

COMPLAINT NUMBER	21/159
ADVERTISER	Hell Pizza
ADVERTISEMENT	Death By FrankenChicken, Email
DATE OF MEETING	7 April 2021
OUTCOME	No Grounds to Proceed

Advertisement: The Hell Pizza addressed email advertisement promotes the new 'Death By FrankenChicken'. The new pizza is said to be "loaded with fried plant-based chicken made from hemp and is juicier, crispier and just as delicious as the original".

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

Complaint: Hi, the advertisement is focussed on promoting a chicken pizza. The main ingredient is not chicken or part thereof. It is a plant based hemp product. It is not possible to have a plant based chicken which the advertisement claims . If anything it should reflect it as chicken flavoured. A copy of the email will be sent to asa@asa.co.nz

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 was concerned the advertisement was misleading to describe a plant-based product as being 'chicken'.

The Chair carefully reviewed the advertisement and said the likely consumer takeout would be that Advertiser was recreating a chicken pizza using a plant-based alternative. The Chair said it was not uncommon for meat substitute products to retain the name of the meat they are replicating.

The Chair noted that there were sufficient cues in the advertisement for consumers to understand the product was not chicken. She said the name "FrankenChicken" indicated that it was an engineered product, together with multiple references to "plant-based" descriptors.

The Chair said the advertisement was unlikely to mislead, confuse 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.