza.

The Chair considered whether the placement of the advertisement was socially responsible. The fact that it was placed next to a primary school was not socially irresponsible, because the execution of the advertisement would not appeal to primary school aged children. The fact that the advertisement was placed in Carterton and the store selling the product advertised was in Masterton was not socially irresponsible. The Chair noted the rules of the COVID-19 Alert System vary as Alert levels change. Under Level 3, which was current at the time the complaint was considered, travel within a region was allowed.

The Chair said the advertisements had been prepared with the due sense of social responsibility required and were 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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.